



**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

MONDAY 11TH MARCH 2019, AT 6.00 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE,  
WORCESTERHIRE, 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)

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

11th March 2019

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## UPDATE SHEET

### Agenda Item 9

#### Further Consultation Responses

##### **BDC Conservation Officer**

The site falls within both Bromsgrove District and Stratford District, and I understand part of the A4023 falls within Redditch. This road splits the site, the northern section including the Bromsgrove section of the site and also falls within the setting of Gorcott Hall which is located to the east/northeast. The proposal is to construct large warehouse units varying in height from 16.5 m up to 21m. As with the previous scheme the site has been zoned for buildings of various heights, although there is an illustrative masterplan with a suggested layout. This latest scheme has reduced development to the south west of Gorcott Hall to areas of carparking, albeit with the possibility of a two storey car park, the proposed height of this is unclear, as well as removing development to the south east. In addition the previous unit A is now considerably larger and spans the Blacksoils Brook.

Gorcott Hall comprises a small country house dating back to the 15<sup>th</sup> century, but with substantial additions and alterations taking place in the 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> centuries. The earlier ranges were originally constructed in timber framing, with a mix of brick noggin and lime render infill panels, although some of these elements have been replaced with brick, later additions and extensions have been constructed in brick. It represents a building of great interest, with its various phases of development. The significance of Gorcott Hall is outlined in the Heritage Statement which has been submitted as part of the application. An updated Heritage and Archaeology document has been appended to reflect the revised scheme. This document draws the conclusion that the harm to the significance of Gorcott Hall is less than substantial, falling within the middle of that assessment and would therefore be described as moderate.

The previous scheme had come about following a number of discussions between the applicant, myself, the conservation officer at Stratford and Historic England. I am not aware that there have been any similar discussions in respect of this scheme, and the reference to discussions in the Heritage and Archaeology Section are therefore misleading.

In determining applications such as this there is a statutory duty in Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. In terms of the NPPF less than substantial harm needs to be balanced against the public benefits of the scheme.

The previous scheme in respect of the northern part of the site saw the development to the south west of Gorcott Hall, restricted to 9 and 12 metres in height and through some serious engineering work the ground levels in these

areas were to be reduced to sink the units down into the landscape. Combined with a landscape buffer zone immediately to the south west of Gorcott Hall this would have reduced their visibility and the impact on Gorcott Hall. The trade off to all this was Unit A, and the zone to the north of the brook, where the expansive roofs of this unit was likely to be visible from the Hall. In addition these units were going to be 21m in height although during our discussions the figure had been 18m.

This latest scheme therefore has the advantage that there will be no development to the south east of Gorcott Hall, and significantly less development to the south west, although the height of the two storey car park is unclear. Unit A to the west has also been reduced in height to 16.5m. This has to be balanced however, against the fact that Unit A has massively increased in size and the greater expanse of roof is likely to increase the visual impact on views from Gorcott Hall in this direction. The sheer scale of this building despite its reduced height will have an adverse impact on the setting of Gorcott Hall

Increasing the dimensions of Unit A as proposed will now obliterate the Blacksoils Brook and associated hedgerow, an important archaeological feature, the boundary between Worcestershire and Warwickshire. I would support the comments made by Emma Hancox, in respect of this element of the scheme. The original scheme was largely designed around the Blacksoils Brook and associated hedgerow, and they formed an important part of the landscaping for that scheme, breaking up the site and maintaining some references to the historic landscape character of the site as a whole. Reducing the number of units has reduced the opportunities for landscaping to break up the site, and the latest plans show landscaping restricted to the boundaries of the site.

I would agree with the assessment that the harm to the significance of Gorcott Hall, a Grade II\* listed building, remains as less than substantial, as before. Having weighed up the advantages and disadvantages of this revised scheme I am still of the view that the harm will fall somewhere in the middle of the less than substantial harm spectrum. It may be that some of the harm can be mitigated against when reserved matters are considered later in the process.

I note that there are some other listed buildings further to the south notably Lower House in Longhope Close which falls within Redditch and other buildings which fall within Stratford. I had not previously considered these buildings, and I am not in a position to comment on the Stratford properties. I would agree that that the harm to Lower House remains unchanged.

As the harm to the various designated heritage assets amounts to less than substantial harm, this will engage Paragraph 196 of the NPPF which requires harm to be weighed against the public benefits of the proposal. Significant public benefits would be required to outweigh the noted harm to these assets, but it is for the decision maker, the planner in the first instance to determine this.

I note that this is an outline application and the details of the scheme will be considered later at the reserve matters stage. It is imperative that at this later stage a great deal of thought is given to the following;

1. Materials and especially colour schemes
2. The specifics of ground profiling
3. Soft landscaping, especially in the buffer zone adjacent to the Hall, but also in other areas to reduce views through to the units. Existing boundaries, where they remain, will need to be reinforced
4. Hard landscaping
5. Security, especially in terms of the Hall
6. Lighting
7. Land Management, and particularly maintenance of the buffer zone area.
8. In terms of Unit A it would be useful to see more detailed photo montage evidence from Gorcott Hall to establish the impact on the listed building.

## **Warwickshire County Council Ecology**

WCC Ecology has serious concerns with the additional loss and impacts to the veteran trees although it is noted that their loss is inevitable due to the size of the building and requirements of its use as a lorry distribution centre. To satisfy the NPPF and the 'wholly exceptional' reasons then these fall to alternative locations that has been appraised by the applicant. This is not an area of my expertise and will leave this aspect for your consideration.

I have also clarified that the earthworks plan is not a final plan and that the lorry parking area to the eastern side of the wood will result in a circa. 8m sheer drop or sloping up to the perimeter of the wood. This will have an impact on the wood and possibly the pond above this drop. These impacts cannot be measured at this time, but will need to be gauged as part of the Biodiversity Offsetting S106 schedule when the reserve matters are submitted. The S106 schedule will need to pick up impacts of this kind throughout the development's layout be they of a positive (gain) or negative (loss) nature. Thus the existing S106 schedule will need to be transferred to this application.

I also have significant concerns about the placement of and design of the lighting columns and recommendation provided during pre-application discussion to encourage dark corridors. Therefore, it is essential that a lighting condition is retained on the permission granted. This will apply to all the ecological conditions placed on the original permission other than ones specific to Blacksoils brook that is to be diverted.

### In summary

- It is our opinion that the 'wholly exceptional' reasons to impact on the veteran trees has not been adequately evaluated on ecological considerations, but may be overrode by economic reasons at your discretion.

- There will be indirect impacts on the woodland not covered in the Biodiversity Impact Assessment submitted to the original application, however, these can be tracked within the current S106 schedule.
- We object to the location and design of some of the light column and light splays and their impact on bat (European protected species). However, these can be resolved through a lighting condition and revised plans.

If you would like additional explanation to any of the above and/or planning matters relating to the transference of conditions from the original permission to this variance please let me know.

## Further Officer Comments

Officers have been contacted by a few members of the public regarding the deadline for responses on the consultation letter. The day and month were correct but the year was stated as 2018. Over 400 letters were sent. None of the recipients raised this until the end of the consultation period. Had any person been in doubt about the time period for response, they could have enquired. Given the letters were dated and sent out on 17<sup>th</sup> January 2019, the error would have been obvious to those who noticed it. Accordingly no injustice is considered to have occurred to any party. As it is a statutory requirement to consider representations received prior to issuing a decision, members of the public have had an additional 21 days to send comments in any case.

## Conditions

Please Note: On this occasion the conditions are not presented in their final form, as it may be necessary to adjust the final wording to ensure compatibility across the three Local Authorities and to take into account phasing requirements of the scheme.

**The following 3 conditions need to reflect the date of the original permission, as a s73 application cannot be used to extend the time period for commencement.**

1. The full element of the development to which this permission relates must be commenced not later than the expiration of three years from the date of ~~this permission~~ the original permission reference 17/00700/OUT dated 11<sup>th</sup> June 2018.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

5. Application for all reserved matters relating to the first phase of development shall be made no later than three years from the date of ~~this permission~~ the original permission reference 17/00700/OUT dated 11<sup>th</sup> June 2018

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Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

6. Application(s) for all reserved matters relating to the second and subsequent phases of development shall be made no later than 10 years from the date of ~~this permission~~ the original permission reference 17/00700/OUT dated 11<sup>th</sup> June 2018.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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