

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
Mr Eamon Thompson, Bromsgrove District Housing Trust c/o Mr Arshad Iqbal, BM3 Architecture Ltd, 28 Pickford Street, Birmingham B5 5QH	Erection of 4 1 bed flats and 2 bedroom house with associated garages and parking  LAND AT E:408522 N:276902 FOREST WAY HOLLYWOOD WORCESTERSHIRE B47 5JS	Residential	05/10/2009

'A'

**RECOMMENDATION:** that permission be **GRANTED**.

At the meeting of the Planning Committee held on the 12<sup>th</sup> October 2009 Members resolved to defer the determination of the application in order to obtain the views of:

- (i) Worcestershire Highways in respect of parking provision, access and egress from the development, highway safety and the site layout (A)
- (ii) West Mercia Constabulary in respect of the site layout and crime prevention (B)

and that the Head of Planning Environment Services report the matter back to Committee with the findings for further consideration.

### Consultations

Wythall PC Consulted: 14.08 Response received: 02.09. as follows:

No objection in principle to the provision of affordable houses. The very strong concerns of existing residents need to be taken into account. Consideration should be given to the fact that there will be an increased number of vehicles and potential parking problems should this application be granted. Also concerned as regards the plan to have a mixed site of elderly/vulnerable and young residents together with the overlooking aspect of the proposed parking court which will seriously affect properties 114/120 and 112/118. We trust all these comments will be considered very carefully when arriving at a decision as to whether or not to grant permission on the application as presented.

WH Consulted 14.08. Response received 24.08 as follows:

**No objection** to the proposal subject to the following conditions:

**HC14 Driveway Gradient**

HC25 Access, turning and parking  
HC36 Cycle Parking (Multi Unit)  
HC 51 Parking for Site Operatives  
Travel Plan Condition

Full details of these conditions can be found in the conditions section below.

Re-consulted 15.10. Response received 13.11 as follows:

**No objection** to the proposal subject to the following conditions:

**HC14 Driveway Gradient**

HC25 Access, turning and parking  
HC36 Cycle Parking (Multi Unit)  
HC 51 Parking for Site Operatives  
Travel Plan Condition

The following advisories should also be noted:

**Section 278 Agreement**

No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

**Section 38 Agreement Details**

If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.

**Design of Street Lighting for Section 278**

The applicants attention is drawn to the requirement that, in all cases where an agreement under Section 278 of the Highways Act 1980 is entered into, the street lighting will be designed by the developer of the site in accordance with the design brief agreed with the Highway Authority and their design shall include any necessary amendments to the existing system. The design brief should be discussed with the Highway Authority prior to the commencement of the design.

West  
Police

Mercia 1. I note the type B(1B2P) flat is located next to the sheltered housing scheme. This raises concern around potential noise and anti-social behaviour. In reality the flats are likely to be occupied by younger people with a number of visitors. I ask the question is this the best location for such accommodation?

2. Both type A and B have no side elevation window overlooking the parking area and block of garages. These are areas that could suffer crime and disorder if not overlooked.

3. Consideration should be given to appropriate lighting to reduce the fear of crime.

4. There is no protection from the amenity space and the parking bays. This leaves the parked vehicles vulnerable to damage.

5. The new side entrance to number 76 should be secure. If it is not it increases the risk of burglary to this property, provides a hiding place and easy access to the garage roofs.

ENG

Consulted 14.08. Response received: 23.08

No objection to the proposal subject to the standard drainage conditions and the following advisories:

There is a storm sewer available. However ground and floor levels to the south side of the redevelopment may need to be kept high to maintain a fall to this sewer. No flood risk assessment is warranted. Saokaways are not sufficient. There is no need for attenuation.

The disposal of foul sewage shall be to the existing private BDHT that eventually outfalls to the public sewer in Shawhurst Lane. The floor levels may be critical to achieve a sufficient outfall. The connection is critical and the actual pipework will need surveying to prove the integrity of the pipework/outfall.

Strategic  
Housing

Consulted 04.09. Response received: 24.09

The development assists with meeting the need identified in the recent Housing Market Assessment and is particularly welcome in this location as very few properties of any kind become available for re-letting in the Hollywood/Wythall area.

Historically the Council has been unable to meet the needs of single people due to the lack of one bedroom general needs accommodation in the area and have had to under occupy existing stock thus not making best use of a limited resource. This development will help with this issue.

Although only one house is included in this scheme, the impact of Right to Buy has seriously depleted the stock of houses in this area and any addition to the supply that would help meet the need of families with

children that would enable them to move from unsuitable flats is to be supported.

It also assists the Council meet the target set in the Councils Housing Strategy of delivering 400 affordable housing units between 2006/2011.

EHO

Consulted 14.08. Response received: 14.05 summarised as follows:

No objection to the proposed development subject to the following conditions:

Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, work must not commence until conditions 1 to 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a desk top study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors.
2. Where necessary a scheme for detailed site investigation and risk assessment must be submitted to and approved in writing by the Local Planning Authority. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"
3. Where necessary detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report is subject to the written approval of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
4. Where necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

5. Where necessary the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
6. Where necessary, following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

Tree Officer Response received: 07.10  
**No objection** subject to a scheme of replacement planting comprising a minimum of 1x semi-mature Maple tree and 3x semi-mature Cherry trees and conditions C10, C13 - C19.

Natural England Consulted 14.08. Response received 24.09  
Natural England have no comments to make on the development proposal.

Worcestershire Wildlife Trust Consulted 14.08. Response received: 24.08  
We note the contents of the ecological survey and we do not wish to object to the proposed development. However we would recommend that you append a condition to any permission you may be minded to grant to cover ecological enhancement in line with PPS9 and your duties under the NERC Act 2006. Given the information in the ecological data search we would suggest that enhancement should include appropriate landscaping to augment the existing surrounding features (hedgerow augmentation and open space planting), bird boxes (as suggested by the ecologist) and bat boxes, which should be designed to be integral to the new buildings and associated with the outer edges of the development, where corridors to the wider landscape are available.

Publicity Site Notice posted 20.08, expires 10.09.

Neighbour Notification:

4 letters sent 19.08, expire 09.09.

16 letters sent 21.08, expire 11.09

28 letters received. The concerns raised are summarised below:

- Highway issues – the loss of parking as a result of the development is a significant concern. There appears to be no provision for visitor parking. This is a particular concern in terms of the availability of parking for health workers. The existing parking facility is inadequate. The proposal will result in a requirement for 12 additional spaces as the usual family requires at least two spaces. Cars and vans will end up parked on the road, on the pavements and verges. There will be resentment towards the new tenants as they will have their own allocated parking spaces and the existing residents will not. Public transport services are inadequate. The parking provided will be proximal to the new residences which is an unfair advantage over the existing residents.

- Additional traffic generation on Forest Way is unacceptable. The existing design of the road will not be able to cope with the additional traffic. The bend in Forest Way is blind and there have already been minor accidents. There are a lot of children around adding to the danger.
- Housing issues – concerns about the provision of social housing, the affordable housing need and allocation criteria. Infill developments are not supported by the District or Parish Council. Flats should not be allowed next to an 'Old Age home'. Any new housing should be for the over 55s.
- Landscaping – there will be a net loss of greenery and landscaping in the area, two trees, bird boxes and rose borders. The proposed parking court will seriously affect properties 114/120 and 112/118 as a result of car doors closing, headlights and loss of view.
- Loss of privacy and amenity as a result of the proposal.

### The site and its surroundings

The application site is a car park with a range of garages to the north and south of the site. The west boundary of the site is formed by the rear garden of 74 Shawhurst Lane and the east boundary is bordered by properties at the end of Forest Way. There is a communal amenity to the north of the present garages, some trees and an area of landscaping in the NE corner of the site. The rest of the site, besides the garages comprises hardstanding.

### Proposal

The proposal is a full application for affordable housing made up of four 1 bedroom flats and a 2 bedroom house with associated garages and parking. The two bedroom house (Type A) is located to the south of the application site adjoining three proposed new garages. The four 1 bedroom flats are located close to the northern boundary of the application site with the remainder of the space comprising an access road, turning head, parking spaces and landscaping.

The scheme will involve the building of three garages adjoining No. 67 Forest Way and a total of 20 parking spaces including the proposed garages. There will be a loss of 15 spaces and provision therefore of 5 spaces to serve the new development which is 100% provision. The scheme will be accessed from Forest Way. There is an access being retained to the rear garden of 74 Shawhurst Lane.

### Relevant Planning History

There is no relevant planning history.

## Relevant Policies

WMSS	QE1, QE2, QE3, CF2, CF3, CF4, CF5, CF6
WCSP	CTC.1, D.5, SD.2, SD.3, SD.4, SD.5, T.1
BDLP	DS4, DS13, S7, S14, S15, C4, C17, TR1, TR11.
Others	PPS1, PPS3, PPS9, PPG13, Circular 06/98, SPG1.

## Notes

Members should note that the development proposal relates to what is contained within the red line. All other matters such as the garages identified in other parts of Forest Way at 35, 100 and 250m from the application site are not considered as part of the scheme. BDHT are in the process of submitting a planning application for the erection of In terms of parking provision within the site, the following table clarifies the issue:

No. of Existing Parking Spaces:	12 (excluding garages)
No. of existing garages:	10
Total Parking lost:	22
Total Proposed:	20
Net Loss:	2
Dwelling Requirement:	5

Although a net requirement of 7 spaces is identified, it must be noted that that existing garages are not considered as parking spaces in accordance with the WCC Draft Highways Design Guide. This can be viewed on WCC Homepage – Transport and Streets – Transport – Plans and Strategies – Highways Design Guide.

No. of existing surface spaces	12
No. of proposed surface spaces	17
No. of proposed garages (in application site)	3

Please note that the proposed parking provision is sufficient to meet the requirements of the development (5) and to replace the existing surface car parking spaces (12).

The new spaces are unallocated and this accords with the Manual For Streets (Department for Transport 2007, pages 104-106).

The site is considered to form part of an established residential area and I consider that the principle of the development of the land is not in doubt. The site comprises garages and hardstanding and fulfils the definition of previously developed land in Annex B of PPS3.

I consider that the main issues in the determination of this application are:

- (i) The need for additional affordable housing provision in the specific area
- (ii) The impact of the proposal on the amenity of the existing adjoining occupiers
- (iii) The implications of the proposal in terms of parking availability at the site and safe satisfactory access in terms of the local highway network.
- (iv) Amendments to scheme (following deferral at Planning Committee 12.10)

In this respect, I consider that policies T1 and SD3 of the WCSP, policies DS13, S7 and TR11 of the BDLP are most relevant in determining the proposal. The amenity and parking concerns raised above must be considered in the context of the presumption in favour of development at this location.

(i) Affordability

The applicant is Bromsgrove District Housing Trust, a Registered Social Landlord. The applicant has provided some figures to identify the affordable housing need around Wythall and there are 253 families in need of 1 bedroom flats and 30 families are currently in need of four bed houses.

An exception to the Council's current restrictions on future housing provision is proposals for 100% affordable housing to meet a proven local need. Given the involvement of the Council (through BDHT) there is not considered to be a need to address this issue through any form of additional legal mechanism. However, it is considered that a suitable condition is needed to properly address and control this issue to ensure the dwellings remain as affordable units in perpetuity. On this basis, I am satisfied that the proposal falls under an exception to the current restrictions on housing development and should not be refused on housing oversupply. Members should note the comments received from Strategic Housing in support of the proposal and of the Councils Housing Strategy to provide 400 affordable units between 2006 and 2011.

(ii) Design Density Layout and Amenity

The site area comprises 0.135 hectares and the density proposed would be 37 dwellings per hectare which exceeds the minimum requirement for the development of previously developed land in PPS3.

The form and layout of existing dwellings on Forest Way and Shawhurst Lane is noted and consists of mainly two storey dwelling and flats in a variety of arrangements. The scheme layout is in conformity with the existing form and layout of the street and represents the logical extension of Forest Way. It is noted that there will be enclosure of the amenity area to the north of the site but this is already enclosed by the presence of the existing garages. It is noted that the south and east of the site are dominated by gardens and open space but the form and layout of the proposal would not detrimentally affect these. The affordable dwellings will meet the Housing Corporation's Scheme Development and Lifetime Homes Standards. Overall, the proposal fulfils policy S7 criterion (c).



At 0.135 Hectares the scheme is below the threshold required for the provision of play facilities or for an off site contribution in the context of policies RAT5 and RAT6.

I consider that policy S7 and the advice of SPG1 is most relevant in determining the impact of the proposal on residential amenity and on the wider streetscene. The policy requires that the amenity of adjoining occupiers is not detrimentally affected and SPG1 sets standards in terms of separation distances between proposed development and private amenity space. I note that the scheme does not provide for formally demarked private gardens as the amenity areas will be maintained by BDHT as occurs at present. There is communal amenity space to the north of the site which will be overlooked by the proposed 4 No. flats. I do not consider that the requirements of paragraph 8.5 of SPG1 requiring separation distances of 5m per storey are necessary. Although close to the private garden of 74 Shawhurst Lane, I note that no windows on either of the proposed buildings will face this boundary. Paragraph 8.2 of SPG1 advises that a separation distance of 27.5m is required between buildings which have main living rooms above ground level as is the case here. I note that the proposed flats will have a good south facing aspect to maximize daylight provision and that there is adequate separating from the range to the north such that the light conditions of these properties is not affected. I consider that there is adequate separation distance between both proposal buildings and with respect to all neighbouring buildings with the exception of 106 Shawhurst Lane which is to the corner of an existing range in the complex. It is noted that only the corner of this property is close to the proposed flats and there is still a separation distance of 21m. In terms of light, I do not foresee any detrimental impact either to the application proposal or the neighbouring dwellings. Nos. 100-110 will still enjoy an open aspect to the west and there is also adequate distance between Nos. 112-120 from the application site. I note that the office at No. 69 Forest Way will be removed and the proposed gable window proposed to No. 67 will be adequately lit.

I note the loss of existing landscaping adjoining the existing properties 112-120 Shawhurst Lane and that this has been referred to in objections. The proposal includes five car parking spaces in this position. It has been suggested to the applicant that this parking could be moved although I note the limited availability of alternatives given the space available on the site. The provision of parking spaces in front of dwellings is not unique and the suggestion of a planting strip provides some mitigation.

### (iii) Parking and Traffic Implications

Members should note the objections to the scheme in respect of the loss of parking at the site. However, it is the considered view of the Highway Authority that the replacement parking proposed is adequate to accommodate the loss of the existing spaces and to provide for the five new units. The comments in respect of visitor parking are noted. However, the Highway Authority do not consider that specific visitor allocation is necessary or expedient and this view is supported in the Manual For Streets (Department for Transport 2007, pages 104-106).

The layout of the proposed access road has been amended to provide and adequate turning head for a refuse vehicle. It is estimated that there would be an additional 8 traffic movements in the peak hours. This increase is not considered significant in the wider context of the area and the proposal is not considered to

perpetuate a traffic hazard. Overall, the proposal accords with the requirements of policy TR11.

### Updates since Planning Committee Meeting 12.10.2009

An amended site plan was received 23.11.2009. The revised plan shows several pedestrian routes across the site to access the laundry. The parking layout has also been altered to reduce and reconfigure the parking layout to the front of Nos. 114-120 Shawhurst Lane. There will now be 2 spaces provided in front of these properties in a parallel arrangement to reduce the impact of vehicle lighting and disturbance on residents. A landscaping area is proposed in the space between these parking spaces and the windows of the properties. A further statement from BDHT has been received and is summarized as follows:

The applicant has carried out further detailed consultations with the LPA, Highways Officer and ALO (Architectural Liaison officer) and has attached a revised set of drawings of the proposal (Received 23.11.2009)

#### (A) Access and Parking

The turning head and parking court in front of existing flats 112-120 Forest Way have been redesigned so that vehicles do not park facing toward the flats, the 2 parking spaces lost here have been distributed around the site. A planting strip has been introduced directly in front of the windows to flats 112-120 to act as a buffer between the parking court, pedestrian path and users of the flats. Low level planting will reduce both sound and light nuisance. The buffer is 3.2m in width.

The turning head shown is to Highways specification, which means it is large enough for a refuse vehicle to turn around in. Access for emergency vehicles is clear and unobstructed, emergency vehicles can easily turn around using the shown turning head. A Stopping up order will be applied for if planning approval is granted. Parking provisions, especially in terms of visitors and disabled parking have been discussed in detail. None of the parking spaces will be allocated. However, all end spaces with a 900 mm path along the side is adequate for disabled parking. The Highways officer was also satisfied that no additional/dedicated visitor parking was required. All requests from residents for allocated disabled car parking spaces will be considered and approved where criteria has been met.

The pedestrian route from the existing flats through to the front and rear entrance of the laundry block has been simplified and made more accessible by introducing additional drop kerbs. The parking spaces and parking court will be of a different material finish to the road and pavement to enable a clear demarcation of road, pavement and parking areas.

Members should note that Worcestershire Highways have been re-consulted on the application (15.10) and the response is still *no objection* subject to conditions. The advisories attached (see consultations above) provide details on the procedures necessary to secure adoption of the proposed roadworks as public highway. Members should note that a planning application (09/0892) for the erection of six garages at Forest Way has been received on 23.11.2009 and is currently being considered. 7 additional parking spaces are also proposed.

### (B) Security

The consultation response from West Mercia Police has been addressed by the applicants in the following ways. The 2B House and the block of flats have windows added to the gable elevations so as to increase surveillance of the garages and parking court respectively. Street lighting was discussed in detail and it was agreed that any additional street lighting would be to Worcestershire County Councils specification.

### Other considerations

Members will note the views of Natural England and the Worcestershire Wildlife Trust in terms of the ecological implications of the proposal. The consultees have not raised any objections and the reports presented with the application conform that there would be limited impact on local wildlife due to the lack of ecological resources present on the site. Planning permission would not breach the Habitats Directive 1992 or Wildlife and Countryside Act 1981. Members should note that a contamination report was presented with the application and there is no objection from Environmental Health subject to conditions. The satisfactory drainage of the site can also be obtained through conditions.

BDHT have provided additional information in terms of the proposed allocation of the units. It is proposed to restrict occupancy to those over 55 years. In agreeing to allocate tenancies in this way this should assist in freeing up accommodation for general needs housing. This is proposed to be reviewed after 5 years to show that the objective are being met. Members should note that there is a condition set which requires details of the occupancy criteria of the dwellings to be submitted and approved in writing by the LPA.

### Conclusions

The principle of development at this site is acceptable and I consider that the proposal would make more efficient and beneficial use of previously developed land in accordance with PPS3. The overall design and layout of the proposal is satisfactory further enhancement can be secured through appropriate conditions. Members should note the concerns of residents, especially in terms of parking at the site. It is considered that the applicant has endeavored to amend the scheme and provide supplementary information in respect of the application. It is noted that the amendments to the design and layout of the proposal address the concerns of Highways and West Mercia Police and some of the amenity issues of concern to residents. The application should be approved

**RECOMMENDATION:** that permission be **GRANTED** sfc:

1. C1
2. C3
3. C6
4. C7
5. C10 (to include details of replacement tree planting).
6. C13
7. C14

- 8. C15
- 9. C16
- 10. C17
- 11. C18
- 12. C19

- 13. Prior to the commencement of the development, full details of the occupancy criteria which are to be used to select occupants of the flats shall be submitted to the Local Planning Authority for approval. Subsequently the occupation of these units shall only be taken up by persons meeting the approved occupancy criteria, unless otherwise agreed in writing by the Local Planning Authority.
- 14. A preliminary risk assessment must be carried out. This study shall take the form of a desk top study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors.
- 15. Where necessary a scheme for detailed site investigation and risk assessment must be submitted to and approved in writing by the Local Planning Authority. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
- 16. Where necessary detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report is subject to the written approval of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
- 17. Where necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 18. Where necessary the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required carrying out remediation, unless otherwise agreed in writing by the Local Planning Authority.
- 19. Where necessary, following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
- 20. HC14 Prior to the occupation of the development hereby approved the driveway and/or vehicular turning area shall be consolidated, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority at a gradient not steeper than 1 in 8.

21. HC25 The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.
22. HC36 Prior to the first occupation of any dwelling hereby approved secure parking for 2 cycles to comply with the Council's standards shall be provided within the curtilage of the application site for each dwelling and these facilities shall thereafter be retained for the parking of cycles only.
23. HC51 The development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision be retained and kept available during the construction of the development.
24. The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a welcome pack for each property that promotes sustainable forms of access to the site with the Local Planning Authority.

#### **Reasons:**

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to secure the satisfactory appearance of the development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.
3. To ensure the provision of adequate storm water drainage in accordance with policy ES1 of the Bromsgrove District Local Plan 2004.
4. To ensure the provision of adequate foul water drainage in accordance with policy ES1 of the Bromsgrove District Local Plan 2004.
- 5-12 In order to protect the trees and the wider the amenity of the site in accordance with policies DS13 and C17 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.
13. To ensure the proposed flats are provided at an affordable level and to meet local housing need in accordance with Policy S15 of the Bromsgrove District Local Plan.
- 14-19 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ES7 of the Bromsgrove District Local Plan.
- 20-21 In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.
22. In order to comply with the Council's parking standards.
23. To prevent indiscriminate parking in the interests of Highways safety.
24. To reduce vehicle movements and promote sustainable access

## Notes

The applicant is reminded of their duties under the NERC Act 2006 and of the guidance of PPS9. Given the information in the ecological data it is suggested that enhancement should include appropriate landscaping to augment the existing surrounding features (hedgerow augmentation and open space planting), bird boxes (as suggested by the ecologist) and bat boxes, which should be designed to be integral to the new buildings and associated with the outer edges of the development, where corridors to the wider landscape are available.

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy (WMSS) June 2004, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan (BDLP) January 2004 and other material considerations as summarised below:

WMSS	QE1, QE2, QE3, CF2, CF3, CF4, CF5, CF6
WCSP	CTC.1, D.5, SD.2, SD.3, SD.4, SD.5, T.1
BDLP	DS4, DS13, S7, S14, S15, C4, C17, TR1, TR11.
Others	PPS1, PPS3, PPS9, PPG13, Circular 06/98, SPG1.

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.