



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 5TH SEPTEMBER 2016
AT 6.00 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA

:

SUPPLEMENTARY DOCUMENTATION

The attached papers were specified as “to follow” on the Agenda previously distributed relating to the above mentioned meeting.

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting) (Pages 1 - 6)

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

K DICKS
Chief Executive

Bromsgrove District Council Planning Committee

Committee Updates
5th September 2016

16/0581 Land Adjacent, New Inns Lane

Amendment to Public Speaking Arrangements

The Chairman wishes to have it noted that due to the public interest in the application he has extended the public speaking arrangements to a maximum of fifteen minutes in total for objectors to speak on the application.

Additional representations received

An additional 13 representations have been received, all objecting to the application. Matters raised which are material planning considerations relate to:

Impact on traffic/highways, particularly in relation to slow moving traffic, accidents, congestion and car parking
The development being on green belt land
Visual impact
Need
Impact on air quality

Comments have now been received from the Council's Tree and Landscape Officer and Parks and Green Space Development Officer:

Tree and Landscape Officer -

This scheme proposes the removal of a number of established mature trees and works within the Root Protection Area of many others currently located in the hedgerows and boundaries of the site. Given the otherwise open nature of the site and scope for amendment to avoid these conflicts, many of these removals and works within the RPA would appear unnecessary and contrary to policies C17 & C18 and warrant refusal of the scheme.

I recognise, however, that there is an extant planning approval on the site under which these removals or similar works have been consented and against which this new scheme must be considered. Although I recommended refusal of the original scheme due to insufficient information over the scale of tree and woodland losses and works within the Root Protection Areas, this scheme was approved and clarification over the tree losses and measures to protect the retained trees were secured after the event by conditions.

Compared to the original proposal, this current scheme appears to show the same or less removal of existing trees from the site and offers an opportunity to improve the protection of retained trees & woodland. Consequently, I have no objection to the proposal subject to the following conditions only:

Prior to the commencement of any works on site, detailed plans shall be submitted clearly identifying by reference to an accurate survey, which trees are to be retained or removed for the approval of the Local Planning Authority. No cutting or removal of trees or works within the Root Protection Areas of retained trees shall be carried out until this condition has been approved.
- In order to protect the trees, hedges & landscaping features which form an important part of the

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amenity of the site and adjacent properties in accordance with policies C17 and DS13 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

Other than as shown on the approved plans and conditions, no trees or hedges on the application site, or the branches or roots of trees growing onto the site from adjacent land, shall be topped, lopped, felled or uprooted or works carried out within the Root Protections Areas of trees without the specific written permission of the Local Planning Authority.

- In order to protect the trees, hedges & landscaping features which form an important part of the amenity of the site and adjacent properties in accordance with policies C17 and DS13 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, an Arboricultural Method Statement or similar detailed schedule of works to protect the retained trees in accordance with British Standard BS5837:2012 shall be submitted to and approved by the Local Planning Authority. - In order to protect the trees, hedges & landscaping features which form an important part of the amenity of the site and adjacent properties in accordance with policies C17 and DS13 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the trees or hedgerows which are shown retained on the approved plans both on and adjacent to the application site shall be protected in accordance with the methods detailed in the approved Arboricultural Method Statement. No works shall be carried out within the Root Protection Areas of retained trees other than in accordance with these details and these measures shall be maintained as approved until all development has been completed.

- In order to protect the trees, hedges & landscape features which form an important part of the amenity of the site and adjacent properties in accordance with policies C12, C17 and DS13 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

Prior to the commencement of any works on site, a detailed landscaping scheme of tree and hedge planting & wildlife habitat creation or enhancement, to include full details of any hard or soft landscaping works within the Root Protection Areas or retained trees, shall be provided to the approval of the Local Planning Authority.

- In order to protect the trees, hedges & landscaping features which form an important part of the amenity of the site and adjacent properties in accordance with policies C17 and DS13 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

Prior to the development being occupied or operational, the approved landscaping scheme shall be completed to the satisfaction of the Local Planning Authority. Should any trees or hedges which are shown to be retained or planted on the approved plans either die, become diseased or are removed, they shall be replaced or restored to the satisfaction of the Local Planning Authority.

- In order to protect the trees, hedges & landscaping features which form an important part of the amenity of the site and adjacent properties in accordance with policies C17 and DS13 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.

Parks and Green Space Development Officer -

The new layout being proposed is a significant improvement over the originally proposed designs which have already been given approval. Both designs on the whole preserve the majority of the existing hedgerows, trees and habitats on site which is good. However where the new design improves over the old is that it has significantly reduced the areas of un-necessary hard standing - the old design has a very hard central section which has now been omitted from the new. The overall design works well with the challenges presented by the preservation of the natural assets on site and will present an attractive landscape experience for visitors.

The original ecological survey information did not establish the presence or absence of protected species, subsequent survey works were not undertaken (or at least were never submitted), which continues to leave an open question which has never been adequately resolved - are protected species of any type likely to be affected by the proposals?

As the designs in both cases are protecting the vast majority of the existing landscape features (trees, hedges, some areas of scrub) I believe further survey works are not necessarily required at this time - however, to ensure that potential species that may or may not be present are protected, it is important that a management and maintenance plan for the entire landscape which includes all tasks required to manage the gardens and habitats throughout the year in perpetuity is written and adopted - this should include schedules of tasks and bills of quantities as necessary, this also needs to be expressly clear as to the value of the established landscape and which areas are not to be disturbed, removed etc. The currently submitted documentation is extremely weak and has too much flexibility built into it. Should this not be forthcoming, it will be necessary to request that additional surveying is undertaken to establish possible presence or absence of protected species.

*A suitable CDM plan will also be required which includes the recommendations as outlined within the Clarke Webb Ecology report of 18th November 2011 - pages 6 and 7. Tree protection where necessary will also be required in and around areas of construction as defined by BS5837.

*I note that the new plan does allow for encroachment of the road network within the areas which are likely to be inside the root protection zones of many hedge-lines - this needs to be reviewed.

*The newly proposed car park in the north west corner also has areas which fall within the root protection zones, some re-design here would prevent this happening and I suggest that this also needs to be reviewed.

*Paragraph 125 of the NPPF states: 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'

Light pollution is a key biodiversity threat. It is important to limit any further potential negative impacts of artificial light causing un-necessary light pollution.

Instances of external lighting spill need to be reduced or eliminated. Ideally, lighting of the following types (in the absence of superior alternatives) should be specified:

*Narrow Spectrum Lights with no UV content

*Low pressure sodium and warm white LED

*Directional down lights - illuminating below the horizontal plane which avoid light trespass into the environment

TO PREVENT THE EMISSION OF DIRECT LIGHT UPWARDS AND AT ANGLES NEAR THE HORIZON.

-Use luminaires with reflectors and clear covers, preferably of flat glass. Avoid tilting the luminaires

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from their horizontal position.

-Use luminaires with a percentage of upper hemisphere emission installed below 0,2% (preferably 0%) in relation to the total output flux of the luminaire, and be sure to avoid directing light near the horizon(the first 10°, 20°), as it produces a sky glow 6 to 160 times greater than the same flux reflected off the ground.

-Use only asymmetric beam floodlights, with asymmetries adapted to the area to be lit, not installed at a tilt.

Any proposed landscape, car park or external building lighting needs to be either PIR activated (as appropriate) or timed, and appropriately designed to prevent light pollution or spill, as such this element should be subject to design approval to minimise potential disturbance of potential bat/bird/mammal forage or roosting sites and routes.

*Site clearance or tree/shrub/undergrowth removal to take place outside the bird nesting season - (March - August inclusive) - or otherwise under the direction of a suitably qualified ecologist or ecological clerk of works.

*To further enhance the ecological credentials of the design and to compensate for the loss of open green space through construction activities it would be highly beneficial to include provision for bat and bird nesting boxes in the trees around the site, as well as the construction of hibernacula wood piles within the hedge and tree areas.

A consultation response has been received from National Grid:

The Institute of Gas Engineers Recommendations (IGE/TD/1), states that no habitable buildings be constructed within 7 metres Building Proximity Distance of the proven pipeline position, furthermore, we strongly advise that you seek guidance from the Health and Safety Executive who may specify a greater distance than we require.

I enclose a copy of the National Grid Engineering Standard T/SP/SSW22 "Code of Practice for Safe Working on the Vicinity of the Pipelines". All works carried out in the vicinity of the pipeline are to conform to this standard; in particular no mechanical excavation is to be carried out within 3 metres of the pipeline (Ref Section 9.2).

Before your works start we shall be pleased if you will contact this office to arrange a site meeting to trace our pipeline and agree the method of working in the vicinity of the pipeline. We require a minimum of 7 working days' notice.

Conditions:

In addition to those conditions recommended on the published agenda and those above the following are also suggested -

- provision of a lighting scheme
- highway conditions
- control the use of the building to chapel/crematorium and maintenance building
- control of the proximity of burials to watercourses
- provision of a water management plan
- Foul water drainage details
- Surface water drainage details

16/0723 47 Fiery Hill Road, Barnt Green

One additional letter of objection was received on 25th August 2016. The objector raised concerns regarding highway safety and the possible presence of bats in the locality. Members should note that this proposal does not trigger the requirement for a bat survey, given its location and building type. In any event, if bats are found during the construction process should bats be discovered these would be protected under the Wildlife and Countryside Act.

Following this information, the applicant has advised that after much site clearance they have no indication of bats on the site. In addition to this, they advise the roof space is currently a habitable room.

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