BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 28TH MAY 2012
AT 6.00 P.M.

COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: TO ALL MEMBERS APPOINTED TO THE PLANNING COMMITTEE

Updates to the Reports of the Head of Planning and Regeneration Services will be available in the Council Chamber one hour prior to Meeting. You are advised to arrive in advance of the start of the Meeting to allow yourself sufficient time to read the updates.

Members of the Committee are requested to arrive at least fifteen minutes before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting.

AGENDA

1. Election of Chairman for the ensuing municipal year

2. Election of Vice-Chairman for the ensuing municipal year

3. To receive apologies for absence and notification of substitutes

4. Declarations of Interest

5. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 30th April 2012 (Pages 1 - 4)

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

7. Tree Preservation Order 12/029 - Application to Fell a Chestnut Tree at 49 Park Road, Hagley (Pages 5 - 8)

8. 11/0748- DMB - Mixed use development comprising residential (C3) and/or residential institution (C2), community use building (D1), public open space, de-culverting of part River Arrow, site re-profiling, access, parking, landscaping and associated development infrastructure (outline) – Land at Former Longbridge East Works, Groveley Lane, Cofton Hackett – St Modwen Developments and St Modwen Properties III SARL (Pages 9 - 56)

9. 11/0750-DMB - Erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works - Land at Former Longbridge East Works, Groveley Lane, Cofton Hackett - St Modwen Developments Limited, St Modwen Properties III SARL and Persimmon Homes Limited (Pages 57 - 102)

10. 12/0066-DMB- Submission of Reserved Matters to 11/0343 (internal access, appearance, layout, scale and landscaping) for the erection of 80 residential units - Land at Church Road, Catshill - Cala Homes (Pages 103 - 122)

11. 12/0170-DK - Construction of 16 dwellings plus new access formed by demolition of no 31 Cobnall Road and part demolition of no 33 plus new extension to no 33 - Land at Cobnall Road, Catshill - Bromsgrove District Housing Trust (Pages 123 - 132)

12. 12/0175-LA - Proposed replacement of modern defective windows to granny annex (as amended by plans received 20.04.12) - Bowling Green Farm, Worcester Road, Bromsgrove, B61 7HZ - Mr. P. Thomas (Pages 133 - 136)

13. 12/0310-HR - Proposed new dropped kerb and access to provide separate access and car parking - The Lodge, Beacon Hill, Rednal, B45 9QL - Mr. S. Dudley (Pages 137 - 140)

14. 12/0316-MT - Extension of temporary planning permission for car park extension - Former Market Hall Site, St John Street, Bromsgrove - Bromsgrove District Council (Pages 141 - 144)

15. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

17th May 2012

INFORMATION FOR THE PUBLIC

Access to Information

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- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
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- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees, etc., is available on our website.
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- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

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Declaration of Interests - Explained

Definition of Interests

A Member has a **PERSONAL INTEREST** if the issue being discussed at a meeting affects the well-being or finances of the Member, the Member's family or a close associate more than most other people who live in the ward affected by the issue.

Personal interests are also things relating to an interest the Member must register, such as any outside bodies to which the Member has been appointed by the Council or membership of certain public bodies.

A personal interest is also a **PREJUDICIAL INTEREST** if it affects:

- The finances, or
- A regulatory function (such as licensing or planning)

Of the Member, the Member's family or a close associate **AND** which a reasonable member of the public with knowledge of the facts would believe likely to harm or impair the Member's ability to judge the public interest.

Declaring Interests

If a Member has an interest they must normally declare it at the start of the meeting or as soon as they realise they have the interest.

EXCEPTION:
If a Member has a **PERSONAL INTEREST** which arises because of membership of another public body the Member only needs to declare it if and when they speak on the matter.

If a Member has both a **PERSONAL AND PREJUDICIAL INTEREST** they must not debate or vote on the matter and must leave the room.

EXCEPTION:
If a Member has a prejudicial interest in a matter being discussed at a meeting at which members of the public are allowed to make representations, give evidence or answer questions about the matter, the Member has the same rights as the public and can also attend the meeting to make representations, give evidence or answer questions **BUT THE MEMBER MUST LEAVE THE ROOM ONCE THEY HAVE FINISHED AND CANNOT DEBATE OR VOTE.**
However, the Member must not use these rights to seek to improperly influence a decision in which they have a prejudicial interest.

For further information please contact Committee Services, Legal, Equalities and Democratic Services, Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, B60 1AA

Tel: 01527 873232 Fax: 01527 881414
Web: www.bromsgrove.gov.uk email: committee@bromsgrove.gov.uk

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B R O M S G R O V E D I S T R I C T C O U N C I L

MEETING OF THE PLANNING COMMITTEE

MONDAY, 30TH APRIL 2012
AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), J. A. Ruck (Vice-Chairman), Mrs. S. J. Baxter, Mrs. J. M. Boswell, M. A. Bullivant, R. A. Clarke, Mrs. H. J. Jones, R. J. Laight, Mrs. C. M. McDonald, E. J. Murray, C. B. Taylor, C. J. Tidmarsh and C. J. K. Wilson

Officers: Mr. A. Hussain, Mr. D. M. Birch, Mr. D. Kelly, Mr S Hawley (Worcestershire Highways), Mrs. J. Smyth and Mr. A. C. Stephens.

136/11 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

137/11 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Member	Application	Nature of Interest
Councillor Mrs. H. J. Jones	12/0066-DMB	Prejudicial. Lives in close proximity to the Development site. Councillor Jones left the room and took no part in its consideration and voting thereon.
Councillor H. J. Jones	12/0082-SC	Personal. Her daughter had previously used the sports facilities at the Cricket, Hockey and Tennis Club.
Councillor C. B. Taylor	12/0082-SC	Personal. His children had been members of the Cricket, Hockey and Tennis Club in the past.

138/11 **MINUTES**

The minutes of the meeting of the Planning Committee held on 2nd April 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

139/11 **12/0066-DMB - APPROVAL OF RESERVED MATTERS FOR UP TO 80 RESIDENTIAL UNITS, ACCESS, PARKING, AMENITY SPACE AND ASSOCIATED WORK (OUTLINE APPROVAL OF 11/0343) - LAND AT CHURCH ROAD, CATSHILL, BROMSGROVE, B61 0JY - CALA HOMES**

Consideration of this matter was deferred to the next meeting of the Planning Committee, owing to the length of the Application report's Update Note, which provided detailed information received from a number of Consultees, subsequent to publication of the agenda.

140/11 **12/0082-SC - CONSTRUCTION OF AN ALL WEATHER FLOOD-LIT MULTI-USE ASTROTURF PITCH, PRIMARILY FOR THE USE OF THE HOCKEY CLUB (SCHEME INCLUDES OVERSPILL PARKING AND EXTENSION OF THE EXISTING DRIVEWAY) - BROMSGROVE CRICKET HOCKEY AND TENNIS CLUB, ST. GODWALDS ROAD, BROMSGROVE, B60 3BW - MRS. L. ASPLAND**

The Head of Planning and Regeneration Services reported the receipt of an indicative lighting scheme for the proposal and comments from the Highways Engineer and the District Council's Environmental Health Officer.

The Committee was reminded that a similar permission had previously been granted for the scheme, which had since expired. Officers advised that they were not aware of any recent changes in legislation that would have any significance for the new application.

Members' concerns in regard to lighting spill were alleviated by Officers who confirmed that the scheme's lighting levels would be appropriately controlled by condition. Officers further clarified a number of points raised in relation to the diversion of the Public Right of Way that crossed the site and further recommended that, if Members were minded to approve the Application, the proposed Condition 11 be deleted and it be recorded as an Informative only, instead.

At the invitation of the Chairman, Mr A. Richings addressed the Committee and spoke against the application.

RESOLVED that

1) subject to the receipt of no further representations during the remainder of the consultation period and subject to the conditions and notes set out or referred to on pages 30 to 32 of the report but with Condition 11 being deleted and it being recorded as an informative instead, authority be delegated to the Head of Planning and Regeneration Services to approve Planning Permission upon expiry of the consultation period on 1st May 2012: or

2) in the event of further representations being received before the expiry of the consultation period, authority to determine the application be delegated to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.

141/11 **APPEAL DECISIONS**

Consideration was given to a report which detailed the outcomes of a number of Planning Appeals.

RESOLVED that the report be noted.

The meeting closed at 6.30 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE 28TH May 2012

TPO12/029 - Application to fell Chestnut Tree at 49 Park Road, Hagley

Relevant Portfolio Holder	Kit Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Ruth Bamford
Ward(s) Affected	Hagley
Ward Councillor(s) Consulted	Steve Collella, Chris Scurrell
~~Key Decision~~ / Non-Key Decision	

1. SUMMARY OF PROPOSALS

1.1 An application has been received to fell a mature Horse Chestnut tree located within the rear garden of 49 Park Road, Hagley

1.2 The tree is covered by Tree Preservation Order (1) 1971. Although in a deteriorating condition, the tree is not considered to be dead or dangerous at this time and so Committee approval is required.

2. RECOMMENDATIONS

2.1 That approval is granted subject to replacement planting.

3. KEY ISSUES

3.1 The Tree & its Condition

3.1.1 The tree is a mature Horse Chestnut (*Aesculus hippocastanum*) located in the left hand corner of the rear garden of 45 Park Road with the canopy significantly overhanging the gardens of 47 Park Road and 1, 2 & 3 Oldfields.

3.1.2 The overall physiological condition of the tree appears to be good with vigorous growth, good branch extension and a healthy canopy.

3.1.3 Unfortunately, the trunk and major limbs are showing the results of a significant infection with a fungal pathogen known as Chestnut Bleeding Canker. This infects the tree through wounds and then spreads up and down infected limbs causing death of the bark of the tree.

3.1.4 Many Chestnut trees are able to detect the fungal pathogen and modify the chemical and physical composition of their wood and bark to limit the spread of infection. This is the case with this tree but the reaction has been too late to avoid leaving large open wounds and resulting in infection of the structural timber by other fungi which are causing internal decay of the trunk and major limbs.

3.1.5 The majority of the decay appears to be at an early stage but will now continue relatively unchecked and cause cubicle rot within these limbs leaving them brittle and increasingly at risk of sudden failure.

3.1.6 Although the remaining wood appears in good condition and the tree is vigorous and in good physiological condition, the rate of decay of the heartwood of the tree is unlikely to be adequately compensated by the formation of new, disease-resistant wood on the outside of the limbs and so the tree will become increasingly hazardous.

3.2 **The Proposal**

3.2.1 The proposal is to fell the tree within the next few months before the decay becomes more extensive so that the risk of injury to local residents and damage to property is minimised.

3.2.2 Given the extent of infection and decay, I recommend Approval of the application in the interests of safety subject to a condition requiring the planting of a replacement Chestnut tree in a similar location within 12 months of the felling.

5. APPENDICES

Appendix 1 - Photographs of tree
Appendix 2 - Site Location Plan

6. BACKGROUND PAPERS
Copy of Application

7. KEY

AUTHOR OF REPORT

Name: Andy Bucklitch
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Appendix 1 – Photographs of Chestnut Tree

Appendix 2 – Site Location Plan

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
ST MODWEN DEVELOPMENTS LIMITED AND ST MODWEN PROPERTIES III SARL **"B"**	Mixed use development comprising residential (C3) and/or residential institution (C2), community use building (D1), public open space, de-culverting of part River Arrow, site re-profiling, access, parking, landscaping and associated development infrastructure (outline) **As augmented by:** Delivery and Viability Report received 09.09.11 Re-Profiling Tree Protection Plan received 23.02.12 Land at Former Longbridge East Works, Groveley Lane, Cofton Hackett	EMP GB LBS	11/0748 30.11.11

RECOMMENDATION:

(a) **MINDED to APPROVE OUTLINE PLANNING PERMISSION**

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:

(i) The securing of 36 affordable housing units (with a tenure mix of 50% affordable rent and 50% shared ownership) with 18 to be built completed by the occupation of the 100th open market dwelling and the remainder by the occupation of the 193rd market dwelling

(ii) A LIT contribution of £500,000 to improve education facilities at Lickey Hills Primary School to be made prior to the occupation of the 100th dwelling – with such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education.

(iii) Construct and complete the new public park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.

(iv) Viability reviews to be submitted at an agreed trigger point of either (a) upon the submission of each future Reserved Matters application or (b) the prior occupation of an agreed number of dwellings, with the viability review updating the current Delivery and Viability Report submitted with the current application.

(v) Up to 35% affordable housing with the tenure split to be determined, subject to the future viability of the development

(vi) Up to £16,500 per dwelling to the Longbridge Infrastructure Tariff (LIT), subject to the future viability of the development

(vii) A new Community Centre building of up to 450 square metres to form part of the northern Phase 2 of development

(viii) The District Council's fees and costs of the current, initial and subsequent viability reviews (index linked to RPI, plus expenses and VAT) to be borne by the applicant.

Consultations

WH	Consulted – views received 01.05.12: No objection subject to Conditions relating to: • Access closure • Highway improvements/off-site works • Wheel washing facilities • Parking for site operatives • Travel plan
HA	Consulted – views received 21.12.11: • No objection subject to Conditions relating to: • Trip generation schedule • Implementation in accordance with the Trip Generation Schedule • System for vehicular trip monitoring to be agreed • Implementation of the vehicular trip monitoring system • Implementation not to exceed trip generation schedule
Centro	Consulted – views received 20.10.11: • No objection
Drainage Engineer	Consulted – views received 28.09.11: • No objection
EA	Consulted – views received 14.11.11 and 19.12.11: • No objection subject to Conditions relating to: • Verification report for pollution • Contamination identification measures • Surface water drainage scheme • Surface water drainage infiltration prevention measures • Piling restriction measures
STW	Consulted - Views received 08.09.11: • No objection subject to conditions relating to: • Surface water drainage • Foul drainage
WRS: Contaminated Land	Consulted – views received 31.01.11 and 22.03.12: • No objection subject to Conditions relating to: • Contaminant detailed remediation scheme • Ground gas monitoring • Information relating to appropriate water supply pipes • Validation of the above measures
WRS: Air Quality	Consulted – views received 31.01.11: • No objection • In general agreement with the assessment made and conclusions drawn in relation tom the submitted Environmental Statement
WRS: Noise	Consulted 30.08.11: views awaited
Climate Change	Consulted 30.08.11: views awaited

Officer

Urban Designer Consulted - views received 06.10.11:

- Generally, I consider this to be a good submission. All the urban design criteria have been considered, and sound decisions have been made based upon them. If this standard is pursued consistently thought the reserved matters submissions, this could become a very good development.

Structure, Layout and Land Use

- The proposal is for a very straightforward loose grid of perimeter blocks. There is a sound hierarchy of streets, which avoids as far as is possible cul-de-sac, and which positions fronts and backs in the right places. I do have a concern that the development, however well planned, is, because of its shape and its limited accessibility, effectively one large residential cul-de-sac for 700 households. It will be necessary for everyone to leave the site through its single main entrance in order to access any resources, other than the proposed community centre. The accessibility cannot be improved, but I do wonder whether there ought not to be more local resources located within the development, in order to make it less of an isolated peninsula, and to give the community outside a reason to go there.
- For the same reasons, a pedestrian and cycle connection to Cofton Church Lane, which the Statement proposes *will be considered*, is surely essential. Motor vehicle access is clearly difficult and undesirable, and the topography is also difficult, but a connection is necessary.
- A 2m high noise barrier to the railway line is proposed. It will run along the end of back gardens, which is the least problematic location, but it would be useful to know what form it is intended to have. With imagination, it could become an interesting and useful element

Topography

- This is an area about which I am uncertain. The Statement describes the site as predominantly flat, and this is certainly the impression gained from viewing. Presumably this is the consequence of site engineering for the large Austin works which were located there, which has left steep banks around part of the perimeter, where land has been scraped flat. The Statement, in section 4.2, proposes *re-profiling the site's landform to reduce the difference in height across the site, and re-instate the rolling landscape of hills and valleys following the watercourse. It will provide a more permeable layout.*
- The site sections indicate the proposed addition of huge amounts of fill – up to what looks like about 8m deep. There appears to be no information given as to the sustainability of importing this huge amount of material to the site (although one of the four sections also includes a relatively small amount of cut). Building houses on several metres of fill will also considerably increase the cost of foundations. Whether or not the result will amount to a *rolling landscape* is impossible to tell.

There is a contour plan of the site in section 2.7. The contours are labelled *proposed*, but I cannot tell what their intervals are. There is no drawing which relates the proposed layout to the proposed topography. I think the benefits and costs of modifying the topography require some further explanation. How the re-grading affects permeability I cannot understand.

Density

- The Statement describes the proposed development as up to 725 dwellings on 22.33 hectares, at an average density of 40 dwellings per hectare. I do not know what method of calculation the consultants are using, as I make this a maximum average density of 32dph. There appears to be some confusion, as the three character areas into which the development is divided are stated in section 4.6 to have densities of *up to 80dph, up to 45dph, and up to 40dph.* These cannot produce an average of 40dph.
- Setting this confusion aside, an overall density of 32dph is perhaps acceptable. The creation of a spectrum of density, highest in the north adjacent to the site entrance, and lowest to the south, is sensible and appropriate. However, I consider that the division into the three zones, of high, medium and low density, is done rather too rigidly. It would be better if the zones blurred into one another less obviously. This would create greater continuity within the development, and would perhaps reduce the social distinctions which might be generated by a rigid segregation.

Character

- My comments on proposed character are similar to those on density. The relationship of architectural character to density in the three subdivisions is well considered, and the decisions taken are appropriate, and well documented. But it does not seem appropriate to have abrupt boundaries between the three; better and more interesting to have zones of transition, for the same reasons as in the previous paragraph.

Sustainability

- The appendix contains a number of good intentions, but there is no drawn material which gives much idea how these intentions might be translated into form. The presence of the River Arrow in the centre of the site seems to offer an outstanding opportunity for a system of sustainable drainage, but although the Statement contains some attractive and suggestive perspective drawings, this opportunity appears not to be mentioned. Passive solar energy gain is mentioned in the appendix, but there is no reference to how this might coexist with regular perimeter blocks. Perimeter blocks are the orthodox planning form, but by having houses face in all directions, they make the maximisation of passive gain difficult. I consider that a strategic approach to sustainable design needs

Affordable Housing

- Unless I have missed it, there appears to be no statement about

the provision of affordable housing. Especially with a development of this large size, the disposition of the proportion of affordable dwellings is an important matter, and needs specifying.

Strategic Planning Manager

Consulted - views received 14.05.12:

Conformity with Longbridge AAP

- The Longbridge AAP was adopted by Bromsgrove District Council and Birmingham City Council in April 2009 following a lengthy period of development and consultation in the years after the demise of MG Rover in April 2005.
- The AAP is the primary development plan for the area although as the planning system has been reformed in recent years, and the economy is significantly different from when the plan was prepared, other considerations will also need to be taken into account. In this first section the applications will be assessed against the AAP without considering the impacts of the economy and or other financial viability considerations. This is simply used as a tool to evaluate the current proposals with that which was originally envisaged for the site.
- In the AAP development at East Works is predominantly addressed by policy H2, there are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered.
- In very simple terms the applications conform with the overall requirements of H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. Both the full application and the outline allow for these policy objectives to be met. One of the key elements of the residential development at east works was to be the range of units and densities to be provided across the site. The AAP requires that an overall density of 40-50 dwellings per hectare (dw/ph) is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.
- The application does provide a range of house sizes and types although in my view architecturally uninspiring and generic which seems to be in contrast to what was being proposed during the time the AAP was being developed. The sustainability of these properties is well below that which the AAP had hoped for with the development proposed being the minimum standards as required by Building Regulations, rather than the more aspirational targets as set out in the AAP.
- The AAP also encourages homes to be built to Lifetime Homes Standards and whilst not strict requirement there is only limited provision for them in the full application, and the outline only identifies that they will be considered through each phase of the

development and incorporated where suitable and viable, although this is something which could be agreed as part of the Section 106 Agreement.

- The requirement of the AAP OS2b: opening up of River Arrow, OS4 & OS4b: East Works Park and OS16 and 17: Green Belt protection have all been included in the scheme. It has been agreed that the scale of the park originally envisaged could be reduced in an effort to aid the overall viability of the scheme, and with improvements scheduled to take place to Cofton Park in the near future this would not be detrimental to the east works development as sufficient areas of open and play space are easily accessible from the site and within the site.
- The outline application still maintains the pedestrian/cycle link to the wider countryside via Cofton church lane which is welcomed as is the street pattern with the scheme conforming with the requirements of the AAP as I understand to the acceptance of the Highway authority.
- The most significant elements of this scheme where it fails to meet the adopted policies in the AAP are the provision of affordable housing and the planning contributions required by the Longbridge Infrastructure Tariff (LIT). Both of these elements are key factors in the discussion on development viability.
- The requirement for affordable housing at Longbridge is that a target of 35% of all new units developed are affordable. The two applications under consideration currently do not meet this requirement.
- The outline scheme does not commit to a level of affordable housing other than referring to the AAP target of 35%.
- The outline scheme does offer more hope of additional affordable housing in later phases although this must be considered against the low existing provision and the ability of the later schemes to deliver vastly increased affordable housing numbers.
- As suggested by the outline application and in line with the AAP the later phases of this development will be developed out at different densities, with the northern section of the site being at higher densities and the southern section of the site being at lower densities. Any suggestion that the southern section of the site could deliver vastly increased numbers of affordable housing which would make up for the overall shortfall in the current application would appear unlikely. The southern section of this site is where the largest most profitable housing will be developed, not only will it be physically difficult to make up for the shortfall with less actual housing units being provided, bearing in mind the issues on viability which will be discussed below it is difficult to see why any developer would increase density here which is most desirable on the open market with high numbers of affordable housing units.
- The LIT was developed as part of the AAP as a precursor to the current CIL regime although it does not operate exactly the same way CIL is required to be operated. The intention of the LIT was

to provide a simple mechanism of ensuring that developers would know what financial requirements would be required as a result of any development to enable the aim and objectives of the AAP to be achieved. It is also an important tool as it allows the councils to pool planning obligations enabling us to allocate the required funding to the area/schemes where mitigation is most needed in and around Longbridge in both districts, regardless of where the funding originated.

- The applications were originally submitted with no contributions to the LIT identified. The discussions about the viability of the scheme have now presented a situation where £500k can be offered to the LIT with the intention of it being used to replace temporary class rooms at Lickey Hills Primary School with permanent structures.

Viability of Development

- As touched on in the comments above the viability of the development at East Works has been a consistent factor and one which has dominated discussions. The Council have employed a specialist who has helped in assessing the current schemes viability, and has also advised on how best to ensure that future development is both viable for the developers and also helps to meet some of the wider aims of the AAP.
- What is clear from both the discussions and the financial modelling work which informed the discussions is that a fully AAP compliant scheme is unviable.
- The AAP was prepared pre-recession when development economics were very different from those which are currently being experienced. With considerable economic restrictions now in place for both developers and prospective purchasers, and a reduction in the availability of publically funded grants and loan schemes, what was once considered to be realistic development is now somewhat different.
- As the AAP was going through its final stages of development and in particular the Examination in Public in late 2008 it was clear that the world economy was experiencing considerable decline, although a collapse on the scale that has been seen since was perhaps not foreseeable. It was with this in mind that elements of the AAP were amended to ensure that the financial viability of developments is allowed to be taken into account and concessions made to allow development to proceed. This approach has since been enshrined in the NPPF.
- The development of the Longbridge site has always been seen as challenging, largely because of the sites former use and the amount of remediation required to clean the site up to a environmentally acceptable standard, combined with the significant levels of new infrastructure required to service the different uses the Councils would like to see introduced.
- The viability work which accompanied the applications has been assessed and whilst some differences remain in opinion it is felt that it does reflect the difficulties of meeting the overall

	requirements of the AAP. The improved offer of additional affordable housing and LIT funding in my view makes a difference to the acceptability of the scheme without which would have been unacceptable. • The provisions in the Section 106 for the outline scheme which allows for development viability to be reviewed over the lifetime of the development and any uplift captured in additional planning gain as required by the AAP, further weigh in favour of granting permission for both the initial 229 dwellings and the outline application, notwithstanding the concerns I have over the ability of the later phases to make up for lost provision particularly in relation to affordable housing on this phase. • Subject to other planning matters being appropriately dealt with, including the relevant legal agreements, it is with some reluctance think these schemes should be allowed to proceed. The proposals are satisfactory although way below the requirements and aspirations of the AAP. • It is accepted that viable development is difficult to achieve with current market conditions, and it is for the specific viability reasons associated with this current proposal and for these reasons only that this scheme should be approved. Officers have worked with the applicants for a considerable period of time trying to make this scheme more AAP compliant and thus deliver more of the aspirations that both Bromsgrove District Council and Birmingham City Council have for the Longbridge area.
Open Space	Consulted 06.09.11: views awaited
Head of Leisure Services	Consulted – views received 06.09.11: • No objection subject to Conditions relating to: • POS landscaping measures
Strategic Housing Manager	Consulted – views received 15.05.12: • In respect of application 11/0750, based on the viability on phase 1 of the Longbridge site Strategic Housing accept and support the provision put forward for affordable housing. • However we welcome the proposed future reviews of viability which may lead to increased provision of affordable housing on future phases
NE	Consulted - views received 25.10.11: • No objection • Recommend the use of planning conditions to ensure the protection of Bittell Reservoirs SSSI and protected species on site • The proposed Green Belt Ecological Management Plan, the Phase 1 Landscape Management Plan and Maintenance Schedule for the Arrow Park and the CEMP should be secured through planning conditions. Ecological management should include the eradication of the Himalayan Balsam on site
WWT	Consulted - views received 29.12.11: • No objection • You'll be aware that we have been involved in this site for some

time now and we are pleased to support the de-culverting of the River Arrow and the associated open space and habitat creation that goes with that part of the project.
- In addition we are pleased to note the proposals for protection and enhancement of the Arrow corridor (both on and off-site) and site Green Infrastructure centred on the new park, existing pond and corridors around the site.
- The proposed landscape and ecological management plans, coupled with the submitted CEMP will be important in delivering robust multi-functional GI across the site and we would therefore strongly recommend that they are covered by appropriate planning conditions.
- We are pleased to support Natural England's comments regarding protected species and the nearby Bittell Reservoir.

WCC Landscape — Consulted – views received 28.09.11:
- As such I support this application as it will be viewed as part of the larger development and against an existing urban backdrop.
- Notwithstanding this there are a number of concerns regarding landscape issues that I would bring to your attention.
- Landscape links through Green Infrastructure to the adjacent rural areas to the south and west of the site are not sufficiently demonstrated.
- Even though the site was previously industrial, no attempt has been made to restore any of the historical patterns of enclosure or, at least to explain why this is not possible. Historical patterns would enable a more "linked up" approach to surrounding rural landscape and would deliver some aspects of landscape character.
- The public open space is minimal, being confined to the boundary of the Green Belt with some additional small and fragmented areas centred on the river. Far more could be provided and designed to give Green Infrastructure on a north-south axis as well as the west-east.
- The reasons behind only partially de-culverting the River Arrow are not made clear.

WCC(CA) — Consulted 06.09.11: views awaited

Tree Officer — Consulted – views received 22.12.11:
- No objection subject to Conditions relating to:
- Tree protection during construction
- Tree planting schedule
- Securing of tree planting scheme
- Landscape Management Plan

Network Rail — Consulted – views received 21.09.11:
No objection

BW — Consulted – views received 18.10.11:
- No objection

Additional views received 06.01.12 and 09.03.12:
- BW can advise that we have been in discussions with the developer in regards to our letter dated 6 January 2012 and can confirm that a quantitative risk assessment has been

undertaken.
- BW can confirm the report adequately quantifies the risk and is acceptable to BW.
- BW are satisfied that we are unlikely to have to carry out works at the reservoir in the future directly as a result of the development. The report will assist us in discussions with any future independent Inspecting Engineer.
- On this basis BW do not wish to make further comments on the application at this stage

WMC — Consulted 06.09.11: views awaited

WCC PROW — Consulted – views received 28.09.11:
- No objection

RA — Consulted 06.09.11: views awaited

WCC Education — Consulted – views received 19.04.12:
- In recognition of the viability issues for the redevelopment of this site we have already agreed that the only contribution we will seek is for the replacement of the temporary accommodation at Lickey Hills Primary School with a permanent extension.
- We will not be seeking anything else.
- I note that there will be no contribution from phase 1 of the development and this is acceptable.

HSE — Consulted – views received 16.09.11:
- No objection

CO — Consulted – views received 22.02.12:
- No objection

English Heritage — Consulted – views received 19.09.12:
- No objection

CPRE — Views received 23.11.11:
- CPRE supports the development of the site of the former Longbridge East Works for housing
- The Council should ensure that any development is in accordance with the Area Action Plan.
- Where affordable housing is not provided within a section of the development, the Council should require a binding obligation to be entered into, to ensure that it is provided elsewhere within the development with the appropriate payment in lieu of actual provision. This should include ensuring that there is sufficient actual provision in the north part of the former works to allow a low level of actual provision in the lower density area in the southern part.
- It is important that the community facilities identified by the Area Action Plan are actually provided and the Council should require an obligation from the developer and/or a payment to ensure this happens.
- Provision needs to be made for the proposed Arrow Park and other Open Space to be maintained in perpetuity by some public authority, and we would suggest that this should be the Parish Council.

- Similarly the AAP anticipates that there will be some retail provision within a district centre. This does not seem to be provided for in the detailed application (11/0750) or (at least not very explicitly) in the outline application for the whole site (11/0748). It is important that the Council ensures that this is actually provided
- Any sheltered housing, or residential institutions (e.g. nursing or care homes) should be located near the retail area. This should be secured by conditions imposed on 11/0748.
- A development of this size will impose a significant strain on the school system. We do not recall what was said about education provision at the AAP examination. However, it is important that the applicant should be required to put forward as part of its applications a plan as to how pupils can be accommodated in the existing schools or expanded schools; as to whether these will need to be enlarged; and if so, how.
- A public footpath exists approaching the east side of the culvert taking the river Arrow under the railway. This appears to end exactly opposite the end of the intended Arrow Park, means should accordingly be found (if possible) for continuing the footpath through the culvert into the intended park.

Birmingham City Council

Consulted – views received 11.05.12:

- The City Council supports the principle of residential development on the site in line with the Longbridge Area Action Plan (LAAP). However, both the outline and full applications raise a number of issues. The issues are:

Affordable Housing

- The LAAP has a target of 35% affordable housing (LAAP proposal H2 paragraph 3.106). The site provides a key opportunity to meet needs for affordable housing in the wider area and it is therefore essential that levels accurately reflect the need.
- The developer's proposal aims to link additional affordable housing to viability at key stages throughout the development. Birmingham City Council would support this on the basis that the baseline figures used match those already agreed with Birmingham City Council's Planning Committee and used in determining St Modwen's recent planning applications in Birmingham.

Sustainability

- Given the overall vision of Longbridge as an exemplar sustainable development and the requirement in Policy S1 of Code Level 4 on adoption of the LAAP and level 5 from 2012, it is disappointing to see the developer's proposal to downgrade to Building Regulations 2006 for open market. Also, it appears that new homes are not developed to Lifetime Homes Standards. The proposal fails to meet the first LAAP Objective: "To establish sustainable communities, which embody the principles of sustainable development and meet current and future social,

economic and environmental needs in a balanced and integrated way."

Revised Section 106 Offer

- On 2 May 2012 the City Council received a copy of a revised offer from the developer, St Modwen. For the full application for 229 dwellings, the developer is now proposing delivery of 15% affordable housing and a £500,000 contribution towards the construction of a permanent extension at Lickey Hills Primary school. The offer confirms there will be no other financial contribution. For the outline application the revised offer provides up to 35% affordable housing and up to £16,500 LIT contributions per dwelling, both subject to viability. Housing is to be built to 2006 Building Regulation standards. Birmingham City Council notes and welcomes the improved offer.

Conclusions

- The City Council recognises that by applying the full extent of LAAP policy requirements the development is currently unviable.
- In applying section 4.25 of the LAAP, the local authority should enter into negotiations with the developer to work together towards securing a mutually acceptable, deliverable scheme. However, we believe that there are a number of outstanding issues that require resolving before an acceptable scheme can be reached. In general, the developer's proposed scheme fails to meet some of the key objectives and targets set out in the LAAP.
- Birmingham City Council would be happy to support the applications if: a) the viability appraisal is reworked reflecting the figures previously agreed with Birmingham City Council's Planning Committee and used in determining St Modwen's recent planning applications in Birmingham, and b) it incorporates the recently agreed reduced infrastructure costs.
- Accordingly we would urge Bromsgrove to continue your negotiations with the developer, St.Modwen Properties PLC to achieve the above which should then enable a more policy compliant outcome with potentially enhanced levels of affordable housing and Infrastructure tariff.

Cofton Hackett Parish Council

Consulted – views received 03.10.11:

- Cofton Hackett Parish Council has considered the application and would recommend that it be permitted.
- The landscaping on the western side of the site is particularly welcomed with the raising of the land, and the introduction of fencing, shrubs and trees
- The reference to a community building just to the north of Phase One is of great interest and conversations between all parties should commence soon

Publicity

40 letters sent 31.08.11 (expire 07.09.11)
3 identical site notices posted 27.09.11 (expire 18.10.11)
1 press notice published 15.09.11 (expires 07.10.11)

2 representations received **objecting** to the scheme on the following principal grounds:

- Loss of tree cover to rear of properties in Parsonage Drive
- Strongly against the proposed pedestrian pathway access from the site into Cofton Church Lane. A better option is a pedestrian path through the New Arrow Park to join up with the North Worcestershire path by Cofton Reservoir this would be a much better option for the following reasons.
  - It still allows access to Cofton Church lane but via an existing pathway and joins Cofton Church Lane at a much safer point.
  - Access to Cofton Church Lane by Cofton Church would be very dangerous and unsafe because the road is very narrow and in a cutting with no footpath for pedestrians.
  - The houses which will be built eventually at the south end of the development could suffer a lot of problems with people cutting through and causing a nuisance and we are sure it will cause us a lot more vandalism and nuisance at our Sailing Club at Upper Bittell.
  - This footpath if cut through would provide an excellent escape route for thieves as the police would not be able to follow except on foot and it is a long way around by car.
  - In summary this footpath does not exist at the moment and we cannot see any need for it or why it should be provided in the future.

Members are encouraged to review all submitted documentation. All submitted information is available to view in full online via the Council's Public Access system or within the planning application file.

The site and its surroundings

The application site comprises an area of some 24.99 hectares, located approximately 9 kilometres from Bromsgrove Town Centre and approximately 11.5 kilometres from Birmingham City Centre. The total net developable area of the site is 17.96 hectares.

The site formerly known as East Works/Powertrain was utilised for engine manufacturing and assembly as well as aluminum casting and used to have buildings with 92,000 square metres of floorspace. Almost all of the buildings were demolished in 2007 and the site now comprises of hardstanding, building foundations and car parking areas. The former industrial site shapes the majority of the application site as a rectangular plot.

The whole site abuts the Green Belt and Cofton Park to the south and north-west, and is crossed by the partially culverted River Arrow. In the western section of the application site there is a pond, fed by Cofton Reservoir situated immediately outside the application site boundary to the west. The River Arrow runs across the main part of the site in culvert in a west to east direction. The area surrounding the pond is predominantly woodland, with agricultural land to the south. To the east of the woodland is a former car park.

The central and main part of the site has been cleared of former industrial buildings. It is predominantly flat, with vegetated embankments around the south and west of the application site approximately 8 metres above the main application site. To the north-west the embankment rises approximately 9 metres up to residential properties that border the application site boundary. The north of the application site borders Groveley Lane, where the main access onto the application is located (via the retained gatehouse).

To the east of the application site the River Arrow flows out of culvert, under the Lichfield to Redditch cross city railway, with part of the flow passing through filter beds. Further to the west the application site is made of predominantly wet woodland. Residential properties dominate the land use in areas to the west and north east, the Lichfield to Redditch Cross City land runs parallel to the main eastern application site boundary, whilst industrial uses lie adjacent to the north across the B4096 Groveley Lane. Beyond the railway line to the east of the application site, a number of existing employment units form part of the Cofton Centre. The severe southern aspect of the site is located in designated Green Belt.

Remediation works have commenced and have reached an advanced stage. The site is located in an employment zone.

Proposals

This development relates to an outline application for the erection of up to 725 residential units (comprising residential (C3) and/or residential institution (C2)), community use building (D1), public open space, de-culverting of part of the River Arrow, site re-profiling, access, parking, landscaping and associated development infrastructure.

Members will note the application has been submitted in outline, with all matters reserved except the principal means of access to the site from Groveley Lane and Parsonage Drive, for which detailed designs of the vehicular accesses have been provided. This means that matters of appearance, access within the development, scale, layout and landscaping of the development are reserved for subsequent consideration and approval.

For the reference of Members, outline applications have to clearly demonstrate that the proposals have been properly considered in the light of relevant policies and the site specific constraints and opportunities. Outline permission can be granted subject to a condition requiring the subsequent approval of one or more reserved matters. Paragraph 52 of Circular 01/2006 states that detailed consideration on the use and amount of development of an outline planning permission will be required. In this respect, the applicant is duty bound to submit indicative parameter plans to detail the extent of the proposed development for consideration by the Local Planning Authority.

In line with the requirements, the applicant has submitted a Concept Masterplan indicating a possible form for the development, with a detailed and comprehensive accompanying Design and Access Statement. This contains parameter plans and development framework measures that detail the underlying development principles and addresses the constraints of the site and the surrounding locality. This includes matters of density, landscape, road hierarchy and building heights.

The key land uses of the scheme include:

(a) Housing and Residential Institution
The application proposes to provide a development of up to 725 dwellings (Use Class C3) of varied types and tenures. The proposals also include the potential to alternatively provide for a residential institutional use of up to 125 units for elderly care (use class C2). Such provision would reduce the number of dwellings to no less than 600. The density of development across the application site will vary and respond to the different character areas. A proportion of the dwellings will be provided as affordable homes.

(b) Community Use Building
The proposed development includes a new community use building (Use Class D1) which will be delivered as part of the development. The building has the potential to accommodate a number of facilities including a hall, multi-function rooms including possibly a library.

(c) Public Open Space
The development proposals will provide a major new public park with an area of 1.15 ha. While it is not envisaged that there will be formal sports pitch provision within the open space it will provide numerous opportunities for informal recreation. The River Arrow in its new open watercourse will be a major landscape and biodiversity feature within the public park. The public park will include an equipped play area as well as other informal play and recreation opportunities. Other features included in the public park include open grassed areas and semi-mature tree planting and a network of pedestrian paths and bridges over the river responding to key desire lines. Other areas of Green Belt land within the site will also be made available for public access. The existing pond from which the River Arrow flows in the western part of the site will be selectively managed for informal recreation purposes and nature conservation. A new footpath will enable public access to this area for the first time linking to existing footpath routes adjoining the site to the west and along the reservoir. Land to the south of the site, adjoining Cofton Church Lane will also be made available for publically accessible open space.

The key elements of the scheme include:

- Main vehicular access off Groveley Lane serving the majority of the site, leading into a loop street structure
- Secondary access off Parsonage Drive to serve up to 50 houses
- An emergency only vehicular access will connect the two vehicular access points
- Arrival square at the main vehicular and pedestrian entrance off Groveley Lane
- Creation of Arrow Park as the heart of the development, with an west to east pedestrian link
- Partial re-opening of the River Arrow
- Retention and enhancement of protected areas of woodland to the west and south.
- Re-profiling of the land form to reduce the difference in height across the site and re-instate the site's rolling landscape of hills and valleys following the watercourse.
- Potential links to the wider countryside. A north-south link will connect Cofton Park to the North Worcestershire Way to the south
- Highways improvements to Groveley Lane, including traffic calming measures.
- Reinforce and recreate existing site edge conditions through the planting of a landscape buffer and new woodland habitat.

- Provision of a noise mitigation barrier adjacent to the railway.
- Creation of a clearly defined set of connected streets with buildings fronting them.
- A bus route will be provided through the site

The scheme also includes a series of improvements to the local highway infrastructure to be delivered as part of the redevelopment of the site through a Section 278 Agreement. The improvements include

Groveley Lane:	Implementation of bridge works, junction improvements, street trees, crossings and lighting. Also includes environmental enhancements at Groveley Lane and Parsonage Drive
Parsonage Drive	Traffic calming and access improvements
A441 Hopwood	Traffic management measures, crossings and other works between the M42 and Longbridge Lane

A phasing strategy for the scheme has been developed identifying three broad phases to the development. The first phase of the development includes the new park and establishes the access points to the development from Groveley Lane and Parsonage Drive. The future phases include new residential development within the northern part of the site which could include the new community use building and its associated parking. The southern extent of the site defines a phase which will also include nature conservation works and public access to the western and southern Green Belt areas.

A period of 12 years is sought from the applicant for the submission of Reserved Matters from the date of outline planning permission, with a further 2 years sought for implementation beyond that date or the date of the approval of the last of the reserved matters if earlier. This reflects the scale of the site and the period over which the development will be delivered.

The application has been accompanied by the following documents:

- Planning Statement
- Delivery and Viability Report
- Design and Access Statement
- Drainage Strategy
- Environmental Impact Assessment comprising: Non-Technical Summary
Environmental Statement
Technical Appendices
- Flood Risk Assessment
- Heritage Statement
- Statement of Community Involvement
- Transport Assessment (including Travel Plan)

The above documents (with the exception of the Delivery and Viability Report) are available in the planning file and online via Public Access should Members wish to view them.

<u>Relevant Policies</u>

WMSS	UR3, UR4, RR1, RR3, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE5, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7
WCSP	SD.2, SD.3, SD.4, SD.5, CTC.1, CTC.2, CTC.5, CTC.6,.CTC.8, CTC.9, CTC.12, CTC.14, CTC.15, CTC.17, CTC.19, D.5, D.6, D.43, T.1, T.3, RST.3, RST.5, RST.9
BDLP	DS3, DS11, DS13, S4, S6, S7, S14, S15, S19, S28, S29, S39, C4, C5, C6, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, RAT12, TR1, TR8, TR11, TR13, TR16, ES1, ES2, ES4, ES6, ES7, ES8, ES11, ES14A
Draft CS 2	CP2, CP3, CP6, CP7, CP8, CP10, CP14, CP16, CP17, CP18, CP19, CP20, CP21, CP23, CP24
Others	Longbridge Area Action Plan Circular 01/06 Circular 06/98 Circular 06/05 SPG1 SPG11 Bromsgrove District Housing Needs Study (2004) Strategic Housing Market Assessment (2007) Housing Market Assessment (2008) Ministerial Paper: Planning for Growth National Planning Policy Framework (NPPF) (2012)

Relevant Planning History

11/0882	Re-profiling and re-modelling of site levels, deculverting of part of the River Arrow and associated infrastructure including construction access: Approved 12.01.12
11/0750	Erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works (full application): Pending
B/2008/0529	Mixed use development comprising residential (C3) including houses and apartments, residential institutions (C2) including sheltered elderly care, retail (A1, A2, A3, and A5) and non residential institutions (D1) including library and community centre with a neighbourhood centre, parking service and highway infrastructure open space including new public park, enhancement works to river arrow, recreation facilities, public transport routes, footpaths, cycleways, landscaping, service infrastructure, highway access and infrastructure, drainage flood storage areas, public art and street furniture (outline): Pending (withdrawal anticipated imminently)
B/2008/0333	Site Re-modelling, re-profiling and alterations to River Arrow and culverts: Approved 18.03.09

Notes

Site History

The MG Rover Plant at Longbridge closed in April 2005.

Full planning permission for the remediation and re-profiling of the entire Longbridge East site was granted in 2009 (reference B/2008/0333). A further full planning application to further adjust and refine the previously approved levels in order to reflect the latest proposals for the wider Longbridge East site was approved in January 2012 under reference 11/0882.

Members will be aware a full planning application for the erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works (Phase 1) (reference 11/0750) appears elsewhere on this agenda.

Policy Context

Following the demise of the plant, an Area Action Plan (AAP) was developed by Bromsgrove District Council and Birmingham City Council. The Longbridge AAP (LAAP) proposals have emerged and evolved through extensive community consultation. The application site forms part of the area covered by the APP.

The LAAP establishes a strategy for redefining Longbridge in land use terms for a mixed use development including a Regional Investment Site, a Learning Quarter, a Retail Quarter, new employment and housing areas, areas for open space and recreation, and opportunities to improve local infrastructure.

Longbridge East forms part of the wider Longbridge regeneration area at is southern extent. The LAAP identifies the site principally for new residential development. The green spaces which adjoin the Longbridge East site are located in the Green Belt.

In accordance with the LAAP objectives and proposals, an overall development framework and parameter plans have been prepared to cover the whole site. This application demonstrates how the first phase of proposed residential development follows the parameters and integrates with an overall framework whilst also forming an acceptable development in its own right.

The application site sits within the LAAP framework, which now forms part of the Development Plan for the purposes of determining planning applications. The AAP contains a shared vision for Longbridge:

"Longbridge will undergo major transformational change redeveloping the former car plant and surrounding area into an exemplar sustainable, employment led mixed use development for the benefit of the local community, Birmingham, Bromsgrove, the region and beyond. It will deliver new jobs, houses, community, leisure and educational facilities as well as providing an identifiable and accessible new heart for the area. All development will embody the principles of sustainability, sustainable communities and inclusiveness. At the heart of the vision is a commitment to high quality design that can create a real sense of place with a strong identity and distinctive character. All of this will make it a place where people will want to live, work, visit and invest and which provides a secure and positive future for local people."

The Longbridge Area Action Plan (AAP) was adopted in April 2009 and is the most up to date Development Plan Document. For the reference of Members, this is the key document against which a decision on the application should be made. The AAP contains site specific policy (Policy H2) that relates directly to Longbridge East. It is also necessary to consider changes to government policy since the adoption of the AAP; in particular, the NPPF (March 2012) and also the Ministerial Statement issued in March 2011. That Statement places a particular emphasis on both the creation of new jobs and meeting housing needs. It establishes a presumption in favour of development which assists in economic recovery (including the construction of new houses) and advises that applications for sustainable growth should be treated favourably.

The NPPF seeks to facilitate sustainable development and growth. There is a clear commitment (paragraphs 18–19) to supporting and securing, rather than impeding, sustainable economic growth. Applications for sustainable development should be approved wherever possible (paragraph 187), consistent with an overarching approach that demands a "presumption in favour" of sustainable development (paragraph 14). It advocates a proactive, creative and solution seeking approach to planning (paragraphs 17 and 187).

Themes familiar from some of the policy documents replaced by the NPPF are reframed and reinforced as the core principles underpinning the new document. These include, *inter alia*, an emphasis on high quality design, carbon reduction, conserving and enhancing the natural environment, reusing brownfield land, promoting accessible mixed use development and sustainable transport, seeking to improve wellbeing, and encouraging the delivery of facilities and services to meet local needs. These are themes which remain consistent with the aims and objectives of the proposed development.

The AAP has been prepared to conform with policies within the Regional Spatial Strategy, the Regional Economic Strategy (RES) and Local Transport Plans. Proposals for the redevelopment of Longbridge East should also have regard to policies within the Bromsgrove District Local Plan. The above documents comprise the Development Plan and, pursuant to Section 38 (6) of the PCPA 2004. A decision on the planning application should be in accordance with the Development Plan, unless material considerations indicate otherwise.

Conformity with Longbridge AAP

The AAP is the primary development plan for the area although as the planning system has been reformed in recent years, and the economy is significantly different from when the plan was prepared, other considerations will also need to be taken into account. This includes financial viability issues.

In the AAP, development at East Works is predominantly addressed by Policy H2. There are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered. In simple terms the applications conform with the overall requirements of Policy H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. The submitted application allows for the policy objectives to be met. One of the key elements of the residential development at Longbridge East works relates to the range of units and densities to be

provided across the site. The AAP requires that an **overall** density of 40-50 dwellings per hectare is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.

In summary:

- Proposal H2 allocates the site for residential and associated community and local retail use. It states that the site will be developed for:
  - Dwelling houses: a minimum of 700 dwellings with a mix of sizes, types and tenures across the site. A target of 35% of dwellings to be affordable. New homes will be encouraged to meet Lifetime Homes Standards
  - An expanded neighbourhood centre to provide essential local services including small scale shopping facilities. Land on Groveley Lane reserved for new library community centre and public meeting rooms
- Other appropriate uses will be residential institutions Class C2.
- Proposal H2 also states that the development will provide for the opening up of the River Arrow and a new neighbourhood park adjacent thereto.
- The plan also contains a number of other proposals/policies that should be applied to proposals for East Works including design requirements, sustainability requirements, and measures identified in the sections on the Movement Strategy and Environment Open Space Strategy, in particular, Proposal S1 which requires that all new residential development target Code for Sustainable Homes level 5 by 2012.
- The AAP refers to the potential need for a Section 106 Agreement. Particularly pertinent are the requirements within Section D concerning “Delivery and Implementation”. It sets out requirements for a traditionally negotiated Section 106 Agreement and a standard tariff charge (the Longbridge Infrastructure Tariff (LIT)). It also sets out other highway infrastructure requirements which it envisages would be potentially delivered under Section 278 Agreements.

The developer’s contributions should aim to match the contributions triggered by the development proposal, which were agreed through the LAAP examination process and adopted in the LAAP.

For the East Works development, these include:

- S106 to require provision of on site library with community centre/meeting rooms on site neighbourhood park and opening up of river (Policy H2 paragraph 3.109).
- LIT contribution towards educational facilities (LAAP Table 2 pages 48-50).
- LIT contribution towards sports facilities in Cofton Park and improved play facilities in the area (LAAP Table 2 pages 48-50)
- LIT contribution to improved footpath links and ecological improvements around boundary of site (LAAP Table 2 pages 48-50)
- LIT or S278 contributions to traffic management in adjoining areas- inc Parsonage Drive (LAAP Table 1 page 46)
- S278 for junction improvements incl. Groveley Lane/Lowhill Lane junction, environmental enhancements in neighbourhood centre, street (LAAP Table 1 page 46)
- S278 for improvements to A441 / Hopwood (LAAP Table 1 page 46)

- Public transport contributions

Members will note the LIT is broadly related to include off site infrastructure requirements such as public transport, physical, social, recreational and ecological infrastructure including education, community and economic measures and other transport provisions. The intention of the LIT was to provide a simple mechanism of ensuring that developers would know what financial requirements would be required as a result of any development to enable the aim and objectives of the AAP to be achieved. It is also an important tool as it allows the LPA to pool planning obligations enabling allocation of the required funding to the area/schemes where mitigation is most needed in and around Longbridge in both Districts, regardless of where the funding originated.

The Section 106 element relevant to this application is proposed to contain site specific matters including the provision of affordable housing, elements of on-site community infrastructure including community building, requirements and specifications for the on-site park and triggers for payments.

The most significant elements of the scheme where it fails to meet the adopted policies in the AAP are the provision of affordable housing and the planning contributions required by the Longbridge Infrastructure Tariff (LIT). Both of these elements are key factors in the discussion on development viability dealt with further on in this report.

The requirement for affordable housing at Longbridge is that a target of 35% of all new units developed are affordable. The current proposal does not meet this requirement, with this proposal offering 16% affordable housing, consisting of 18 affordable rented properties and 18 intermediate properties. This outline scheme does offer more hope of additional affordable housing in later phases although this must be considered against the very low existing provision and the ability of the later schemes to deliver increased affordable housing numbers. Further details on the level of affordable housing and the issue of viability are dealt with in this report under the heading *Type of Accommodation*.

In accordance with the requirements of LIT, the proposed residential development of up to 725 dwellings would require a payment of £16,500 per unit resulting in an estimated site wide payment of £11.96 million.

Viability Issues

Members will be aware that viability has become an increasingly important consideration in the determination of planning applications. Viability is inherently linked to the ability to satisfy planning policy, and to deliver regeneration objectives and economic development. The significance of viability has increased during the current period of economic downturn when the delivery of new development has been threatened and the requirement for applicants to comply with planning obligations and policy requirements has been maintained.

Scheme viability is a material consideration in deciding appropriate level of contributions for planning obligations. The application in this instance has been accompanied by a Delivery and Viability Report. The consideration of financial viability in determining this application is particularly important in the context of seeking to meet planning policy (including the parameters of the LAAP) and negotiating Section 106 contributions

(including affordable housing), to ensure the proposed development remains attractive and deliverable. An inconsistent approach to policy applications and Section 106 negotiations can increase development risk and uncertainty, which can deter development coming forward.

In the context of achieving sustainable development, the National Planning Policy Framework refers to ensuring viability and deliverability in paragraph 173-177. Paragraph 173 of the NPPF states:

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The implementation of the AAP will be dependant upon a number of factors and the viability of any planning application proposal at the time it is submitted is one such factor which will have a substantial impact upon what may be considered fair and reasonable for the Longbridge regeneration development to support in terms of obligations. At the heart of the AAP is the focus on delivery. In preparing the AAP, particularly in the challenging economic market conditions, the document includes flexibility in order to ensure regeneration is not delayed or inhibited by market conditions. This approach was fully endorsed by the AAP Examination Inspector in her report and the AAP amended to include paragraphs 4.25 and 4.26 (and others references) in order to address viability challenges, stating the approach to be adopted in addressing viability at the planning application stage:

“It is recognised that market conditions are subject to change and that can impact upon the viability of development. If at any time planning applications are submitted, it can be shown through an open appraisal, that a scheme may be unviable if the LAAP’s policies have to be applied in full; then the Local Authorities will enter into detailed negotiations with the applicants to determine what may be acceptable to enable the scheme to proceed.

In such cases, the planning obligations that have not delivered full tariff levels set out in table 3 [of the LAAP] will include mechanisms to allow the scale of obligations to be increased if it can be demonstrated that market conditions improve at the time the development is implemented. eg. through linking the tariff payments to phases of development.”

This is further explained in Paragraph 4.5 which states that where viability is an issue in terms of difficult market conditions:

*"*A flexible approach to any negotiations at planning application stage will be required to ensure viability and that the delivery of an acceptable scheme on the ground is not constrained or delayed*."*

The LAAP recognises that market conditions are subject to change and that these can impact on the viability of development. If it can be shown through a development appraisal, that not all of the LAAP's policies can be applied in full, then the Local Authority will enter into negotiations to determine what is appropriate to enable the scheme to proceed".

The imposition of the LIT in circumstances where the development is unviable if included, is equally subject to the provisions of paragraph 4.25 and 4.26 of the LAAP as stated above, and is negotiable in order to enable the development to proceed. There are no provision in the LAAP which state that a minimum level of LIT must be imposed and therefore the absence of LIT payment is not in itself contrary to the provisions of the LAAP.

In the original appraisal submitted in November 2010, the preferred mix of affordable housing at 35% and contributions to LIT equating to £16,500 per dwelling produced a negative return. As such the redevelopment would not come forward.

The second appraisal produced within the same submission in November 2010, excluded affordable housing and LIT but did deliver an onsite community use facility, substantial enhancement off-site highway infrastructure (including improvements to Groveley Lane) and the provision of on-site public open space together with the opening-up of the River Arrow. This appraisal was deemed viable without any further contributions towards Section 106.

Since the November 2010 viability submission, the applicant has produced both site-wide proposals for the Longbridge East and for a first phase of housing with Persimmon Homes Limited, their Joint Venture partner. These changes included revising the mix of house types and sizes, increasing the size of the community use facility, reducing the area of the proposed Arrow Park and removing the commercial use from the site wide proposals. These changes have improved the viability.

Since the beginning of 2011, the applicant has extensively discussed the evolving site wide and Phase One proposals. These discussions have involved the sharing of master plans and layouts and providing an overview of improvements to the scheme and the resultant viability improvements. A Delivery and Viability Report was submitted by the applicant to the District Council in September 2011. This document has been independently scrutinised and negotiations with the Local Planning Authority have sought to ensure that the scale of obligations, including the level of affordable housing, still ensure a viable development fall squarely with the approach suggested within the NPPF.

The Longbridge site offers a premium development opportunity. Sales values will reflect the Green Belt setting but also the accessibility that the location offers. The development period for the entire site will take many years (Phase 1 is likely to take 7 years. The entire development may take in the region of 15 years to complete at expected take-up rates). However, Members will be aware that the housing market remains weak. The Longbridge East proposals will need to meet the costs associated with significant

infrastructure expenditure, particularly in the early years. This is a usual consequence of regeneration schemes of this scale and complexity. Front loaded costs of this type hamper viability.

The Phase 1 proposals are clear in terms of detailed dwelling proposals but the remainder of the proposals remain uncertain in relation to form and content (Members will be aware this application relates to an application for outline planning permission and is therefore testing matters of principle). It is likely that the housing mix and details for Phases 2 and 3 will change in the future. There is therefore considerable uncertainty over the timing and content of the development on Longbridge East after Phase 1.

In light of the uncertainty of future economic conditions, I suggest that Members consider a mechanism whereby the viability appraisal is reassessed on an "open book" basis prior to the approval of Reserved Matters for the subsequent phases and during development of these phases. This would enable the viability to be reassessed in the light of market trends and the affordable housing component to be reviewed in the light of market conditions and expectations on an equitable basis. Under this approach were market trends to change, the LPA would be able to derive additional affordable housing benefits if the market improved, together with a re-evaluation of compliance with LIT requirements. The Council's fees and costs of the initial and subsequent reviews would be borne by the applicant.

Members will note the views of the Strategic Planning Manager. It is clear that the viability work accompanying the application has reflected the difficulties of meeting the overall requirements of the AAP. The improved offer of additional affordable housing and LIT funding in my view makes a difference to the acceptability of the scheme without which would have been unacceptable. The review mechanism for development viability over the lifetime of the development and any uplift captured in additional planning gain as required by the AAP further weigh in favour of the application.

There is the ability to commence development on Longbridge East which is welcomed. This approach would allow the first phase of development to proceed and deliver new housing and the new park. The viability of subsequent phases will be re-appraised using the approved base cost information to establish if enhanced Section 106 contributions/affordable housing numbers and LIT contributions could be made if market conditions improve. This should provide Members with some comfort on the future of the site.

Main Issues

The main issue in determining the application is whether the site should be released for development, in the context of relevant Development Plan policies, and other material considerations such as changes in national policy (including the National Planning Policy Framework), the Draft Core Strategy 2 and housing supply.

Other issues to be considered include:

- Sustainability issues
- Design, form and layout
- Density
- Whether the type, tenure and form of accommodation proposed is suitable

- The affect on residential amenity
- Landscaping and tree issues
- Traffic and highway implications
- Open space and play space (with direct reference to the creation of Arrow Park)
- Ground conditions, flood risk and drainage issues
- Ecological and biodiversity Issues
- Noise
- Air quality
- Archaeological issues
- Impact on the setting of Listed Buildings
- Crime prevention
- Climate change
- Educational and services infrastructure
- Construction matters
- Planning Obligation

Housing Supply

In terms of policy for new housing, the NPPF seeks to significantly boost the supply of housing and reiterates the principles of the policy it replaced (PPS3), in that it calls for there to be an identified and annually updated five year housing land supply. It advises that where a Local Planning Authority cannot demonstrate a five year supply of land for housing, its policies for housing should be considered out of date. The development at Longbridge East will go in some way to meeting local housing needs and contribute to the supply of housing in the District.

Paragraph 47 of the NPPF determines that Local Planning Authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for housing in the housing market area, as far as is consistent with the policies as set out in the NPPF. This includes identifying key sites which are critical to the delivery of the housing strategy over the plan period.
Paragraph 49 of the NPPF also determines that the “presumption in favour” of sustainable development should be the context for consideration of housing applications.

I would refer Members to the appeal decision at the ADR site at Brook Crescent, Hagley (APP/P1805/A/10/2136206) (application reference 10/0378) whereby the Inspector placed weight on the absence of a five year supply of housing and the ability of the proposal to meet some of the urgent housing need of the District. As such I am of the view there is an undisputed need for housing and the housing supply situation is in crisis. This stance was taken by the Inspector in the recent appeal decision for Norton Lane, Wythall (APP/P1805/A/11/2150938) (application reference 10/0931). For context, amongst other scheme Members accepted this position in resolving to approve the residential development for 80 dwellings on the Church Road Catshill ADR in October 2011 (application reference 11/0343) and the residential development for 88 dwellings on the Barnt Green White Land in January 2012 (application reference 11/0741). This proposal should again begin to address the identified shortfall in housing supply.

Sustainability Issues

Longbridge East is currently served by four bus routes within 250 metres of the site access (August 2011):

- 47 – Cofton Hackett to Birmingham (six buses an hour)
- 145 – Cotteridge to Bromsgrove (one bus every two hours in off-peak)
- 204 – Bromsgrove to Halesowen (one AM and one PM peak service); and
- 625 – Cofton Hackett to Rubery Great Park (one bus an hour in off-peak)

These services provide links to employment, education and retail/leisure land uses, with additional services available across the wider Longbridge development including interchange opportunities at Longbridge Railway Station, from service 47 (within an adequate interchange distance of 500 metres). The existing network and bus stops (Groveley Lane) provides good levels of access to the closest parts of phase one of the development (within 250 metres of bus stop), and most have satisfactory access

Longbridge Railway Station is located on Longbridge Lane, approximately two kilometers from Longbridge East. Rail services that stop at Longbridge Railway Station are the Cross-City services (London Midland) from Redditch to Lichfield via Birmingham New Street. Services to and from Birmingham New Street achieve a frequency of six trains per hour during daytime and peak periods on weekdays. Services to and from Redditch achieve a half-hourly frequency. Pedestrian access to the station is via Longbridge Lane, a demand-responsive pedestrian crossing is located immediately outside the station entrance. The station is also within cycling distance via the advisory and local cycle routes along Thurlestone Road, with cycle parking provided at the station. Bus service 47 calls at Longbridge (500m walk) and Kings Norton (direct interchange) railway stations.

There are good walking and cycling links within the vicinity of Longbridge East, as well as the wider Longbridge area; provided by a combination of signed and surfaced on- and off-road routes. National Cycle Network Route 5 is within two kilometres of the site. Birmingham Greenway and the North Worcestershire Path are both located within 200 metres of Longbridge East. Local footpaths surrounding Longbridge East are of a good standard, providing links to local bus stops, Cofton Park, the wider Longbridge area and the north Worcestershire countryside. The nearest shops are located at the junction of Groveley Lane and Parsonage Drive. They include a newsagent, post office, electrical store and takeaways. The provision serves only the immediate neighbourhood. A range of new facilities including a new supermarket are to be developed as part of the wider Longbridge regeneration proposals.

A Residential Travel Plan Agreement (TPA) has been produced, outlining the sustainable travel options available to residents of Longbridge East and the obligations for the provision of sustainable transport infrastructure. Worcestershire Highways has raised no objection to the content of this document.

As such I am of the view that the site is in a sustainable location and I raise no concern on this issue. The scheme would thus comply with the key sustainability aims of national policy aims detailed in the NPPF. Policies SD.4, SD.8 and T.1 of the WCSP and Policy DS13 of the BDLP support this approach.

Design, Form and Layout

It is a core planning principle of the NPPF that development is of a good design and reflects the amenity of existing and future occupants of land and buildings (paragraph 17). Good design is also a requirement of paragraph 56-68 of the NPPF. I therefore consider that Policy S7 of the BDLP and the advice contained in SPG1 is consistent with the NPPF and thus carry weight in the determination of this application.

Policy CTC.1 of the WCSP sets out a general requirement that the Local Planning Authority in considering development proposals should take every opportunity to safeguard, restore or enhance, as appropriate, the landscape character of the area in which they are proposed. Proposals for development and associated land use change or land management must demonstrate that they are informed by, and sympathetic to, the landscape character of the area in which they are proposed to take place. Policy SD.5 states that development proposals should help to sustain and improve the balance of housing, employment, community and social facilities in settlements, and should maximise the use of existing infrastructure and self-containment and the building of communities.

Policy DS13 of the BDLP requires development to protect the Plan area's essential character and main environmental assets, including the open and undeveloped nature of the countryside and the Green Belt. Policy C4 states that development will not be permitted where it would have a materially detrimental effect on the landscape.

Local Plan Policy S7 states that proposals involving development of new dwellings outside the Green Belt will be considered favourably providing that they meet the following criteria:

- the proposal does not lead to development at a density inappropriate for the site;
- the form and layout of the development is appropriate to the area;
- the proposal minimises the loss of mature hedges, trees and landscaping;
- the proposal does not adversely affect the existing amenities of adjoining occupiers;
- the proposal does not involve a loss of open space, allotments or other amenity areas which it is desirable to maintain;
- the development can be appropriately serviced;
- the proposal would not have unacceptable traffic implications or perpetuate a traffic hazard;
- it conforms with other relevant policies of the Plan.

SPG1 states that residential layouts should make a positive contribution to the local environment and respect the character of the surrounding area. Paragraph 5.10 sets out a series of design objectives including adequate daylight and sunlight, adequate privacy and outlook for new and existing dwellings, and provision of private and shared amenity space.

Members will be aware that the application is submitted in outline, with internal access, layout, scale, appearance and landscaping reserved for subsequent approval. In this respect, the finished design of the development is not set at this outline stage. The application does contain an indicative site layout plan with an accompanying Design and Access Statement that provides information on design principles, architectural style, materials and how the development would integrate within the character of the

surrounding locality. This runs parallel with the parameters of the Longbridge Area Action Plan.

The Masterplan details three distinct character areas:

(a) Urban Quarter
(b) Cofton Hackett Character (Phase One)
(c) Garden Suburb

(a) Urban Quarter

This character area extends from the main entrance off Groveley Lane to the northern boundary. Existing industrial development is located north of Groveley Lane and to the east of the railway to the east and Cofton Park is located to the west. Design references for this higher density area are drawn from Longbridge Town Centre and central Birmingham.

Features:

- Built form: Mix of apartments, townhouses and terraces. Vertical emphasis should be created by a rhythmical repetition of elements. Predominant use of narrow frontages and consistency in height along streets should be encouraged. Perimeter blocks, using more continuous built form with fewer gaps, provides a tight urban grain. Parking will be accommodated within communal parking courtyards at the rear of the buildings where it is not provided within curtilage.
- Building height range: Up to 4 storeys high.
- Boundary Treatments suggested: Metal railings for boundary treatments.
- Density range: 30 to 80 dwellings per hectare.
- Materials: Simple use of a limited palette of local materials.

(b) Cofton Hackett Character (Phase One)

This character area lies immediately adjacent to Cofton Hackett neighbourhood and design references for its appearance and massing are drawn from the existing built form across Cofton Hackett. Generally, lower densities and a more vernacular architecture is used to integrate the site with its immediate context.

Features:

- Built form: Mix of short terraces, semi-detached and detached dwellings.
- A limited number of flats should be used. Use of gabled frontages is encouraged for key corners and gateways.
- Building height range: From 2 to 3 storeys high. Raised eaves heights to create a better sense of enclosure along main streets.
- Boundary treatments suggested: metal railings for boundary treatments along the main corridors, possibly hedges for dwellings fronting open spaces and low planting for minor roads. Tree planting in front gardens along the primary street.
- Density range: 30 to 45 dwellings per hectare.
- Materials: Simple use of a limited palette of local materials. Predominant use of red brick with red/brown pan tiles for the roof.

(c) Garden Suburb

This character area extends from the proposed Arrow Park to the existing green area at the south end of the site. There are no residential areas adjoining this part of the site, therefore references have been explored beyond the site's immediate context. Sensitive design is required to blend the area into the green context and the design of a semi rural architectural response both in density and massing. Design references for this lower density area are drawn upon the garden village built form of Bournville Estate in Birmingham, as the closest exemplar case of urban planning in the vicinity.

Features:

- Built form: Predominant use of semi-detached and detached housing. Use of blocks of flats is limited and if used, located along the main corridors.
- Building height range: Up to 3 storeys high.
- Boundary Treatments Suggested: Hedges and low informal planting.
- Additional tree planting in front gardens along the main route.
- Density range: 30 to 40 dwellings per hectare.
- Materials: Simple use of a limited palette of local materials with predominant use of red brick.

The site is clearly visible from Groveley Lane and the existing residential properties located on the western boundary from Parsonage Drive/Oakfield Drive/The Grove, in addition to the wider Green Belt landscape to the east beyond the railway line. Oblique views would be obtained from Cofton Church Lane to the south.

The strongest architectural influence relates to the neighbouring housing area located in Parsonage Drive. This typifies the twentieth century suburban densities at approximately 20-30 dwellings per hectare. Built between the 1930's and 1950's, Cofton Hackett is a low density residential area with a typical building height of 2-storeys. The housing is typically provided in semi-detached or detached, bay fronted dwellings set within large plots with driveways or garages. A few short terraces are found. Along Groveley Lane and fronting Cofton Park, housing is generally detached and located within a landscape setting. Mature tree planting within verges along the street contributes to the green character and aspect. Recurring architectural elements along Groveley Lane frontage are the use of wide frontages, gables and the use of white render.

I accept the site is visually prominent in a wider sense, given the views afforded by the expanse of the site boundary fronting Groveley Lane, the additional site entrance off Parsonage Drive and the available views of the site from those utilising the railway line that runs to the eastern boundary and the public right of way that touches the western boundary. Views from Parsonage Drive and The Grove would be, for the most part, masked by a combination of the existing houses, mature vegetation and the topographical features of the site. Views of the site from Cofton Church Lane would be largely screened from the existing landscaped buffer to the southern boundary. The development would only result in the loss of an open site due to the recent demolition of the former industrial buildings. I am thus of the view that the impact of the development on the landscape and visual character would low and there would no material loss of any attractive landscape. Furthermore, the re-development of the site is advocated by the parameters of the LAAP.

As such the site would fit into the context of the surrounding urban landscape and provide a sensitive extension to the existing urban area of Cofton Hackett. Furthermore, I am of the view that the containment of the development benefits from the strong boundaries and physical features that enclose the site, with particular reference to the existing established residential development to the western boundary and the eastern boundary formed by the defined railway line and associated cutting. The western and southern boundary contains screening of varying amounts and this would remain following development of the site, with enhancement created by additional planting. This would serve to further filter views both of and toward the site, to the benefit of both existing and future residents. As such I am of the view that the proposals can be accommodated without detriment to the Green Belt setting (with particular regard to the southern aspect of the site) in compliance with the NPPF.

A community facility will be provided on part of Phase 2 to the northern aspect of the site. This will provide a communal focus for both existing Cofton Hackett residents and the residents of the new development. Members will note the views of Cofton Hackett Parish Council welcoming this aspect of the scheme.

Members will note the views of the Urban Designer. These comments do not present me with any concerns to warrant refusing the application on design, layout or setting out grounds.

Density

In the AAP, development at East Works is predominantly addressed by Policy H2. There are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered. In simple terms the application conforms with the overall requirements of Policy H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. The submitted application allows for the policy objectives to be met. One of the key elements of the residential development at Longbridge East works relates to the range of units and densities to be provided across the site. The AAP requires that an overall density of 40-50 dwellings per hectare is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.

The average density of the maximum amount of development is 40 dwellings per hectare (up to 725 dwellings are proposed within the site, the net developable area being approximately 17.96 hectares). The average density of the development with the maximum amount of 725 dwellings proposed, is in line with the requirements set out within the LAAP. Variations in density are likely to exist between different character areas within the site as follows:

Higher density: up to 80 dwellings per hectare (Urban Quarter)
Compact built form with more continuous frontage. Includes apartments, terraces and semi-detached units. Potential C2 accommodation would most likely be provided in this part of the site.

Medium density: up to 45 dwellings per hectare (Cofton Hackett Character)
Looser grain encouraging on plot planting to reflect surrounding character alone Groveley Lane. Includes short terraces, semi-detached and detached units. Low number of apartments.

Lower density: up to 40 dwellings per hectare (Garden Suburb)
Large plots to the edges with tighter grain along the central corridor. Includes detached and semi-detached to the edges, Short terraces, low number of apartments in central locations.

Whilst density thresholds are not apparent in the NPPF, there is still a requirement to make the most efficient use of land. Given the mix of house and plot types/sizes (including larger housing), I am reasonably comfortable that this will deliver the correct a right range of homes in this location. Additionally, the proposed mechanism to review densities on subsequent phases for the entire site via the Section 106 Agreement provides an opportunity to visit this issue in latter developments. Weighing all these factors, I subsequently raise no concern over the density proposed.

Type of Accommodation

Paragraph 50 of the NPPF determines that developments should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. This includes a mix of open market housing and the provision of affordable housing with the potential to also provide elderly care accommodation which will support these specific housing and care needs. Paragraph 50 goes on to state that LPA's should set policies for meeting affordable housing needs but that these policies should be sufficiently flexible to take account of changing market conditions.

Members will note that the site contains an anticipated mix of dwelling types, with an emphasis on smaller house types of 2 and 3 bed dwellings. The development also contains a proportion of 4 bed dwellings and FOG units. The proposed mix is reasonably acceptable.

An element of affordable housing will be provided. For the reference of Members, the LAAP has a target of 35% affordable housing (LAAP proposal H2 paragraph 3.106). I accept that this target is inspirational and is not meant to be a minimum or absolute figure. This point was acknowledged by the Inspector who presided over the LAAP Inquiry:

"The Council's have proposed changes to emphasise that site specific characteristics and market conditions may effect the exact number of affordable houses that can be provided on each site. Negotiation not just the 35% target will determine the outcome" (Paragraph 3.48 of the Inspector's Report).

The LAAP recognises that market conditions are subject to change and that these can impact on the viability of development. It states at Paragraph 4.25 that, if it can be shown through a development appraisal, that not all of the LAAP's policies can be applied in full, then the Local Authority will enter into negotiations to determine what is appropriate to enable the scheme to proceed (as detailed in the Viability Section of this report).

The applicant will be tasked with completing a detailed review of scheme viability for subsequent phases. This will be scrutinised by the District Council and taken into account in negotiations on the level of affordable housing provision. This requirement will be filtered into the Section 106 Agreement to accompany this application. Members will note the views of Birmingham City Council on this issue.

The Strategic Housing Manager has raised no objection to the scheme given the proposed review mechanism to further assess affordable housing provision for future phases at the Reserved Matters stage.

Impact on the Amenity of Adjacent Occupiers

SPG1 sets out design guidance for residential development including separation distances to existing dwellings so as to avoid detriment to residential amenity due to overlooking, overshadowing and overbearing affects. The Guidelines suggests that new development with main windows overlooking existing private spaces should be set back by a distance of 5 metres per storey from the site boundary where it adjoins a private garden area. A minimum separation of 21 metres is required to achieve a degree of privacy within conventional two-storey dwellings.

I note the views arising from the consultation process with regard to overlooking issues, with particular reference to a resultant loss of privacy for the occupiers of those dwellings in Parsonage Drive. For the reference of Members, re-profiling works are proposed adjacent the rear boundaries of properties fronting Parsonage Drive in order to provide suitable access points and gradients across the site. The existing rear garden fences to the properties of Parsonage Drive will be retained and a new 1.8m high timber close boarded fence erected to the site side with all existing trees within the rear gardens of the properties to Parsonage Drive being retained. A retaining structure has been proposed within the site to allow a 2m wide landscaped zone adjacent to the new fence-line along the Parsonage Drive boundary to soften the boundary and provide a landscape buffer zone. Additional specimen tree planting comprising species such as Silver Birch, Ash and Alder has been proposed to the rear gardens to this boundary to coincide with gaps in the existing trees to the rear gardens of the Parsonage Drive properties to enhance the buffer between the properties. The re-profiled topography will result in the new houses being situated lower than existing houses on Parsonage Drive.

I am thus satisfied that the majority of the scheme has been designed to comply with the guidance in SPG1. This includes the interface between the proposed and existing dwellings on Parsonage Drive and The Grove to the west. Boundary treatments and re-profiling works to the rear of the dwellings in Parsonage Drive will also serve to maintain and enhance privacy levels.

I would also advise Members that I intend to impose an hours of construction condition, which will help reduce concerns raised by nearby residential properties with regards to the potential nuisance generated by the construction of the site

Landscaping and Tree Issues

The landscape strategy responds to the objectives set out in the Longbridge AAP proposals for the site:

- Policy OS2b: Opening or the River Arrow with the necessary flood storage measures
- Policy OS4b: Creation of a new neighbourhood park next to the River Arrow
- Policy 0S16 and Policy OS17: Preservation of the Green Belt and landscape buffer

The landscape framework main components are:

- Re-modelling of the site to re-create its natural land form. All boundaries will be sensitively handled with practical and desirable vegetation retained. New planting will be provided to reinforce boundaries as appropriate.
- The River Arrow running underneath the site will be re-opened for much of its length. It will run through the main open space, the Arrow Park. The river will provide the main focus within this open space with a new alignment.
- The Arrow Park will provide recreational opportunities for children with the inclusion of play equipment.
- The area of woodland that includes a small pond in the west of the site, connected to the Cofton Reservoir, is retained and would be connected to the site's new open spaces. The Arrow Park is a continuation of this existing space into the site. A new footpath across this area connects to the new Arrow Park and the North Worcestershire Way.
- The eastern boundary will be screened with an acoustic barrier.
- The entrance to the site from Groveley Lane will be marked by a square enclosed by built form. The square will provide potential for traffic calming and prioritise pedestrian movement through the provision of shared surfaces for vehicles and pedestrian.

The Tree Officer has raised no objection to the scheme, subject to the imposition of suitable Conditions. I raise no objection to the soft and hard landscaping measures.

Traffic and Highway Implications

The NPPF sets out the objectives of promoting sustainable transport choices for people, promoting accessibility choices to destinations by public transport and walking and cycling as well as reducing the need to travel by car. These objectives are supported by policies in the WMRSS and Structure plan polices. The Bromsgrove District Local Plan sets out the need for applicants to incorporate safe access and egress and provide sufficient off street parking (TR11), incorporate traffic calming (TR6) and promote the use of variety of transport means (TR13).

It is proposed that the existing access from Groveley Lane at the northern end of the site is re-positioned to the north and is used as the main vehicular access into the site. This entrance will be a priority junction and will provide a formal crossing point for pedestrians and cyclists to access Cofton Park. It is proposed that Groveley Lane is provided with central refuges and toucan style crossing to ensure that linkages between the site and Cofton Park are improved. A smaller, self contained access from Parsonage Drive will serve a maximum of 50 dwellings and provide emergency access into the southern part of the site. There will be no general access for private cars to the main development on the site from the Parsonage Drive access.

The design of the principal access will facilitate bus access into the application site to serve Longbridge East and the road hierarchy allows for a circular bus route within the development, entering and leaving the site from Groveley Lane only. Bus stops will be strategically located to ensure that all homes in Longbridge East will be within 400 metres of a bus stop.

No third party comments have been received in relation to highway matters. Cofton Hackett Parish Council is particularly in favour of the proposed traffic calming around the new entrance to the site and also the submission for consideration of further traffic calming on Groveley Lane from Parsonage Drive towards the Oak Tree island. Whilst I note the views from third parties in relation to pedestrian access to Cofton Church Lane, the incorporation of both north-south and east-west cycle and pedestrian linkages across the application site, connecting to Cofton Church Lane as well as other footpaths in the immediate surrounding area, is an integral aspect of the scheme. This connectivity is advocated by the LAAP.

Members will note that a full Transport Assessment has accompanied the application. Members will note this document demonstrates that there will be no adverse impact on highway capacity as a result of the development traffic and the scheme will have a negligible impact on the operations of the junctions in the locality, including Groveley Lane and Parsonage Drive. The proposed improvements to Groveley Lane will be beneficial, both for vehicular traffic and for improved linkages to the facilities and functions located on Cofton Park.

Given the consideration of all highway related matters, including the views from Worcestershire Highways, I am of the view that there would not be any material harm to the safety or free flow of traffic on Groveley Lane and that there would be capacity within the existing network to cope with the development proposal, including Parsonage Drive. Despite third party comments, the connection afforded by the Arrow Park to the wider locality for walking and cycling opportunities (including Cofton Church Lane), would promote sustainable transport choices for future residents. This would also enable greater permeability.

Members will note Worcestershire Highways has consequently raised no objection to the scheme subject to the imposition of Conditions. As such Members are thus reminded that there is no technical objection to the scheme on the grounds of adverse impacts on highway network grounds.

The site benefits from good public transport opportunities, with a number of alternative modes of transport available to future occupiers of the development.

Open Space and Play Space: Arrow Park

The course of the River Arrow is proposed to be re-opened through Arrow Park to create an attractive water course feature providing both recreational and ecological benefits, reminiscent of the original River Arrow source. The profile of the river has been carefully designed to maximise safe access and egress points, with flows fully contained within the banks. The bed of the open channel includes a sequence of pools and riffles, achieved through the inclusion of a cascading rock profiles. The new park will provide recreational facilities for residents whilst also enhancing and supporting biodiversity through the

provision of native and wildlife attracting tree and shrub planting. The recreational focus of the park is to the north, with a wildlife focus to the south. The park will provide a semi-natural habitat and wildlife corridor linking east to west between the two areas of housing. To the north of the river the focus is on recreational activity with a children's play facility following a naturalised play theme. To the south of the river the focus is on wildlife habitat creation. A new area of woodland planting located outside the application site (equating to 4695 square metres) is also proposed to the western boundary, to the south of the existing woodland provision. The formation of this feature can be secured through Condition.

The street furniture within and adjacent to the Arrow Park will focus on timber products including timber litter bins, birds mouth timber knee rails, timber bollards, timber wayfinding and signage posts, timber cycle storage, timber play area features, timber interpretation signs and the timber footbridge crossing the re-opened culvert. There will be opportunities to explore the use of historical reference points such as emblems, insignias and interpretation panels (subject to copyright approval) to reflect the heritage of Longbridge and the Longbridge East Works. The Arrow Park footbridge will be constructed in timber with a hi-grip finish to the surface.

Supplementary Planning Guidance Note 11 (SPG11) which uses a standard formula for the calculation of contributions and is used as a starting point for negotiation. SPG11 relates to the assessment of the need to make contributions towards the maintenance of on-site open space and commuted payments in lieu of on-site provision. Such monies are thus made available for the capital expenditure towards the quantitative and qualitative improvement of areas of open space which residents of the development could then make use of.

The proposed Arrow Park provides 1.15 hectares of on-site public open space. This falls short of the on-site requirement set out in SP11. The following issues are thus important for Members to consider in light of this shortfall:

(a) There is a significant benefit arising from the scheme since the open space will be publically accessible both to residents of the application site and the wider community
(b) The nature of the open space is derived from a consideration of the site opportunities and constraints, most notably the de-culverting of the River Arrow, flood risk and drainage and ecology
(c) The traffic calming proposals to Groveley Lane contains a toucan crossing which will facilitate a safe pedestrian crossing to Cofton Park to the north-west of the site. Cofton Park provides a range of recreational facilities, including three full-size football pitches and three senior cricket ovals with some changing facilities.
(d) The NPPF makes clear that the development industry should be on the front-foot in promoting growth and investment including that arising from housing development, and that barriers should not be placed in the way of proposals which are in accordance with up to date Development Plans. The NPPF also makes clear that Councils should adopt a flexible approach to Section 106 contributions in order not to stymie development. The issue of viability is also contained in the Ministerial Statement: Planning for Growth.

(e) The applications needs be viewed in the context of a deliverable housing scheme in order to assist in making good the Council's 3.5 year deficit in the supply of deliverable sites compared with the minimum five year requirement.

Management to deliver the long-term protection and maximise the wildlife and amenity benefits of habitats within the application site will be implemented as a Landscape Management Plan and Maintenance Schedule for the proposed Arrow Park. This will be undertaken via the formation of a management company. This will be secured by Condition to ensure full management and maintenance continues for the life of the development.

Given the above points (with particular regard to viability issues and the growth agenda and the proximity of Cofton Park to the application site), I consider the shortfall in on-site open space to be justified in this instance. I thus raise no objection on this issue. The views of the Head of Leisure Services are noted.

Ground Conditions, Flood Risk and Drainage Issues

Members will note the Contaminated Land Officer has raised no objection to the scheme, subject to the imposition of suitable Conditions.

Policy ES2 of the Bromsgrove District Local Plan states that proposals involving new development will not normally be permitted where there is a known risk of flooding, or where the Environment Agency indicates there are potential problems. A Flood Risk Assessment (FRA) and Drainage Strategy has accompanied the application.

The NPPF sets out a sequential approach to steer new development to areas with the lowest probability of flooding. This gives preference to sites within Flood Zone 1 (lowest risk), before Flood Zone 2 and finally Flood Zone 3a (high risk). Where development is proposed in Flood Zones 2 and 3, it must usually be demonstrated that there are no available sites at a lesser risk of flooding, in order to direct development to areas that are at the lowest risk.

The FRA indicates that the site is located in Flood Zone 1, which indicates that the site is at little or no risk of flooding with an estimated annual probability or river flooding of less than 1 in 1000 years (i.e. a less than 0.1% chance in any given year), and therefore has the lowest category of flood risk attributable. However, the River Arrow is culverted through the site and there is no floodplain associated with the watercourse in this location due to its small catchment size. The submitted FRA details hydraulic modelling works for the upper River Arrow to determine the flood risk to the site. The results show that the proposed development would be sited outside the current 1% (1 in 100 year) plus climate change floodplain.

The development proposals include measures to improve the River Arrow through the site, providing flood risk betterment and enhancing the river corridor, for biodiversity and water quality matters. The proposals include the removal of the old culverting and replacement with an open section of watercourse through the proposed River Arrow Park. It will not be possible to open up the entire watercourse through the site due to the topography. This will be replaced by a section of new culvert. The FRA confirms that the proposed channel works would not result in any out of bank flooding through the site

during the 1% plus climate change flood event and that any built development would be located outside the 0.1% flood extent within Flood Zone.

The development will not have any adverse flooding impact on the watercourse and surrounding environment. The proposed works will not increase the risk of flooding upstream or downstream of the site. I thus raise no objection on flooding grounds. In order to ensure that new dwellings are not affected by overland flow it is recommended that the finished floor levels of new houses should, wherever possible, be set 0.60m above surrounding finished ground levels. This can be secured via the imposition of a suitable Condition.

In relation to surface water run-off, it is noted that there will be a reduction in the impermeable area, providing betterment in surface water run-off rates post-development. This includes the partial opening of the River Arrow and the inclusion of landscaping areas throughout the site. Surface water will be have unrestricted discharge into the River Arrow to ensure flows are maintained for downstream receptors. British Waterways have requested this happens in order to provide sufficient flows to support the Bittell reservoirs downstream. Ground remediation works are ongoing to remove potential sources of contamination from the former car manufacturing plant. This will inevitably restrict the appropriateness of SUDS.

The public foul sewer will require diverting through the development. This has been agreed in principle with Severn Trent Water and will be subject to Section 185 of the Water Industry Act. The proposal is to discharge foul sewage by gravity into the public sewer at location MH 1801.

The Council's Drainage Engineer, the Environment Agency, Severn Trent Water and British Waterways have raised no objection to the scheme, subject to the imposition of suitably worded conditions.

Ecological and Biodiversity Issues

The Habitats Regulations implements the requirements of the Habitats Directive for species listed in Annexe IV of the Directive (European protected species). Stricter provisions than those contained in the Wildlife and Countryside Act 1981 apply for these species and regulation 3(4) of the Habitats Regulations places a duty on Local Planning Authorities, in the exercise of their functions, to have regard to the requirements of the Directive so far as they might be affected by those functions. All European protected species are also separately protected under the Wildlife and Countryside Act 1981.

The application site has been assessed through ecological survey work between 2005, 2006, 2007 and 2011 and background data searches in 2007 and 2011. There is one statutory conservation site within the zone of influence with the potential to be affected by the proposed development, namely Bittell Reservoirs SSSI which is of national ecological value. There are four non-statutory sites within the potential zone of influence of the proposed development: Cofton Plantation 'Cabbage Patch' SWS, Cofton Reservoir SWS and Bittell Reservoir (associated ponds) SWS (County Value) and a site of Borough value (Cofton Park SLINC).

The following habitats are recorded across the site:

- Hardstanding
- Woodland and scrub
- Individual trees
- Tall ruderal vegetation
- Semi-improved grassland
- Open water
- Swamp

Surveys found a low level of use of site as commuting habitat for common and soprano pipistrelle and noctule bat. Badgers have been identified as active within the site. Great crested newts and reptiles are not a constraint to the proposed development.

Overall, the ecological interest of the site has been assessed as being of between within the immediate zone of influence only and local value. The assemblage of protected species within and adjacent to the application site, such as bats, are assessed as being no greater than local value. Impacts considered include those relating to loss and fragmentation of habitats and disturbance, both during construction and operational phases. Construction will be controlled by means of the CEMP, which will prevent damage to valuable habitats and harm and disturbance to protected species. Where protected species impacts have been identified mitigation will include method statements to be developed within Natural England licence applications, where required, and the implementation of mitigation to minimise potential impacts.

The site will ensure that biodiversity is maintained and enhanced, in particular through the retention of features that are of biodiversity value. Where features of biodiversity value are to be lost, these are to be mitigated for through new planting and enhancement of retained habitats. There will be significant positive impacts as a result of de-culverting part of the River Arrow and the landscaping of its associated green space. Natural England and Worcestershire Wildlife Trust have raised no objection to the scheme.

I am thus of the view that the outline application should meet with the requirements of the NPPF and the relevant Policies set out in the WCSP and the BDLP relating to biodiversity, subject to the imposition of suitable Conditions relating to the implementation of mitigation measures.

Noise Issues

Policy ES14A of the BDLP states that proposals for noise-sensitive developments (for example, housing) must be located away from existing sources of significant noise. Proposals potentially noisy developments must be located in areas where noise will not such an important consideration or where its impact can be minimised. The NPPF requires significant effects to be avoided and adverse effects to be mitigated or reduced, but no thresholds are defined in the NPPF or the Noise Policy Statement for England (NPSE). Members will be aware that the impact of noise is a material planning consideration and the impact of this issue can have a significant effect on environment and on the quality of life enjoyed.

The key dominant noise sources affecting the site include road and rail traffic. A detailed assessment of the site and its potential impact upon noise and vibration levels has accompanied the application. The assessment details that the site predominantly falls

into noise exposure categories A and B which are generally considered suitable for residential development. The report concludes that the site would be suitable for residential development, with the recommendation of noise mitigation measures to those properties adjacent the railway line to the eastern boundary. The presence of the proposed buildings themselves would further reduce noise across the site ensuring that the properties away from the perimeters are exposed to lower noise levels.

The mitigation measures include the installation of a 2 metre high noise barrier along the boundary of the site with the railway line (consisting of a landscaped bund or a solid fence constructed from solid sheet with no gaps between or around adjacent panels, or a combination of the two). The report also suggests the use of acoustic glazing and ventilation measures.

Subject to such mitigation measures to be secured through appropriate Conditions, I raise no concern on this issue. WRS has raised no objection to the scheme subject to the imposition of Conditions to ensure the mitigation measures are implemented.

Construction noise can be controlled through working hours restrictions covered in the Construction Environmental Management Plan accompanying the application.

Air Quality

Members will note the views of WRS. I thus raise no issue on this point. The Construction Environmental Management Plan will enable mitigation of any potential dust nuisance during construction phase. This can be secured through Condition.

Archaeological Issues

The views of the County Archaeologist are noted. The WCC(CA) has raised no objection to the scheme. No Conditions are requested.

Other Issues

Impact on the Setting of Listed Buildings (Cofton Church Lane)

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that regard is paid to the desirability of preserving the setting of Listed Buildings. Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 places an obligation on the LPA to pay special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Policies S39 and 35a of the BDLP and Policies CTC.19 and CTC.20 mirror this with a commitment to ensuring the protection of Listed Buildings and their settings and preserving or enhancing Conservation Areas.

There are no Listed Buildings or Conservation Ares within the application site boundary. There are no Conservation Areas within the wider locality, but the following five listed structures are located to the south of the site on Cofton Church Lane:

St Michael's Church on Cofton Church Lane (Grade II*)
Medieval cross in the churchyard of St Michael's Church (Grade II)
Chest Tomb in the churchyard at St Michael's Church (Grade II)

Cofton Barns, Cofton Church Lane (Grade II)
Cofton Hall, Cofton Church Lane (Grade II*)

The developable area of the application site will be located approximately 150 metres from the closest Listed Building to the site (St Michael's Church). I accept that the development of the site will bring built urban form further south and it will be possible to view the rooflines of the new buildings in the southern part of the development, changing the horizon views. However, the real effects of this will be limited by trees and the topography of the site, in addition to the restriction on development towards the southern boundary given the Green Belt status of this aspect of the site. Furthermore, the proposed development will amount to a less dense and smaller-scale development that the previous uses on the site.

I thus raise no issue on Listed Building setting issues. Members will note the Conservation Officer and English Heritage have raised no objection to the outline scheme. Both consultees will be engaged in any subsequent Reserved Matters application dealing with siting matters if Members are minded to grant outline application.

Crime Prevention

Section 17 of the Crime and Disorder Act 1998 states that a LPA has a duty "to *exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area".* Policy DS13 is a general policy relating to sustainable development. Amongst other things it sets out a requirement for all development to reflect the need to safeguard and improve the quality of life of residents by ensuring social progress which recognises the needs of everyone and by protecting the area's character and environmental assets, including the character of settlements.

The NPPF equates good design and the promotion of healthy communities to the creation of safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

The views of the Crime Risk Manager are noted. Members will be aware that the application is submitted in outline and contains an indicative site layout plan which is purely indicative at this stage for the purpose of considering this outline application. Any concerns raised by the CRM can thus be addressed through the Reserved Matters process. I thus would find it difficult to raise an objection with respect to the issues raised by the CRM at this outline stage.

Climate Change

Local Plan Policy DS13 states that the Council will take full account of the need for future development to be sustainable so that present demands do not compromise the ability of future generations to meet their own demands or enjoy a high quality environment.

The sustainability of these properties is well below that which the AAP had envisaged, with the development proposed being the minimum standards as required by Building Regulations, rather than the more aspirational targets as set out in the AAP. The AAP

also encourages homes to be built to Lifetime Homes Standards. This can be reviewed through the subsequent viability assessments linked to any Reserved Matters application.

Notwithstanding this, the following measures are detailed in the Design and Access Statement:

- The layout has been partly developed to facilitate air flows through the site so enabling cooling between and within buildings.
- Shading and vegetation has been incorporated around the site and along pedestrian routes.
- Buildings will adopt a natural ventilation strategy integrated with glazing and shading design.
- Glazing specification to use double-glazed systems with low-emissivity glass.
- In built ability to incorporate future renewable generation where appropriate, with particular focus on solar (PV and thermal hot water) technologies.
- To minimise water demand efficient sanitary fittings will be installed to all buildings.
- All gardens to include water butt to collect rainwater for irrigation and other external purposes. This will be directly connected to house downpipes and will offer up to 200 litres of rainwater storage per garden

Further strategies can be employed to deal with this issue, from layout and urban form (for example, optimising solar exposure through block orientation and architecture to promote good levels of natural daylight), building design and energy strategy (to include water drainage measures, construction and materials, waste and transport).

Although I note the current scheme falls short of the level set out in the AAP, I consider on balance that regard has been paid in the submission to matters of climate change mitigation and adaptation measures. Furthermore there is an opportunity to review these measures at the Reserved Matters stage. I am therefore of the view that the proposal complies with Local Plan Policy DS13 and the thrust of the NPPF.

Educational and Services Infrastructure

Members will note that Worcestershire County Council Education Services has commented that in recognition of the viability issues surrounding the redevelopment of the site, the only contribution sought relates to the replacement of temporary accommodation at Lickey Hills Primary School with a permanent extension. No other financial contributions are being requested. The County has confirmed this equates to a financial figure of £500,000.

The Education Service has confirmed that the extension to the school is not required until after the completion of Phase One. Notwithstanding this, the applicant has confirmed a willingness to make a financial commitment to provide this during the first phase (payable on occupation of the 100th dwelling) to enable the County to complete the works in good time to accommodate within the school the additional children who will live within the Longbridge East development in Phase 2 and beyond. It has been agreed in principle that the payment of £500,000 for the school improvements will be made as a Local Infrastructure Tariff payment (index linked). It is also agreed that the payment is to be spent within 5 years from the date of payment. If the payment is not used for Lickey Hills Primary School, the sum will be targeted for education within the County or for general

LIT purposes if no required subsequently for education. The sum and payment criteria will be secured through the Section 106 Agreement mechanism.

Other Matters

Construction Matters

The development is to progress in accordance with a Construction Environmental Management Plan (CEMP) and this is included in the application. The CEMP will ensure that site works are progressed sympathetically and to agreed good practice to ensure that the potential, adverse impacts of the construction period, albeit being temporary, are minimised as much as possible.

The CEMP gives consideration to the following matters, amongst others, and sets out appropriate mitigations in relation to:

- Hours of construction and site working activities
- Means of access to the site
- Arrangements for construction works
- Noise and dust mitigation measures
- Protection measures for ecological interests and trees
- Routing plans and timing arrangements for construction and site fill materials

Deliveries to the development site during the construction phase are also able to be controlled through a Construction Traffic Management Plan (CTMP). This could include the following:

- The prohibition of the movement of construction vehicles on the local highway network in the vicinity of the development site during the morning and evening peak hour periods
- Restricting construction vehicles to designated routes
- Restrictions of the hours of working on site

I intend to impose a suitable Condition to ensure the development accords with an agreed CEMP and CTMP.

Section 106 Agreement

Members will be aware that Section 106 obligations are legal agreements negotiated between Local Planning Authorities and developers in the context of a grant of planning permission. Such agreements are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.

Circular 05/05 has now been cancelled following the publication of the NPPF. Paragraph 173 of the Framework relates to “careful attention to viability”, and states “the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.” It goes on: “To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure

contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."

Paragraphs 203 to 206 are all that remains of Circular 05/2005. Three of the five key policy tests remain: (Section 106 obligations must be: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development) but the 2008 CIL Regulations are now key. Critically, "Where obligations are being sought or revised, Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled." The issue of viability is also contained in the Ministerial Statement: Planning for Growth as detailed previously.

Following an accepted position of viability matters, Members will note the following agreed Heads of Terms breakdown of contributions for inclusion in the Section 106 Agreement:

- 16% affordable housing (equates to 36 dwellings): consisting of 50% affordable rent/ 50% shared ownership (18 affordable rented and 18 shared ownership) in a mix of 2, 3 and 4 bed houses with 18 to be built completed by the sale occupation of the 100th open market dwelling and the remainder by the sale occupation of the 193rd open market dwelling
- £500,000 specifically towards the replacement of temporary accommodation at Lickey Hills Primary School with a permanent extension, payable on occupation of the 100th dwelling, with such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education purposes.
- Construct and complete new public Park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.
- Viability reviews to be submitted with the submission of each future Reserved Matters application updating the current "Delivery and Viability Report" submitted with the application.
- Up to 35% affordable housing, subject to future viability assessment (consisting 30% affordable rent/70% shared ownership) subject to the future viability of the development.
- Up to £16,500 per dwelling to the Longbridge Infrastructure Tariff, subject to the future viability of the development
- A new Community Centre building of up to 450 square metres to form part of the northern Phase 2 of development
- The District Council's fees and costs of the initial and subsequent viability reviews to be borne by the applicant.

Members are reminded that the only committed LIT contribution at this stage relates to the £500,000 for predominantly education infrastructure provision detailed above. The Groveley Lane scheme of traffic calming will be provided via Condition, subject to Traffic Regulation Order being obtained and delivered through a Section 278 Agreement.

It is considered that the agreed level of contribution detailed above meets the three key policy tests set out in the NPPF.

There is the ability to commence development on Longbridge East and on-site improvements to the highway infrastructure and public realm. This approach would allow the first phase of the development to proceed and deliver new housing and the new park. The viability of subsequent phases will be re-appraised using the approved base cost information to establish if enhanced Section 106 contributions/affordable housing numbers could be made if market conditions improve. This review mechanism for subsequent phases will be secured in the Section 106 Agreement as detailed above.

The Section 106 Agreement is currently being drafted. I will update Members at your Committee on the progress of this document.

Conclusions

In planning policy terms, this site needs to be judged on its own merits and in line with existing policies and relevant material considerations. Whilst the mainstay of appraising the application relates to the LAAP and the NPPF, Local Plan Policies still form the Development Plan for the area, and any decision needs to be made in accordance with these policies unless material considerations indicate otherwise.

The issue of viability is also a material consideration in decision making. The weighting attached to viability issues needs to be balanced with the specific circumstances of the development site at Longbridge East, the underlying policy basis and all other relevant material planning considerations.

In planning policy terms, this site needs to be judged on its own merits and in line with existing policies and relevant material considerations. This includes the LAAP. Bromsgrove requires additional housing across the district to attempt to rebalance its housing market, and there is not currently a 5 year supply of housing land in Bromsgrove as required by national policy. In weighing up all the issues, including compliance with other adopted policies in the Local Plan and meeting the housing crisis the District is facing, the proposal should begin to address the serious shortfall in housing land supply. The proposal would additionally assist with the Council's task "*….to maintain a flexible and responsive supply of land for key sectors, including housing…"* as urged in the Ministerial Statement 'Planning for Growth'.

The NPPF retains the presumption in favour of sustainable development. The development of this site would comply with the key sustainability aims of the NPPF, thus contributing to housing in a sustainable location in addition to addressing (albeit in a limited way), the shortage of affordable housing in the District by supporting a an element of such dwellings.

Advice within the NPPF, the WCSP and BDLP makes it clear that the impact upon the character of the locality, as well as the relationship of proposed developments to the surrounding area to be legitimate material factors to take into account in the determination of planning proposals. Indeed, the NPPF advocates the rejection of poorly designed developments, including those that are clearly incompatible with their surroundings.

The partial de-culverting of the River Arrow, the proposed on-site public open space, the approach to high quality design advocated by the Design and Access Statement, the improvements to highway safety and new landscaping would be of local benefit which are factors that weigh in favour of the proposals. Fundamentally, the scheme forms part of the wider regeneration agenda for Longbridge and thus in turn would contribute to the wider vision and objectives for Longbridge established within the AAP.

I am content that the site is able to support the erection of up to 725 residential units in a well-designed manner, which will integrate well with surrounding development and the use of existing natural features. The scheme will provide a density considered to be appropriate in order to balance the need to make more efficient use of land with the acknowledged constraints of the site (with particular reference to topography, the watercourse and the adjacent railway). Furthermore, the scheme offers an opportunity for the provision of some on-site affordable housing units, together with elements of landscaping and ecological enhancement works that will reinforce such elements both within the site and to the boundaries of the development site (with particular regard to the Arrow Park). The site is sustainable and this factor weighs in favour of the application. Members will note WH have raised no objection to the scheme and furthermore I am not in receipt of any technical objections to the proposals. Having considered all material considerations, I am thus minded to approve planning permission.

What is clear from both the discussions and the financial modelling work which informed the discussions is that a fully AAP compliant scheme is unviable. I thus accept that the scheme falls short of some of the requirements of the AAP, with direct reference to the LIT and affordable housing provision. If is acknowledged that it may not be feasible for all developments to meet all of the requirements set out in national, regional and local planning policies and still be financially viable and therefore the balance of contributions that are being sought has been carefully considered. In this respect I am content that viability has been thoroughly assessed. The Section 106 Agreement will inherently permit the Local Planning Authority to review the viability of the scheme as the development of the site progresses in order to reassess the level of future contributions as a response to changing economic stability.

The applicant is in the process of submitting a legal agreement to deal with the Heads of Terms set out above. I am thus seeking delegated powers from Members to deal with this matter upon completion.

RECOMMENDATION:

(a) **MINDED to APPROVE OUTLINE PLANNING PERMISSION**

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:

(i) The securing of 36 affordable housing units (with a tenure mix of 50% affordable rent and 50% shared ownership) with 18 to be built completed by the occupation of the 100th open market dwelling and the remainder by the occupation of the 193rd market dwelling

(ii) A LIT contribution of £500,000 to improve education facilities at Lickey Hills Primary School to be made prior to the occupation of the 100th dwelling – with

such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education.

(iii) Construct and complete the new public park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.

(iv) Viability reviews to be submitted at an agreed trigger point of either (a) upon the submission of each future Reserved Matters application or (b) the prior occupation of an agreed number of dwellings, with the viability review updating the current Delivery and Viability Report submitted with the current application.

(v) Up to 35% affordable housing with the tenure split to be determined, subject to the future viability of the development

(vi) Up to £16,500 per dwelling to the Longbridge Infrastructure Tariff (LIT), subject to the future viability of the development

(vii) A new Community Centre building of up to 450 square metres to form part of the northern Phase 2 of development

(viii) The District Council's fees and costs of the initial and subsequent viability reviews (index linked to RPI, plus expenses and VAT) to be borne by the applicant.

For the reference of Members I intend to impose suitable Conditions relating to:

- Submission of the outstanding Reserved Matters for approval (appearance, landscaping, layout, and scale)
- Commencement of development timescale

- Broad compliance with the parameters of the Masterplan and Design and Access Statement
- Compliance with approved drawings (with reference to access arrangements)

- Materials and external appearance finish
- Finished floor levels (set at least 600mm above the 1% AEP + CC flood level)
- External lighting
- Number and location of the affordable housing units to be provided.

- Soft and hard landscaping
- Footbridge design
- Landscape Management Plan
- Boundary treatments
- Details of the treatment and finishes to the Arrow Park
- Tree and Landscape Protection Plan

- Habitat Management Plan
- Details of bat and bird boxes

- Noise mitigation measures

- Construction Environmental Management Plan (CEMP)
- Construction Traffic Management Plan (CTMP)

- Contamination investigation and remediation programme as applicable

- Surface water drainage scheme
- Foul drainage disposal

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Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
ST MODWEN DEVELOPMENTS LIMITED, ST MODWEN PROPERTIES III SARL AND PERSIMMON HOMES LIMITED "B"	Erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works **As amended by:** Planning Layout Plan received 09.03.12 Detailed Landscape Proposals: Arrow Park received 14.02.12 Boundary Treatment Plan and Refuse Storage Areas received 09.03.12 Tracking Layout Single Decker Bus received 09.03.12 Tracking Layout Large Refuse Vehicle received 09.03.12 Planning Layout Indicating Preliminary Slab Levels received 09.03.12 Street Scenes Views 1-5 Sheet 1 of 2 recevied 09.03.12 Street Scenes Views 6-12 Sheet 2 of 2 received 09.03.12 Detailed Soft Landscape Proposals: Housing Plots (Sheet 1 of 5) received 09.03.12 Detailed Soft Landscape Proposals: Housing Plots (Sheet 2 of 5) received 09.03.12 Detailed Soft Landscape Proposals: Housing Plots (Sheet 3 of 5) received 09.03.12 Detailed Soft Landscape Proposals: Housing Plots (Sheet 4 of 5) received 09.03.12 Detailed Soft Landscape Proposals: Housing Plots (Sheet 5 of 5) received 09.03.12 Entrance Feature Square Proposals received 09.03.12 House Type Elevation and Floor Plans **As augmented by:** Delivery and Viability Report received 09.09.11 Construction Environmental Management Plan received 14.02.12 Landscape Management Plan and Maintenance Schedule for all Amenity Areas received 14.02.12 Residential Travel Plan Agreement received 14.02.12 Section 185 Sewer Diversion Application (SWS) Information received 09.03.12 Section 185 Sewer Diversion Application (FWS) Information received 09.03.12 Section 104 Submission – Foul Network received	EMP	11/0750 22.11.11

09.03.12

Land at Former Longbridge East Works,
Groveley Lane, Cofton Hackett

RECOMMENDATION:

(a) MINDED to APPROVE FULL PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the full planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:

(i) The securing of 36 affordable housing units (with a tenure mix of 50% affordable rent and 50% shared ownership) with 18 to be built completed by the occupation of the 100th open market dwelling and the remainder by the occupation of the 193rd market dwelling

(ii) A LIT contribution of £500,000 to improve education facilities at Lickey Hills Primary School to be made prior to the occupation of the 100th dwelling – with such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education.

(iii) Construct and complete the new public park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.

Consultations

WH — Consulted – views received 22.02.12:
No objection subject to Conditions relating to:

- Access closure
- Car parking provision
- Access, turning and parking surfacing and drainage
- Engineering details of the access improvements to Groveley Lane
- Engineering details of the access improvements to Parsonage Drive
- Engineering details of the Groveley Lane Traffic Management Scheme
- Wheel washing
- Parking for site operatives
- Travel Plan

HA — Consulted – views received 12.04.12:

- No objection subject to Conditions relating to:
- Implementation in accordance with the Trip Generation Schedule
- System for vehicular trip monitoring to be agreed
- Implementation of the vehicular trip monitoring system

Centro — Consulted – views received 20.10.11:

- No objection

Drainage Engineer	Consulted – views received 13.09.11 • No objection
EA	Consulted – views received 19.12.11: • No objection subject to Conditions relating to: • Verification report for pollution • Contamination identification measures • Surface water drainage infiltration • Piling restriction measures
STW	Consulted - Views received 05.09.11: • No objection subject to conditions relating to: • Surface water drainage • Foul drainage
WRS: Contaminated Land	Consulted – views received 31.01.11 and 22.03.12: • No objection subject to Conditions relating to: • Contaminant detailed remediation scheme • Ground gas monitoring • Information relating to appropriate water supply pipes • Validation of the above measures
WRS: Air Quality	Consulted – views received 31.01.11: • No objection • In general agreement with the assessment made and conclusions drawn in relation tom the submitted Environmental Statement
WRS: Noise	Consulted 30.08.11: views awaited • The proposals are satisfactory, subject to the inclusion of the noise mitigation measures, as indicated in the noise report. • Given the nature and scale of the development, these mitigation measures are significant in order to control the potential issues of noise • Restrictions on the construction phase should also be imposed, including working hours
Climate Change Officer	Consulted 30.08.11: views awaited
Urban Designer	Consulted - views received 11.10.11: **Structure and Layout** • The proposed layout faithfully follows the pattern of a loosely rectangular grid of perimeter blocks set out in the outline proposal. But there appears to be some ambiguity in the plans about the permeability of the street pattern. The Street Hierarchy plan in section 3.5 of the Design and Access Statement shows what looks like a non- connection for vehicles between the side streets and the main street. This suggests, instead of a fully permeable connected layout, a return to the defunct distributor road principle of housing layout. However, the Surface Treatment plan in section 3.6.4 appears to contradict the earlier plan. The logic of the grid layout is that there should be complete permeability, and that choice of route should be influenced, but not determined, by the street hierarchy.

- The layout of houses within the grid is fairly simple and straightforward. This is good. However, the townscape qualities of the layout are fairly rudimentary. Corner houses and houses closing the ends of streets are considered, but consideration of townscape potential does not go much further than this. Particularly with the steep gradient on the side streets, shown in the sectional drawing on page 44, there is opportunity for more interesting grouping of houses than is currently proposed.
- The side roads running between the primary and secondary roads are given a wiggly profile, but for no identifiable reason. If the layout of the houses were more irregular, with the road shaped by them, as for example in Poundbury, this would be purposeful. As it is, the road profile appears to be rather arbitrary.
- Only one side of the “arrival square” at the main entrance to the development is contained within this phase of development. This seems rather strange. If the square is to be a spatial entity, surely it should all be built at once. The outline application proposes that Phase 2 (the other side of the square) could in fact become Phase 3, in which case the completion of the square could be very distant. Furthermore, the enclosure of the square looks rather too informal. If it is to be perceived as an entrance square, it surely demands a greater degree of formal enclosure. It would be appropriate for the higher density development of Phase 2 to be extended into Phase 1 on the opposite side of the square, in order to give a more marked and consistent enclosure to the square.
- The House Types plan on page 23 shows flats above garages, in a parking court in the centre of one of the perimeter blocks, surrounded by back gardens. This does not appear to be a good location for dwellings.

Density

- The proposal is for 229 dwellings within a Phase 1 area of 10.6 hectares. However, the net residential area is stated as 7.66 hectares, which gives a density of 30 dwellings per hectare. This is a long way off the target for this phase which is stated in the outline application as *up to 45dph.* It is however a reasonable figure for what is stated to be a medium-density area, but at this figure the whole development cannot attain the average density of 40dph which is stated in the outline application.

Architectural character

- As set out in the outline application, the three phases of development aim to have different characters, and the character for Phase 1 is intended to relate to that of the adjacent Cofton Hackett. This is reasonable enough, and the house elevations drawn in section 3.7 are pleasingly simple and sturdy in appearance. However, while it is appropriate to borrow from the layout patterns, vocabulary and materials of the adjacent area, it has to be said that there is little of architectural distinction in Cofton Hackett. I consider that it would be possible (and

desirable), without losing the vernacular simplicity of what is currently proposed, to have a little more architectural distinction. This comment can be related to the later comments about sustainability.

- Brick piers and railings are proposed to mark front boundaries of houses on the primary and secondary streets. This is a positive element which will contribute to the integrity of both the private and public outdoor realms, as long as the railings sit on a solid masonry base, which in the street elevation they appear to do. I am less convinced about the boundary treatment proposed for the side streets, which is stated to be *low level planting.* I am unsure what this means; it does not mean a hedge, because hedges are separately indicated on the plan key. Hedges would be perfectly appropriate on the side streets. I consider that the houses on the side streets require no less definition of their boundary than houses on the primary and secondary streets, and that an open-plan arrangement, which I take *low level planting* to represent, is not appropriate.
- There are some very attractive perspective drawings in the Design and Access Statement, but they are all uncaptioned and unidentified. It would be useful to know what, if any, status they have in conveying the architectural intentions of the proposal. The houses shown in them appear to be of a lower level of architectural distinction than those shown in elevational form in section 3.7.

Landscape

- I see from the plan of the proposed Arrow Park on page 39 that only half of the length of the river as it passes through the site is going to be deculverted. The other half is to remain invisible underground. This is disappointing, and there is no explanation given as to why this is so. The presence of a river on the site, albeit small in size, deserves to be exploited to the full.
- It is proposed to differentiate streets from one another, to a certain extent, by varied species of trees. This is good in principle, although I cannot comment reliably on the choice of species.
- I commented in my report on the outline application that there is no evidence presented of the “rolling landscape” which it is intended to create from the currently flat site. This is also true of the detailed application. The new profile is to be created at vast expense, whatever may be the sustainability credentials of the process. One would expect some pictorial demonstration of the benefit which it is proposed will ensue.

Sustainability

- This is disappointing. The Design and Access Statement for the detailed application merely reproduces the text which appears in the outline application. Moreover, as in the outline application, it is for some unaccountable reason put into an appendix, which suggests that sustainability is not considered central to the proposal. The general terms in which the subject is addressed in

the outline application are insufficiently specific; here in the detailed application they are even more so.

- There are no drawings that suggest how passive solar energy collection might relate to the orientation or design of houses, or contribute to their architectural character. There is no mention, let alone specific drawings, of sustainable drainage in the development, although the presence of the River Arrow is surely a gift for this. Sustainable design requires to be much more seriously addressed. One further note; I note that all windows will be manufactured from UPvc. Some local authorities have a policy which outlaws UPvc; I do not know what Bromsgrove's policy is, but the material raises major objections on sustainability grounds.

Strategic Planning Manager

Consulted - views received 14.05.12:

Conformity with Longbridge AAP

- The Longbridge AAP was adopted by Bromsgrove District Council and Birmingham City Council in April 2009 following a lengthy period of development and consultation in the years after the demise of MG Rover in April 2005.
- The AAP is the primary development plan for the area although as the planning system has been reformed in recent years, and the economy is significantly different from when the plan was prepared, other considerations will also need to be taken into account. In this first section the applications will be assessed against the AAP without considering the impacts of the economy and or other financial viability considerations. This is simply used as a tool to evaluate the current proposals with that which was originally envisaged for the site.
- In the AAP development at East Works is predominantly addressed by policy H2, there are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered.
- In very simple terms the applications conform with the overall requirements of H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. Both the full application and the outline allow for these policy objectives to be met. One of the key elements of the residential development at east works was to be the range of units and densities to be provided across the site. The AAP requires that an overall density of 40-50 dwellings per hectare (dw/ph) is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.
- The application does provide a range of house sizes and types although in my view architecturally uninspiring and generic which seems to be in contrast to what was being proposed during the time the AAP was being developed. The sustainability of these

properties is well below that which the AAP had hoped for with the development proposed being the minimum standards as required by Building Regulations, rather than the more aspirational targets as set out in the AAP.

- The AAP also encourages homes to be built to Lifetime Homes Standards and whilst not strict requirement there is only limited provision for them in the full application, and the outline only identifies that they will be considered through each phase of the development and incorporated where suitable and viable, although this is something which could be agreed as part of the Section 106 Agreement.
- The requirement of the AAP OS2b: opening up of River Arrow, OS4 & OS4b: East Works Park and OS16 and 17: Green Belt protection have all been included in the scheme. It has been agreed that the scale of the park originally envisaged could be reduced in an effort to aid the overall viability of the scheme, and with improvements scheduled to take place to Cofton Park in the near future this would not be detrimental to the east works development as sufficient areas of open and play space are easily accessible from the site and within the site.
- The outline application still maintains the pedestrian/cycle link to the wider countryside via Cofton church lane which is welcomed as is the street pattern with the scheme conforming with the requirements of the AAP as I understand to the acceptance of the Highway authority.
- The most significant elements of this scheme where it fails to meet the adopted policies in the AAP are the provision of affordable housing and the planning contributions required by the Longbridge Infrastructure Tariff (LIT). Both of these elements are key factors in the discussion on development viability.
- The requirement for affordable housing at Longbridge is that a target of 35% of all new units developed are affordable. The two applications under consideration currently do not meet this requirement.
- The outline scheme does not commit to a level of affordable housing other than referring to the AAP target of 35%. An improved offer has now been achieved for Phase 1 consisting of 16% or 36 properties 18 of which are affordable rented and 18 of which are shared equity housing.
- The outline scheme does offer more hope of additional affordable housing in later phases although this must be considered against the low existing provision and the ability of the later schemes to deliver vastly increased affordable housing numbers.
- As suggested by the outline application and in line with the AAP the later phases of this development will be developed out at different densities, with the northern section of the site being at higher densities and the southern section of the site being at lower densities. Any suggestion that the southern section of the site could deliver vastly increased numbers of affordable housing which would make up for the overall shortfall in the current

application would appear unlikely. The southern section of this site is where the largest most profitable housing will be developed, not only will it be physically difficult to make up for the shortfall with less actual housing units being provided, bearing in mind the issues on viability which will be discussed below it is difficult to see why any developer would increase density here which is most desirable on the open market with high numbers of affordable housing units.

- The LIT was developed as part of the AAP as a precursor to the current CIL regime although it does not operate exactly the same way CIL is required to be operated. The intention of the LIT was to provide a simple mechanism of ensuring that developers would know what financial requirements would be required as a result of any development to enable the aim and objectives of the AAP to be achieved. It is also an important tool as it allows the councils to pool planning obligations enabling us to allocate the required funding to the area/schemes where mitigation is most needed in and around Longbridge in both districts, regardless of where the funding originated.
- The applications were originally submitted with no contributions to the LIT identified. The discussions about the viability of the scheme have now presented a situation where £500k can be offered to the LIT with the intention of it being used to replace temporary class rooms at Lickey Hills Primary School with permanent structures.

Viability of Development

- As touched on in the comments above the viability of the development at East Works has been a consistent factor and one which has dominated discussions. The Council have employed a specialist who has helped in assessing the current schemes viability, and has also advised on how best to ensure that future development is both viable for the developers and also helps to meet some of the wider aims of the AAP.
- What is clear from both the discussions and the financial modelling work which informed the discussions is that a fully AAP compliant scheme is unviable.
- The AAP was prepared pre-recession when development economics were very different from those which are currently being experienced. With considerable economic restrictions now in place for both developers and prospective purchasers, and a reduction in the availability of publically funded grants and loan schemes, what was once considered to be realistic development is now somewhat different.
- As the AAP was going through its final stages of development and in particular the Examination in Public in late 2008 it was clear that the world economy was experiencing considerable decline, although a collapse on the scale that has been seen since was perhaps not foreseeable. It was with this in mind that elements of the AAP were amended to ensure that the financial viability of developments is allowed to be taken into account and

concessions made to allow development to proceed. This approach has since been enshrined in the NPPF.

- The development of the Longbridge site has always been seen as challenging, largely because of the sites former use and the amount of remediation required to clean the site up to a environmentally acceptable standard, combined with the significant levels of new infrastructure required to service the different uses the Councils would like to see introduced.
- The viability work which accompanied the applications has been assessed and whilst some differences remain in opinion it is felt that it does reflect the difficulties of meeting the overall requirements of the AAP. The improved offer of additional affordable housing and LIT funding in my view makes a difference to the acceptability of the scheme without which would have been unacceptable.
- The provisions in the Section 106 for the outline scheme which allows for development viability to be reviewed over the lifetime of the development and any uplift captured in additional planning gain as required by the AAP, further weigh in favour of granting permission for both the initial 229 dwellings and the outline application, notwithstanding the concerns I have over the ability of the later phases to make up for lost provision particularly in relation to affordable housing on this phase.
- Subject to other planning matters being appropriately dealt with, including the relevant legal agreements, it is with some reluctance think these schemes should be allowed to proceed. The proposals are satisfactory although way below the requirements and aspirations of the AAP.
- It is accepted that viable development is difficult to achieve with current market conditions, and it is for the specific viability reasons associated with this current proposal and for these reasons only that this scheme should be approved. Officers have worked with the applicants for a considerable period of time trying to make this scheme more AAP compliant and thus deliver more of the aspirations that both Bromsgrove District Council and Birmingham City Council have for the Longbridge area.

Open Space — Consulted – views received 02.05.12:

- I have undertaken a play space calculation for the detailed scheme comprising of 41x 2bed, 82 x 3bed and 106 x 4bed dwellings. In accordance with SPG11 the scheme generates a minimum play space requirement of 23,773sqm (2.37ha). On-site maintenance cost of £896,718 would be required to maintain the open space however in this instance I understand that a management organisation will maintain the space meaning that no payment would be required in this instance.
- If none of the open space were provided on-site the off-site commuted sum would be £4,962,667. In this instance the design and access statement highlights that 11,500sqm (1.15ha) of open space will be provided on site. This is equates to a deficit of 12,273sqm (51.6%). Providing 51.6% of the off-site

	commuted sum results in a figure of £,2,560,736. • It is acknowledged that a figure of this size may impact on the viability of the scheme. It may also be appropriate to take into account the quality and quantity of local play space provision in determining any off-site contribution.
Head of Leisure Services	Consulted – views received 06.09.11: • No objection subject to Conditions relating to: • POS landscaping measures
Strategic Housing Manager	Consulted – views received 23.02.12: • In respect of application 11/0750, based on the viability on phase 1 of the Longbridge site Strategic Housing accept and support the provision put forward for affordable housing. • However we welcome the proposed future reviews of viability which may lead to increased provision of affordable housing on future phases
NE	Consulted - views received 25.10.11: • No objection • Recommend the use of planning conditions to ensure the protection of Bittell Reservoirs SSSI and protected species on site • The proposed Green Belt Ecological Management Plan, the Phase 1 Landscape Management Plan and Maintenance Schedule for the Arrow Park and the CEMP should be secured through planning conditions. Ecological management should include the eradication of the Himalayan Balsam on site
WWT	Consulted - views received 03.01.12: • No objection • You'll be aware that we have been involved in this site for some time now and we are pleased to support the de-culverting of the River Arrow and the associated open space and habitat creation that goes with that part of the project. • In addition we are pleased to note the proposals for protection and enhancement of the Arrow corridor (both on and off-site) and site Green Infrastructure centred on the new park, existing pond and corridors around the site. • The proposed landscape and ecological management plans, coupled with the submitted CEMP will be important in delivering robust multi-functional GI across the site and we would therefore strongly recommend that they are covered by appropriate planning conditions. • We are pleased to support Natural England's comments regarding protected species and the nearby Bittell Reservoir.
WCC(CA)	Consulted – views received 02.11.11: • No objection
Tree Officer	Consulted – views received 22.12.11: • No objection subject to Conditions relating to: • Tree protection during construction • Tree planting schedule

- Securing of tree planting scheme
- Landscape Management Plan

Network Rail — Consulted – views received 21.09.11:

- No objection

BW — Consulted – views received 18.10.11:

- No objection

Additional views received 06.01.12 and 09.03.12:

- BW can advise that we have been in discussions with the developer in regards to our letter dated 6 January 2012 and can confirm that a quantitative risk assessment has been undertaken.
- BW can confirm the report adequately quantifies the risk and is acceptable to BW.
- BW are satisfied that we are unlikely to have to carry out works at the reservoir in the future directly as a result of the development. The report will assist us in discussions with any future independent Inspecting Engineer.
- On this basis BW do not wish to make further comments on the application at this stage

WMC — Consulted - views received 20.09.11:

- This development is taking place in an area that has had low levels of crime and disorder; however, it does sit on the edge of the Birmingham conurbation which does have higher levels. It is important that the design of this development does everything it can to maintain the low levels of crime and disorder.
- Concern over courtyard parking provision
- Suggests that if courtyard parking was to be a design feature it would have to be secured with gates
- The failure to provide secure parking areas is a mistake and increases the opportunity for crime and disorder.
- If the application is to be granted it should be on the condition that all courtyard parking is secured by a gate that is 1.8 metres high and preferably fitted with a self closing device.
- In addition it is particularly important that all of the courtyards that border onto the railway line should be gated.

WCC PROW — Consulted – views received 19.09.11:

- No objection

RA — Consulted 30.08.12: views awaited

WCC Education — Consulted – views received 19.04.12:

- In recognition of the viability issues for the redevelopment of this site we have already agreed that the only contribution we will seek is for the replacement of the temporary accommodation at Lickey Hills Primary School with a permanent extension.
- We will not be seeking anything else.
- I note that there will be no contribution from phase 1 of the development and this is acceptable.

HSE — Consulted – views received 16.09.11:

- No objection

CPRE — Views received 23.11.11:

- CPRE supports the development of the site of the former

Longbridge East Works for housing

- The Council should ensure that any development is in accordance with the Area Action Plan.
- Where affordable housing is not provided within a section of the development, the Council should require a binding obligation to be entered into, to ensure that it is provided elsewhere within the development with the appropriate payment in lieu of actual provision. This should include ensuring that there is sufficient actual provision in the north part of the former works to allow a low level of actual provision in the lower density area in the southern part.
- It is important that the community facilities identified by the Area Action Plan are actually provided and the Council should require an obligation from the developer and/or a payment to ensure this happens.
- Provision needs to be made for the proposed Arrow Park and other Open Space to be maintained in perpetuity by some public authority, and we would suggest that this should be the Parish Council.
- Similarly the AAP anticipates that there will be some retail provision within a district centre. This does not seem to be provided for in the detailed application (11/0750) or (at least not very explicitly) in the outline application for the whole site (11/0748). It is important that the Council ensures that this is actually provided
- Any sheltered housing, or residential institutions (e.g. nursing or care homes) should be located near the retail area. This should be secured by conditions imposed on 11/0748.
- A development of this size will impose a significant strain on the school system. We do not recall what was said about education provision at the AAP examination. However, it is important that the applicant should be required to put forward as part of its applications a plan as to how pupils can be accommodated in the existing schools or expanded schools; as to whether these will need to be enlarged; and if so, how.
- A public footpath exists approaching the east side of the culvert taking the river Arrow under the railway. This appears to end exactly opposite the end of the intended Arrow Park, means should accordingly be found (if possible) for continuing the footpath through the culvert into the intended park.

Birmingham City Council

Consulted – views received 11.05.12:

- The City Council supports the principle of residential development on the site in line with the Longbridge Area Action Plan (LAAP). However, both the outline and full applications raise a number of issues. The issues are:

Affordable Housing

- The LAAP has a target of 35% affordable housing (LAAP proposal H2 paragraph 3.106). The site provides a key opportunity to meet needs for affordable housing in the wider

area and it is therefore essential that levels accurately reflect the need.

- The developer's proposal aims to link additional affordable housing to viability at key stages throughout the development. Birmingham City Council would support this on the basis that the baseline figures used match those already agreed with Birmingham City Council's Planning Committee and used in determining St Modwen's recent planning applications in Birmingham.

Sustainability

- Given the overall vision of Longbridge as an exemplar sustainable development and the requirement in Policy S1 of Code Level 4 on adoption of the LAAP and level 5 from 2012, it is disappointing to see the developer's proposal to downgrade to Building Regulations 2006 for open market. Also, it appears that new homes are not developed to Lifetime Homes Standards. The proposal fails to meet the first LAAP Objective: "To establish sustainable communities, which embody the principles of sustainable development and meet current and future social, economic and environmental needs in a balanced and integrated way."

Revised Section 106 Offer

- On 2 May 2012 the City Council received a copy of a revised offer from the developer, St Modwen. For the full application for 229 dwellings, the developer is now proposing delivery of 15% affordable housing and a £500,000 contribution towards the construction of a permanent extension at Lickey Hills Primary school. The offer confirms there will be no other financial contribution. For the outline application the revised offer provides up to 35% affordable housing and up to £16,500 LIT contributions per dwelling, both subject to viability. Housing is to be built to 2006 Building Regulation standards. Birmingham City Council notes and welcomes the improved offer.

Conclusions

- The City Council recognises that by applying the full extent of LAAP policy requirements the development is currently unviable.
- In applying section 4.25 of the LAAP, the local authority should enter into negotiations with the developer to work together towards securing a mutually acceptable, deliverable scheme. However, we believe that there are a number of outstanding issues that require resolving before an acceptable scheme can be reached. In general, the developer's proposed scheme fails to meet some of the key objectives and targets set out in the LAAP.
- Birmingham City Council would be happy to support the applications if: a) the viability appraisal is reworked reflecting the figures previously agreed with Birmingham City Council's Planning Committee and used in determining St Modwen's recent planning applications in Birmingham, and b) it incorporates the recently agreed reduced infrastructure costs.

- Accordingly we would urge Bromsgrove to continue your negotiations with the developer, St.Modwen Properties PLC to achieve the above which should then enable a more policy compliant outcome with potentially enhanced levels of affordable housing and Infrastructure tariff.

Cofton Hackett Parish Council

- Cofton Hackett Parish Council has considered the application and would recommend that it be permitted.
- The Council is particularly in favour of the proposed traffic calming around the new entrance to the site, also the submission for consideration of further traffic calming on Groveley Lane from Parsonage Drive towards the Oak Tree island.
- This site has been empty for too long, and the residents of Cofton Hackett will be pleased to see progress being made.

Publicity

40 letters sent 31.08.11 (expire 07.09.11)
3 identical site notices posted 27.09.11 (expire 18.10.11)
1 press notice published 08.09.11 (expires 29.09.11)

2 representations received **objecting** to the scheme on the following principal grounds:

- Disappointing that the new development is not in keeping with Cofton Hackett's feel of space (with direct reference to plot sizes)
- New development will be hemmed in and claustrophobic
- Loss of tree cover to rear of properties in Parsonage Drive

Members are encouraged to review all submitted documentation. All submitted information is available to view in full online via the Council's Public Access system or within the planning application file.

The site and its surroundings

The application site occupies a central part of the Longbridge East site that comprises an area of some 24.99 hectares, located approximately 9 kilometres from Bromsgrove Town Centre and approximately 11.5 kilometres from Birmingham City Centre. Phase one occupies a central part of the Longbridge East site and extends to some 10.6 hectares in area.

The site formerly known as East Works/Powertrain was utilised for engine manufacturing and assembly as well as aluminum casting and used to have buildings with over 92,000 square metres of floorspace. Almost all of the buildings were demolished in 2007 and the site now comprises of hardstanding, building foundations and car parking areas. The former industrial site shapes the majority of the application site as a rectangular plot.

The whole site abuts the Green Belt and Cofton Park to the south and north-west, and is crossed by the partially culverted River Arrow. In the western section of the application site there is a pond, fed by Cofton Reservoir situated immediately outside the application site boundary to the west. The River Arrow runs across the main part of the site in culvert

in a west to east direction. The area surrounding the pond is predominantly woodland, with agricultural land to the south. To the east of the woodland is a former car park.

The central and main part of the site has been cleared of former industrial buildings. It is predominantly flat, with vegetated embankments around the south and west of the application site approximately 8 metres above the main application site. To the north-west the embankment rises approximately 9 metres up to residential properties that border the application site boundary. The north of the application site borders Groveley Lane, where the main access onto the application is located (via the retained gatehouse).

To the east of the application site the River Arrow flows out of culvert, under the Lichfield to Redditch cross city railway, with part of the flow passing through filter beds. Further to the west the application site is made of predominantly wet woodland. Residential properties dominate the land use in areas to the west and north east, the Lichfield to Redditch Cross City land runs parallel to the main eastern application site boundary, whilst industrial uses lie adjacent to the north across the B4096 Groveley Lane. Beyond the railway line to the east of the application site, a number of existing employment units form part of the Cofton Centre.

Remediation works have commenced and have reached an advanced stage. The site is located in an employment zone.

Proposals

This development relates to a full planning application for development of approximately 10.6 hectares, comprising a central section of the 22.3 hectares of the Longbridge East site. The proposed development is for 229 residential units, public open space including a new neighbourhood park, equipped children's play area, de-culverting of the River Arrow, landscaping and new access works. A variety of tenures are envisaged for the scheme, including private market housing, social rented housing and shared ownership.

Part of the existing woodland area to the west is included within the application site in order to include re-culverting works associated with the development as part of the application. No public access is proposed to the woodland as part of the application. The proposed housing layout has retained a vehicular access through the housing layout to the woodland to provide access for maintenance.

The Phase One net developable area is 7.66 ha. The application site covers a larger area (10.6 ha) to include part of the woodland area (see above) and potential temporary screening required between the Phase One houses and the later phases of the Longbridge East development to the north and south.

The proposals for Phase One have been designed in the context of an overall Masterplan for the Longbridge East site. A voluntary Environmental Impact Assessment (EIA) has accompanied the application.

The key elements of the scheme include:

- 229 residential houses
- 1.15 hectares of neighbourhood park towards the southern end of the phase

- The partial de-culverting of the River Arrow through the area of public open space
- Part of the application site to the west includes an area of existing woodland which is required for enabling works relating to the de-culverting of the watercourse. It should be noted that these are only minor works and no public access is proposed to the woodland area
- 19 affordable housing units
- An equipped area of local play space
- A new vehicular junction onto Groveley Lane providing the main access to the Longbridge East site and, as part of this phase, initially serving 203 dwellings
- A secondary access onto Parsonage Drive providing access to 26 dwellings as well as providing pedestrian, cycle and emergency vehicular access to the site
- New roads within the residential are designed to accommodate local bus services
- Raised levels within the site providing a suitable platform for development from a high point of 176.6 metres AOD along the western site boundary, dropping to a level of 168.7 metres AOD at the lowest point within the site which is adjacent to the eastern boundary. These re-profiling works will integrate the development with existing housing at Parsonage Drive and will secure the structural integrity of a retaining embankment which presently defines the western boundary of the site
- Traffic calming measures on Groveley Lane between Parsonage Drive and Barnt Green Road to reduce traffic speeds and improve conditions for pedestrians. This comprises new signage, road markings, kerb build out gateway features and a signal controlled pedestrian crossing
- Noise mitigation measures along the railway

The development will provide a mix of dwelling types and sizes, with the net residential density equating to 30 dwellings per hectare. The scheme proposes 229 houses, comprising a mix of 2, 3 and 4 bedroom units. The proposed mix includes two and two and half storey buildings, and four flats over garage blocks (FOGs) in a range of sizes:

Property Type	**No. of bedrooms**	**No. of units**	**Proportion of mix**
House	2 bedroom	38	16%
	3 bedroom	82	36%
	4 bedroom	105	46%
Flat Over Garage (FOG)	2 bedroom	4	2%
Total		**229**	**100%**

Thirty six affordable units are provided, which equates to a provision of 16% affordable housing on site. This mix of affordable homes is as follows:

Property Type	**Affordable Rent**	**(Shared Ownership)**
2 Bed House	8	10
3 Bed House	4	8
4 Bed House	6	
Total	18	18

In relation to parking provision, a combination of off-street, on-plot, grouped parking areas and shared courtyards will be used. Courtyards have been designed as part of the shared space of the block. Visitors parking will be provided on-street or within the shared courtyard parking areas.

The proposed car-parking provision mix is as follows:

Property Type	Number of Units	Parking Spaces	Garages
2 Bed	42	64	4 (within FOG units)
3 + 4 Bed	187	376	156
Total	229	440	160

St Modwen has selected Persimmon Homes as its joint venture partner to deliver the first phase of development at Longbridge East. The applicant's construction programme will remediate and re-profile the site over a 30 weeks programme. Thereafter, construction of the 229 houses will begin. It is envisaged that Phase One will be completed over a three year programme. A separate planning application for the balance of the site will be submitted in due course.

The application has been accompanied by the following documents:

- Planning Support Statement
- Delivery and Viability Report
- Design and Access Statement (including Sustainability Strategy)
- Drainage Strategy
- Environmental Impact Assessment comprising: Non-Technical Summary
  Environmental Statement
  Technical Appendices
- Flood Risk Assessment
- Statement of Community Involvement
- Transport Assessment (including Travel Plan)

These documents (with the exception of the Delivery and Viability Report) are available in the planning file and online via Public Access should Members wish to view them.

<u>Relevant Policies</u>

WMSS	UR3, UR4, RR1, RR3, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7
WCSP	SD.2, SD.3, SD.4, SD.5, CTC.1, CTC.2, CTC.5, CTC.6,.CTC.8, CTC.9, CTC.12, CTC.14, CTC.15, CTC.17, D.5, D.6, D.43, T.1, T.3, RST.3, RST.5, RST.9
BDLP	DS3, DS11, DS13, S4, S6, S7, S14, S15, S19, S28, S29, C4, C5, C6, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, RAT12, TR1, TR8, TR11, TR13, TR16, ES1, ES2, ES4, ES6, ES7, ES8, ES11, ES14A
Draft CS 2	CP2, CP3, CP6, CP7, CP8, CP10, CP14, CP17, CP18, CP19, CP20, CP21, CP23, CP24

Others Longbridge Area Action Plan
Circular 06/98
Circular 06/05
SPG1
SPG11
Bromsgrove District Housing Needs Study (2004)
Strategic Housing Market Assessment (2007)
Housing Market Assessment (2008)
Ministerial Paper: Planning for Growth
National Planning Policy Framework (NPPF)

Relevant Planning History

11/0882 Re-profiling and re-modelling of site levels, deculverting of part of the River Arrow and associated infrastructure including construction access:
Approved 12.01.12

11/0748 Mixed use development comprising residential (C3) and/or residential institution (C2), community use building (D1), public open space, de-culverting of part River Arrow, demolition of existing buildings and site re-profiling, access, parking, landscaping and associated development infrastructure (outline):
Pending

B/2008/0529 Mixed use development comprising residential (C3) including houses and apartments, residential institutions (C2) including sheltered elderly care, retail (A1, A2, A3, and A5) and non residential institutions (D1) including library and community centre with a neighbourhood centre, parking service and highway infrastructure open space including new public park, enhancement works to river arrow, recreation facilities, public transport routes, footpaths, cycleways, landscaping, service infrastructure, highway access and infrastructure, drainage flood storage areas, public art and street furniture (outline):
Pending (withdrawal anticipated)

B/2008/0333 Site Re-modelling, Re-profiling and alterations to River Arrow and culverts:
Approved 18.03.09

Notes

Site History

The MG Rover Plant at Longbridge closed in April 2005.

Full planning permission for the remediation and re-profiling of the entire Longbridge East site was granted in 2009 (reference B/2008/0333). A further full planning application to further adjust and refine the previously approved levels in order to reflect the latest proposals for the wider Longbridge East site was approved in January 2012 under reference 11/0882.

Members will be aware an outline planning application for a mixed use development comprising residential (C3) and/or residential institution (C2), community use building (D1), public open space, de-culverting of part River Arrow, site re-profiling, access, parking, landscaping and associated development infrastructure (reference 11/0748) appears elsewhere on this agenda.

Policy Context

Following the demise of the plant, an Area Action Plan (AAP) was developed by Bromsgrove District Council and Birmingham City Council. The Longbridge AAP (LAAP) proposals have emerged and evolved through extensive community consultation. The application site forms part of the area covered by the APP.

The LAAP establishes a strategy for redefining Longbridge in land use terms for a mixed use development including a Regional Investment Site, a Learning Quarter, a Retail Quarter, new employment and housing areas, areas for open space and recreation, and opportunities to improve local infrastructure.

Longbridge East forms part of the wider Longbridge regeneration area at is southern extent. The LAAP identifies the site principally for new residential development. The green spaces which adjoin the Longbridge East site are located in the Green Belt.

In accordance with the LAAP objectives and proposals, an overall development framework and parameter plans have been prepared to cover the whole site. This application demonstrates how the first phase of proposed residential development follows the parameters and integrates with an overall framework whilst also forming an acceptable development in its own right.

The application site sits within the LAAP framework, which now forms part of the Development Plan for the purposes of determining planning applications. The AAP contains a shared vision for Longbridge:

"Longbridge will undergo major transformational change redeveloping the former car plant and surrounding area into an exemplar sustainable, employment led mixed use development for the benefit of the local community, Birmingham, Bromsgrove, the region and beyond. It will deliver new jobs, houses, community, leisure and educational facilities as well as providing an identifiable and accessible new heart for the area. All development will embody the principles of sustainability, sustainable communities and inclusiveness. At the heart of the vision is a commitment to high quality design that can create a real sense of place with a strong identity and distinctive character. All of this will make it a place where people will want to live, work, visit and invest and which provides a secure and positive future for local people."

The Longbridge Area Action Plan (AAP) was adopted in April 2009 and is the most up to date Development Plan Document. For the reference of Members, this is the key document against which a decision on the application should be made. The AAP contains site specific policy (Policy H2) that relates directly to Longbridge East. It is also necessary to consider changes to government policy since the adoption of the AAP; in particular, the NPPF (March 2012) and also the Ministerial Statement issued in March 2011. That Statement places a particular emphasis on both the creation of new jobs and

meeting housing needs. It establishes a presumption in favour of development which assists in economic recovery (including the construction of new houses) and advises that applications for sustainable growth should be treated favourably.

The NPPF seeks to facilitate sustainable development and growth. There is a clear commitment (paragraphs 18–19) to supporting and securing, rather than impeding, sustainable economic growth. Applications for sustainable development should be approved wherever possible (paragraph 187), consistent with an overarching approach that demands a "presumption in favour" of sustainable development (paragraph 14). It advocates a proactive, creative and solution seeking approach to planning (paragraphs 17 and 187).

Themes familiar from some of the policy documents replaced by the NPPF are reframed and reinforced as the core principles underpinning the new document. These include, *inter alia*, an emphasis on high quality design, carbon reduction, conserving and enhancing the natural environment, reusing brownfield land, promoting accessible mixed use development and sustainable transport, seeking to improve wellbeing, and encouraging the delivery of facilities and services to meet local needs. These are themes which remain consistent with the aims and objectives of the proposed development.

The AAP has been prepared to conform with policies within the Regional Spatial Strategy, the Regional Economic Strategy (RES) and Local Transport Plans. Proposals for the redevelopment of Longbridge East should also have regard to policies within the Bromsgrove District Local Plan. The above documents comprise the Development Plan and, pursuant to Section 38 (6) of the PCPA 2004. A decision on the planning application should be in accordance with the Development Plan, unless material considerations indicate otherwise.

Conformity with Longbridge AAP

The AAP is the primary development plan for the area although as the planning system has been reformed in recent years, and the economy is significantly different from when the plan was prepared, other considerations will also need to be taken into account. This includes financial viability issues.

In the AAP, development at East Works is predominantly addressed by Policy H2. There are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered. In simple terms the applications conform with the overall requirements of Policy H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. The submitted application allows for the policy objectives to be met. One of the key elements of the residential development at Longbridge East works relates to the range of units and densities to be provided across the site. The AAP requires that an **overall** density of 40-50 dwellings per hectare is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.

In summary:

- Proposal H2 allocates the site for residential and associated community and local retail use. It states that the site will be developed for:
  - Dwelling houses: a minimum of 700 dwellings with a mix of sizes, types and tenures across the site. A target of 35% of dwellings to be affordable. New homes will be encouraged to meet Lifetime Homes Standards
  - An expanded neighbourhood centre to provide essential local services including small scale shopping facilities. Land on Groveley Lane reserved for new library community centre and public meeting rooms
- Other appropriate uses will be residential institutions Class C2.
- Proposal H2 also states that the development will provide for the opening up of the River Arrow and a new neighbourhood park adjacent thereto.
- The plan also contains a number of other proposals/policies that should be applied to proposals for East Works including design requirements, sustainability requirements, and measures identified in the sections on the Movement Strategy and Environment Open Space Strategy, in particular, Proposal S1 which requires that all new residential development target Code for Sustainable Homes level 5 by 2012.
- The AAP refers to the potential need for a Section 106 Agreement. Particularly pertinent are the requirements within Section D concerning "Delivery and Implementation". It sets out requirements for a traditionally negotiated Section 106 Agreement and a standard tariff charge (the Longbridge Infrastructure Tariff (LIT)). It also sets out other highway infrastructure requirements which it envisages would be potentially delivered under Section 278 Agreements.

The developer's contributions should aim to match the contributions triggered by the development proposal, which were agreed through the LAAP examination process and adopted in the LAAP.

For the East Works development, these include:
- S106 to require provision of on site library with community centre/meeting rooms on site neighbourhood park and opening up of river (Policy H2 paragraph 3.109).
- LIT contribution towards educational facilities (LAAP Table 2 pages 48-50).
- LIT contribution towards sports facilities in Cofton Park and improved play facilities in the area (LAAP Table 2 pages 48-50)
- LIT contribution to improved footpath links and ecological improvements around boundary of site (LAAP Table 2 pages 48-50)
- LIT or S278 contributions to traffic management in adjoining areas- inc Parsonage Drive (LAAP Table 1 page 46)
- S278 for junction improvements incl. Groveley Lane/Lowhill Lane junction, environmental enhancements in neighbourhood centre, street (LAAP Table 1 page 46)
- S278 for improvements to A441 / Hopwood (LAAP Table 1 page 46)
- Public transport contributions

Members will note the LIT is broadly related to include off site infrastructure requirements such as public transport, physical, social, recreational and ecological infrastructure including education, community and economic measures and other transport provisions. The intention of the LIT was to provide a simple mechanism of ensuring that developers would know what financial requirements would be required as a result of any

development to enable the aim and objectives of the AAP to be achieved. It is also an important tool as it allows the LPA to pool planning obligations enabling allocation of the required funding to the area/schemes where mitigation is most needed in and around Longbridge in both Districts, regardless of where the funding originated.

The Section 106 element relevant to this application is proposed to contain site specific matters including the provision of affordable housing, elements of on-site community infrastructure including community building, requirements and specifications for the on-site park and triggers for payments.

The most significant elements of the scheme where it fails to meet the adopted policies in the AAP are the provision of affordable housing and the planning contributions required by the Longbridge Infrastructure Tariff (LIT). Both of these elements are key factors in the discussion on development viability dealt with further on in this report.

The requirement for affordable housing at Longbridge is that a target of 35% of all new units developed are affordable. The current scheme does not meet this requirement, with the application offering 16% affordable housing, consisting of 18 affordable rented properties and 18 intermediate properties. The outline scheme also set out in this agenda does offer more hope of additional affordable housing in later phases although this must be considered against the very low existing provision and the ability of the later schemes to deliver increased affordable housing numbers. Further details on the level of affordable housing and the issue of viability are dealt with in this report under the heading *Type of Accommodation*.

In accordance with the requirements of LIT, the proposed residential development of 229 dwellings would require a payment of £16,500 per unit equating to a total of £3,778,500. The current application is offering no LIT monies.

Viability Issues

Members will be aware that viability has become an increasingly important consideration in the determination of planning applications. Viability is inherently linked to the ability to satisfy planning policy, and to deliver regeneration objectives and economic development. The significance of viability has increased during the current period of economic downturn when the delivery of new development has been threatened and the requirement for applicants to comply with planning obligations and policy requirements has been maintained.

Scheme viability is a material consideration in deciding appropriate level of contributions for planning obligations. The application in this instance has been accompanied by a Delivery and Viability Report. The consideration of financial viability in determining this application is particularly important in the context of seeking to meet planning policy (including the parameters of the LAAP) and negotiating Section 106 contributions (including affordable housing), to ensure the proposed development remains attractive and deliverable. An inconsistent approach to policy applications and Section 106 negotiations can increase development risk and uncertainty, which can deter development coming forward.

In the context of achieving sustainable development, the National Planning Policy Framework refers to ensuring viability and deliverability in paragraph 173-177. Paragraph 173 of the NPPF states:

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The implementation of the AAP will be dependant upon a number of factors and the viability of any planning application proposal at the time it is submitted is one such factor which will have a substantial impact upon what may be considered fair and reasonable for the Longbridge regeneration development to support in terms of obligations. At the heart of the AAP is the focus on delivery. In preparing the AAP, particularly in the challenging economic market conditions, the document includes flexibility in order to ensure regeneration is not delayed or inhibited by market conditions. This approach was fully endorsed by the AAP Examination Inspector in her report and the AAP amended to include paragraphs 4.25 and 4.26 (and others references) in order to address viability challenges, stating the approach to be adopted in addressing viability at the planning application stage:

“It is recognised that market conditions are subject to change and that can impact upon the viability of development. If at any time planning applications are submitted, it can be shown through an open appraisal, that a scheme may be unviable if the LAAP’s policies have to be applied in full; then the Local Authorities will enter into detailed negotiations with the applicants to determine what may be acceptable to enable the scheme to proceed.

In such cases, the planning obligations that have not delivered full tariff levels set out in table 3 [of the LAAP] will include mechanisms to allow the scale of obligations to be increased if it can be demonstrated that market conditions improve at the time the development is implemented. eg. through linking the tariff payments to phases of development.”

This is further explained in Paragraph 4.5 which states that where viability is an issue in terms of difficult market conditions:

*“*A flexible approach to any negotiations at planning application stage will be required to ensure viability and that the delivery of an acceptable scheme on the ground is not constrained or delayed*.”*

The LAAP recognises that market conditions are subject to change and that these can impact on the viability of development. If it can be shown through a development appraisal, that not all of the LAAP’s policies can be applied in full, then the Local Authority

will enter into negotiations to determine what is appropriate to enable the scheme to proceed".

The imposition of the LIT in circumstances where the development is unviable if included, is equally subject to the provisions of paragraph 4.25 and 4.26 of the LAAP as stated above, and is negotiable in order to enable the development to proceed. There are no provision in the LAAP which state that a minimum level of LIT must be imposed and therefore the absence of LIT payment is not in itself contrary to the provisions of the LAAP.

In the original appraisal submitted in November 2010, the preferred mix of affordable housing at 35% and contributions to LIT equating to £16,500 per dwelling produced a negative return. As such the redevelopment would not come forward.

The second appraisal produced within the same submission in November 2010, excluded affordable housing and LIT but did deliver an onsite community use facility, substantial enhancement off-site highway infrastructure (including improvements to Groveley Lane) and the provision of on-site public open space together with the opening-up of the River Arrow. This appraisal was deemed viable without any further contributions towards Section 106.

Since the November 2010 viability submission, the applicant has produced both site-wide proposals for the Longbridge East and for a first phase of housing with Persimmon Homes Limited, their Joint Venture partner. These changes included revising the mix of house types and sizes, increasing the size of the community use facility, reducing the area of the proposed Arrow Park and removing the commercial use from the site wide proposals. These changes have improved the viability.

Since the beginning of 2011, the applicant has extensively discussed the evolving site wide and Phase One proposals. These discussions have involved the sharing of master plans and layouts and providing an overview of improvements to the scheme and the resultant viability improvements. A Delivery and Viability Report was submitted by the applicant to the District Council in September 2011. This document has been independently scrutinised and negotiations with the Local Planning Authority have sought to ensure that the scale of obligations, including the level of affordable housing, still ensure a viable development fall squarely with the approach suggested within the NPPF.

The Longbridge site offers a premium development opportunity. Sales values will reflect the Green Belt setting but also the accessibility that the location offers. The development period for the entire site will take many years (Phase 1 is likely to take 7 years. The entire development may take in the region of 15 years to complete at expected take-up rates). However, Members will be aware that the housing market remains weak. The Longbridge East proposals will need to meet the costs associated with significant infrastructure expenditure, particularly in the early years. This is a usual consequence of regeneration schemes of this scale and complexity. Front loaded costs of this type hamper viability.

Members will note the views of the Strategic Planning Manager. It is clear that the viability work accompanying the application has reflected the difficulties of meeting the overall requirements of the AAP. The improved offer of additional affordable housing and

LIT funding in my view makes a difference to the acceptability of the scheme without which would have been unacceptable. The review mechanism for development viability over the lifetime of the development (secured via the outline application) and any uplift captured in additional planning gain as required by the AAP further weigh in favour of this application.

There is the ability to commence development on Longbridge East which is welcomed. This approach would allow the first phase of development to proceed and deliver new housing and the new park. The viability of subsequent phases on the back of the outline application will be re-appraised using the approved base cost information to establish if enhanced Section 106 contributions/affordable housing numbers and LIT contributions could be made if market conditions improve. This should provide Members with some comfort on the future of the site.

Main Issues

The main issue in determining the application is whether the site should be released for development, in the context of relevant Development Plan policies, and other material considerations such as changes in national policy (including the National Planning Policy Framework), the Draft Core Strategy 2 and housing supply.

Other issues to be considered include:

- Sustainability issues
- Design, form and layout
- Density
- Whether the type, tenure and form of accommodation proposed is suitable
- The affect on residential amenity
- Landscaping and tree issues
- Traffic and highway implications
- Open space and play space (with direct reference to the creation of Arrow Park)
- Ground conditions, flood risk and drainage issues
- Ecological and biodiversity Issues
- Noise
- Air quality
- Archaeological issues
- Impact on the setting of Listed Buildings
- Crime prevention
- Climate change
- Educational and services infrastructure
- Construction matters
- Planning Obligation

Housing Supply

In terms of policy for new housing, the NPPF seeks to significantly boost the supply of housing and reiterates the principles of the policy it replaced (PPS3), in that it calls for there to be an identified and annually updated five year housing land supply. It advises that where a Local Planning Authority cannot demonstrate a five year supply of land for housing, its policies for housing should be considered out of date. The development at

Longbridge East will go in some way to meeting local housing needs and contribute to the supply of housing in the District.

Paragraph 47 of the NPPF determines that Local Planning Authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for housing in the housing market area, as far as is consistent with the policies as set out in the NPPF. This includes identifying key sites which are critical to the delivery of the housing strategy over the plan period.
Paragraph 49 of the NPPF also determines that the "presumption in favour" of sustainable development should be the context for consideration of housing applications.

I would refer Members to the appeal decision at the ADR site at Brook Crescent, Hagley (APP/P1805/A/10/2136206) (application reference 10/0378) whereby the Inspector placed weight on the absence of a five year supply of housing and the ability of the proposal to meet some of the urgent housing need of the District. As such I am of the view there is an undisputed need for housing and the housing supply situation is in crisis. This stance was taken by the Inspector in the recent appeal decision for Norton Lane, Wythall (APP/P1805/A/11/2150938) (application reference 10/0931). For context, amongst other scheme Members accepted this position in resolving to approve the residential development for 80 dwellings on the Church Road Catshill ADR in October 2011 (application reference 11/0343) and the residential development for 88 dwellings on the Barnt Green White Land in January 2012 (application reference 11/0741). This proposal should again begin to address the identified shortfall in housing supply.

Sustainability Issues

Longbridge East is currently served by four bus routes within 250 metres of the site access (August 2011):
- 47 – Cofton Hackett to Birmingham (six buses an hour)
- 145 – Cotteridge to Bromsgrove (one bus every two hours in off-peak)
- 204 – Bromsgrove to Halesowen (one AM and one PM peak service); and
- 625 – Cofton Hackett to Rubery Great Park (one bus an hour in off-peak)

These services provide links to employment, education and retail/leisure land uses, with additional services available across the wider Longbridge development including interchange opportunities at Longbridge Railway Station, from service 47 (within an adequate interchange distance of 500 metres). The existing network and bus stops (Groveley Lane) provides good levels of access to the closest parts of phase one of the development (within 250 metres of bus stop), and most have satisfactory access

Longbridge Railway Station is located on Longbridge Lane, approximately two kilometers from Longbridge East. Rail services that stop at Longbridge Railway Station are the Cross-City services (London Midland) from Redditch to Lichfield via Birmingham New Street. Services to and from Birmingham New Street achieve a frequency of six trains per hour during daytime and peak periods on weekdays. Services to and from Redditch achieve a half-hourly frequency. Pedestrian access to the station is via Longbridge Lane, a demand-responsive pedestrian crossing is located immediately outside the station entrance. The station is also within cycling distance via the advisory and local cycle routes along Thurlestone Road, with cycle parking provided at the station. Bus service

47 calls at Longbridge (500m walk) and Kings Norton (direct interchange) railway stations.

There are good walking and cycling links within the vicinity of Longbridge East, as well as the wider Longbridge area; provided by a combination of signed and surfaced on- and off-road routes. National Cycle Network Route 5 is within two kilometres of the site. Birmingham Greenway and the North Worcestershire Path are both located within 200 metres of Longbridge East. Local footpaths surrounding Longbridge East are of a good standard, providing links to local bus stops, Cofton Park, the wider Longbridge area and the north Worcestershire countryside. The nearest shops are located at the junction of Groveley Lane and Parsonage Drive. They include a newsagent, post office, electrical store and takeaways. The provision serves only the immediate neighbourhood. A range of new facilities including a new supermarket are to be developed as part of the wider Longbridge regeneration proposals.

A Residential Travel Plan Agreement (TPA) has been produced, outlining the sustainable travel options available to residents of Longbridge East and the obligations for the provision of sustainable transport infrastructure. Worcestershire Highways has raised no objection to the content of this document.

As such I am of the view that the site is in a sustainable location and I raise no concern on this issue. The scheme would thus comply with the key sustainability aims of national policy aims detailed in the NPPF. Policies SD.4, SD.8 and T.1 of the WCSP and Policy DS13 of the BDLP support this approach.

Design, Form and Layout

It is a core planning principle of the NPPF that development is of a good design and reflects the amenity of existing and future occupants of land and buildings (paragraph 17). Good design is also a requirement of paragraph 56-68 of the NPPF. I therefore consider that Policy S7 of the BDLP and the advice contained in SPG1 is consistent with the NPPF and thus carry weight in the determination of this application.

Policy CTC.1 of the WCSP sets out a general requirement that the Local Planning Authority in considering development proposals should take every opportunity to safeguard, restore or enhance, as appropriate, the landscape character of the area in which they are proposed. Proposals for development and associated land use change or land management must demonstrate that they are informed by, and sympathetic to, the landscape character of the area in which they are proposed to take place. Policy SD.5 states that development proposals should help to sustain and improve the balance of housing, employment, community and social facilities in settlements, and should maximise the use of existing infrastructure and self-containment and the building of communities.

Policy DS13 of the BDLP requires development to protect the Plan area's essential character and main environmental assets, including the open and undeveloped nature of the countryside and the Green Belt. Policy C4 states that development will not be permitted where it would have a materially detrimental effect on the landscape.

Local Plan Policy S7 states that proposals involving development of new dwellings outside the Green Belt will be considered favourably providing that they meet the following criteria:

- the proposal does not lead to development at a density inappropriate for the site;
- the form and layout of the development is appropriate to the area;
- the proposal minimises the loss of mature hedges, trees and landscaping;
- the proposal does not adversely affect the existing amenities of adjoining occupiers;
- the proposal does not involve a loss of open space, allotments or other amenity areas which it is desirable to maintain;
- the development can be appropriately serviced;
- the proposal would not have unacceptable traffic implications or perpetuate a traffic hazard;
- it conforms with other relevant policies of the Plan.

SPG1 states that residential layouts should make a positive contribution to the local environment and respect the character of the surrounding area. Paragraph 5.10 sets out a series of design objectives including adequate daylight and sunlight, adequate privacy and outlook for new and existing dwellings, and provision of private and shared amenity space.

The key principles set out in the AAP on design and layout for this aspect of the site are:

Density
Phase One falls within medium to low densities within a range of 30-45 dwellings per hectare.

Building Heights
Within Phase One the majority of dwellings should follow the 2 to 3 storeys maximum heights. At key locations and to terminate vistas, the higher buildings can be used. Up to 4 storey buildings could be located at the northern edge of this phase.

Street Hierarchy
Phase One includes the two vehicular entrances to the site. The entrance from Groveley Lane will be the main access to the site, whereas the Parsonage Drive access will serve up to 50 dwellings only. Emergency access should be created between the two access points. The street hierarchy creates a legible network of streets, including streets with the potential for bus use. Pedestrian and cyclist requirements have been considered with traffic calming and shared surfaces.

Landscape
A new neighbourhood park is included. This proposed park, referred to as Arrow Park, will feature the partial opening up of the River Arrow and recreation facilities for children. Site levels will be reprofiled and all boundaries will be carefully designed to maintain the privacy of existing properties in the vicinity and mitigate against noise from the railway.

The AAP defines Phase One as Cofton Hackett Character. The application therefore design references for its appearance and massing are drawn from the existing built form

across Cofton Hackett. Generally, lower densities and a more vernacular architecture is used to integrate the site with its immediate context.

Features:

- Built form: Mix of short terraces, semi-detached and detached dwellings.
- A limited number of flats should be used. Use of gabled frontages is encouraged for key corners and gateways.
- Building height range: From 2 to 3 storeys high. Raised eaves heights to create a better sense of enclosure along main streets.
- Boundary treatments suggested: metal railings for boundary treatments along the main corridors, possibly hedges for dwellings fronting open spaces and low planting for minor roads. Tree planting in front gardens along the primary street.
- Density range: 30 to 45 dwellings per hectare.
- Materials: Simple use of a limited palette of local materials. Predominant use of red brick with red/brown pan tiles for the roof.

The following design principles have been incorporated within the layout:

- Primary visual corridors link key destination points in the layout.
- Feature buildings are located on corners to address both streets and architecturally enhanced gateway buildings are located to mark the entrance to the development from Groveley Lane and Parsonage Drive and other important street corners within the site.
- Feature buildings are also located at strategic points to provide legibility within the townscape. They generally terminate a visual axis or street vista.
- An entrance square is proposed to mark an arrival space to the development. It is formed by active frontages, change of paving materials and tree planting.
- Typical blocks are formed by buildings on the perimeter and gardens behind. This creates a clear distinction between private and public realm.
- Uniform streetscapes are achieved by locating house types with similar architectural detailing either side of the streets. The location of gable features and bay windows will create a repetition of building elements to provide street rhythm within the elevations and help to form features to mark the ends of the terraces.
- Indentation along the building line of secondary streets and side streets prevents the monotony of the linear alignment and offers the opportunity to introduce different typologies and garden planting.
- Houses overlooking open spaces have active frontages (front doors and windows facing the streets) to ensure natural surveillance over the public realm.
- Careful consideration to respect the privacy of existing properties along the western boundary is achieved by locating private gardens that back onto this boundary.

The site is clearly visible from existing residential properties located on the western boundary from Parsonage Drive/Oakfield Drive/The Grove, in addition to the wider Green Belt landscape to the east beyond the railway line. The Design and Access Statement refers to the application site as identified as having a Cofton Hackett character. The neighbouring housing area typifies the twentieth century suburban densities at approximately 20-30 dwellings per hectare. Built between 1930's and 1950's, Cofton Hackett is a low density residential area with a typical building height of 2-storeys. The housing is typically provided in semi-detached or detached, bay fronted dwellings set

within large plots with driveways or garages. A few short terraces are found. Along Groveley Lane and fronting Cofton Park, housing is generally detached and located within a landscape setting. Mature tree planting within verges along the street contributes to the green character and aspect. Recurring architectural elements along Groveley Lane frontage are the use of wide frontages, gables and the use of white render.

I accept the site is visually prominent in a wider sense, given the views afforded by the expanse of the site boundary fronting Groveley Lane, the additional site entrance off Parsonage Drive and the available views of the site from those utilising the railway line that runs to the eastern boundary and the public right of way that touches the western boundary. Views from Parsonage Drive and The Grove would be, for the most part, masked by a combination of the existing houses, mature vegetation and the topographical features of the site. Views of the site from Cofton Church Lane would be largely screened from the existing landscaped buffer to the southern boundary. The development would only result in the loss of an open site due to the recent demolition of the former industrial buildings. I am thus of the view that the impact of the development on the landscape and visual character would low and there would no material loss of any attractive landscape. Furthermore, the re-development of the site is advocated by the parameters of the LAAP.

Whilst I accept the scheme provides a range of house types and sizes, the Strategic Planning Manager does raise concern that the generic and uninspiring architectural approach taken with the application is in direct contrast to the original vision for Longbridge East set out in the AAP.

As such the site would fit into the context of the surrounding urban landscape and provide a sensitive extension to the existing urban area of Cofton Hackett. Furthermore, I am of the view that the containment of the development benefits from the strong boundaries and physical features that enclose the site, with particular reference to the existing established residential development to the western boundary and the eastern boundary formed by the defined railway line and associated cutting. The western and southern boundary contains screening of varying amounts and this would remain following development of the site, with enhancement created by additional planting. This would serve to further filter views both of and toward the site, to the benefit of both existing and future residents. As such I am of the view that the proposals can be accommodated without detriment to the Green Belt setting (with particular regard to the eastern and western aspects of the site) in compliance with the NPPF.

Members will note the views of the Urban Designer. These comments do not present me with any concerns to warrant refusing the application on design, layout or setting out grounds.

Density

In the AAP, development at East Works is predominantly addressed by Policy H2. There are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered. In simple terms the application conforms with the overall requirements of Policy H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. The submitted application

allows for the policy objectives to be met. One of the key elements of the residential development at Longbridge East works relates to the range of units and densities to be provided across the site. The AAP requires that an overall density of 40-50 dwellings per hectare is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.

Members will note the density on this application equates to 30 dwellings per hectare. I note the concern raised by the Strategic Planning Manager on this issue. I accept that the density is lower than the range of densities set out at Paragraph 3.106 of the LAAP. However, to give some comfort to Members the Master Plan accompanying the outline application envisages a higher density mix could be delivered as part of subsequent phases. Whilst density thresholds are not apparent in the NPPF, there is still a requirement to make the most efficient use of land. Given the mix of house and plot types/sizes (including larger housing) within the development, I am reasonably comfortable that the range of house types proposed that will deliver a right mix of homes in this location. Additionally, the mechanism to review densities on subsequent phases for the entire site via the outline application provides an opportunity to revisit this issue in latter developments. Weighing all these factors, I subsequently raise no concern over the density proposed.

Type of Accommodation

Paragraph 50 of the NPPF determines that developments should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. This includes a mix of open market housing and the provision of affordable housing with the potential to also provide elderly care accommodation which will support these specific housing and care needs. Paragraph 50 goes on to state that LPA's should set policies for meeting affordable housing needs but that these policies should be sufficiently flexible to take account of changing market conditions.

Members will note that the site contains an anticipated mix of dwelling types, with an emphasis on smaller house types of 2 and 3 bed dwellings. The development also contains a proportion of 4 bed dwellings and FOG units. The proposed mix is reasonably acceptable.

The level of affordable housing will equate to 16% of the total number of units built within Phase One (36 units in total). 18 of the affordable units will be affordable rented tenure and 18 will be shared ownership. All of the units will be family housing. The level of provision has been the subject of extensive discussions, with the Council having regard to scheme viability. For the reference of Members, the LAAP has a target of 35% affordable housing (LAAP proposal H2 paragraph 3.106) and for that reason the 16% affordable housing offer is therefore clearly not compliant with the LAAP.

I accept that the higher target was inspirational and is not meant to be a minimum or absolute figure. This point was acknowledged by the Inspector who presided over the LAAP Inquiry:

"The Council's have proposed changes to emphasise that site specific characteristics and market conditions may effect the exact number of affordable houses that can be provided on each site. Negotiation not just the 35% target will determine the outcome" (Paragraph 3.48 of the Inspector's Report).

The LAAP recognises that market conditions are subject to change and that these can impact on the viability of development. It states at Paragraph 4.25 that, if it can be shown through a development appraisal, that not all of the LAAP's policies can be applied in full, then the Local Authority will enter into negotiations to determine what is appropriate to enable the scheme to proceed. It should be noted that the applicant has completed a detailed review of scheme viability and the results of that assessment have been scrutinised by the District Council and taken into account in negotiations on the Section 106 Agreement.

The work which has been completed on scheme viability shows that the proposed level of affordable housing indicated can be delivered. Eighteen of the dwellings (the affordable rent properties) will be designed to Lifetime Homes Standard (whereby the design of each unit must have in built flexibility to suit all lifestyles and to respond to changing circumstances of the family unit from first time home to retirement). It has been agreed that prior to the occupation of the 101st open market housing unit 18 (50%) of the affordable units will be build complete and prior to the occupation of the 193rd open market housing unit, the remaining 18 affordable units (100%) will be build complete. The level and delivery of affordable housing provision can be filtered into the Section 106 Agreement to ensure compliance.

The Strategic Housing Manager has raised no objection to the scheme given the proposed review mechanism to further assess affordable housing provision for future phases at the Reserved Matters stage on the outline planning application.

Impact on the Amenity of Adjacent Occupiers

SPG1 sets out design guidance for residential development including separation distances to existing dwellings so as to avoid detriment to residential amenity due to overlooking, overshadowing and overbearing affects. The Guidelines suggests that new development with main windows overlooking existing private spaces should be set back by a distance of 5 metres per storey from the site boundary where it adjoins a private garden area. A minimum separation of 21 metres is required to achieve a degree of privacy within conventional two-storey dwellings.

I note the views arising from the consultation process with regard to overlooking issues, with particular reference to a resultant loss of privacy for the occupiers of those dwellings in Parsonage Drive. For the reference of Members, re-profiling works are proposed adjacent the rear boundaries of properties fronting Parsonage Drive in order to provide suitable access points and gradients across the site. The existing rear garden fences to the properties of Parsonage Drive will be retained and a new 1.8m high timber close boarded fence erected to the site side with all existing trees within the rear gardens of the properties to Parsonage Drive being retained. A retaining structure has been proposed within the site to allow a 2m wide landscaped zone adjacent to the new fence-line along the Parsonage Drive boundary to soften the boundary and provide a landscape buffer zone. Additional specimen tree planting comprising species such as Silver Birch, Ash

and Alder has been proposed to the rear gardens of plots 20-22, 24-25, 27 and 31 to coincide with gaps in the existing trees to the rear gardens of the Parsonage Drive properties to enhance the buffer between the properties. The re-profiled topography will result in the new houses being situated lower than existing houses on Parsonage Drive. This is detailed on the site sectional drawings accompanying the application.

I am thus satisfied that the majority of the scheme has been designed to comply with the guidance in SPG1. The relationship between the proposed and existing dwellings is such so as to avoid any significant harm to residential amenity and complies with the separation distances set out in SPG1. This includes the interface between the proposed and existing dwellings on Parsonage Drive and The Grove to the west. The boundary treatment and re-profiling works to the rear of the dwellings in Parsonage Drive will also serve to maintain and enhance privacy levels.

I would also advise Members that I intend to impose an hours of construction condition, which will help reduce concerns raised by nearby residential properties with regards to the potential nuisance generated by the construction of the site

Landscaping and Tree Issues

The landscape design for the scheme responds to the Landscape & Visual Impact Assessment, Ecological Assessments and Urban Design boundary treatment hierarchy for the site, and utilises a robust strategy to inform the design. A holistic approach to landscape design has been adopted throughout the development, creating a strong sense of place and coherent landscape character. A comprehensive palette of soft landscape materials throughout the site ensures that the future residents of Longbridge East will benefit from an attractive and sustainable environment. The landscape design incorporates all feature areas at key nodal points, and plot landscaping.

The landscape design responds to and reinforces the street characters established within the development masterplans and urban design boundary treatment hierarchy. Tree planting is utilised to enhance legibility throughout the development and highlight key feature areas by the use of avenues of single species and feature trees at the termination of prominent vistas.

The scheme includes a tree planting schedule to primary and secondary streets. Tree planting has been an integral consideration within the design from the earliest conception allowing for a distance of 5m from adjacent buildings and avoiding vehicular vision-splays. At nodes and focal points along the principle route, specific tree specimens are proposed. The boundary treatment hierarchy along the primary and secondary streets is defined by brick piers and railings which are reinforced by low level shrub planting behind the railings. Robust shrub planting has been proposed to provide year round interest with occasional ornamental accent plants at feature corners. Where space is limited behind the boundary planting leaving insufficient space to mow a lawn decorative gravel areas have been proposed. Perimeter planting to the eastern and western boundaries is also proposed.

In relation to hard landscaping, the roads within the primary and secondary streets will be finished in tarmac with the exception of nodes and traffic calming zones which will be finished in PCC block paving to emphasise the difference and slow down traffic

movement. Marshalls 'Keyblock' herringbone paving (or similar approved) has been proposed and will also be used to finish the shared surfaces within the side streets, lanes and parking courtyards. All on-street parking areas and those within the parking courtyards will be finished in Tarmac to allow for oil spillage and parking delineation. All footpaths within the residential area will be finished in Tarmac to match the existing streets adjacent to the site with standard kerbs to standard heights and radii. Standard drop kerbs and tactile paving in a contrasting colour will be provided at appropriate locations.

The Tree Officer has raised no objection to the scheme, subject to the imposition of suitable Conditions. I raise no objection to the soft and hard landscaping measures.

Traffic and Highway Implications

The NPPF sets out the objectives of promoting sustainable transport choices for people, promoting accessibility choices to destinations by public transport and walking and cycling as well as reducing the need to travel by car. These objectives are supported by policies in the WMRSS and Structure plan polices. The Bromsgrove District Local Plan sets out the need for applicants to incorporate safe access and egress and provide sufficient off street parking (TR11), incorporate traffic calming (TR6) and promote the use of variety of transport means (TR13).

The development will be served by Groveley Lane as the main entrance serving 203 dwellings and Parsonage Drive as secondary access, serving only 26 dwellings. A link between the two access points is provided for emergency access only. Provision has been made for pedestrian, cycle and vehicle links to future development phases north and south.

The site will be subject to a 20 mph speed limit and the internal road network is designed to reduce speeds through the development. This will be achieved through the use of narrowing carriageways in specific locations, limited forward visibility and other traffic calming features. Shared surfaces will also be used to reduce traffic speeds.

A bus loop along the Primary and Secondary roads has been accommodated within the highway design. It is proposed that buses will enter and leave the development from Groveley Lane. It is proposed that there will be a series of bus stops along its route.

It is intended that the majority of the dwellings will be within 400m walking distance of the existing bus stop on Groveley Lane. It is intended that the proposed new bus stops within the development will enable all dwellings to be within less than 400m walking distance. Side streets and Private Drives will be treated as primarily pedestrian priority routes. Contrasting surface materials such as block paving and the layout of the street create low speed routes. Arrow Park will provide segregated pedestrian routes that connect to the surrounding network of footpaths.

In relation to car-parking provision, the scheme has been designed with a combination of off-street, on-plot, grouped parking areas and shared. Visitors parking will be provided on-street or within the shared courtyard. In relation to cycle parking, garages will accommodate cycle storage. If no garage is provided then cycle storage will either be provided in a shed or by a cycle stand or other secure fixing point.

No third party comments have been received in relation to highway safety or resultant traffic congestion. Cofton Hackett Parish Council is particularly in favour of the proposed traffic calming around the new entrance to the site and also the submission for consideration of further traffic calming on Groveley Lane from Parsonage Drive towards the Oak Tree island. These comprise: road narrowings; coloured or textured surfacing; street furniture and signage. To reduce the severance that Groveley Lane creates for non motorised users, the proposals also includes a toucan pedestrian crossing linking the site with Cofton Park.

Members will note that a full Transport Assessment has accompanied the application. Members will note this document demonstrates that there will be no adverse impact on highway capacity as a result of the development traffic and the scheme will have a negligible impact on the operations of the junctions in the locality, including Groveley Lane and Parsonage Drive. The proposed improvements to Groveley Lane will be beneficial both for vehicular traffic and for improved connectivity to the facilities and functions located on Cofton Park.

Given the consideration of all highway related matters, including the views from Worcestershire Highways, I am of the view that there would not be any material harm to the safety or free flow of traffic on Groveley Lane and that there would be capacity within the existing network to cope with the development proposal, including Parsonage Drive. The connection afforded by the Arrow Park to the wider locality for walking and cycling opportunities, would also promote sustainable transport choices for future residents. This would also enable greater permeability.

Members will note Worcestershire Highways has raised no objection to the scheme subject to the imposition of Conditions. As such Members are thus reminded that there is no technical objection to the scheme on the grounds of adverse impacts on highway network grounds.

The site benefits from good public transport opportunities, with a number of alternative modes of transport available to future occupiers of the development.

Open Space and Play Space: Arrow Park

The course of the River Arrow is proposed to be re-opened through Arrow Park to create an attractive water course feature providing both recreational and ecological benefits, reminiscent of the original River Arrow source. The profile of the river has been carefully designed to maximise safe access and egress points, with flows fully contained within the banks. The bed of the open channel includes a sequence of pools and riffles, achieved through the inclusion of a cascading rock profiles. The new park will provide recreational facilities for residents whilst also enhancing and supporting biodiversity through the provision of native and wildlife attracting tree and shrub planting. The recreational focus of the park is to the north, with a wildlife focus to the south. The park will provide a semi-natural habitat and wildlife corridor linking east to west between the two areas of housing. To the north of the river the focus is on recreational activity with a children's play facility following a naturalised play theme. To the south of the river the focus is on wildlife habitat creation. A new area of woodland planting located outside the application site (equating to 4695 square metres) is also proposed to the western boundary, to the south of the

existing woodland provision. The formation of this feature can be secured through Condition.

The street furniture within and adjacent to the Arrow Park will focus on timber products including timber litter bins, birds mouth timber knee rails, timber bollards, timber wayfinding and signage posts, timber cycle storage, timber play area features, timber interpretation signs and the timber footbridge crossing the re-opened culvert. There will be opportunities to explore the use of historical reference points such as emblems, insignias and interpretation panels (subject to copyright approval) to reflect the heritage of Longbridge and the Longbridge East Works. The Arrow Park footbridge will be constructed in timber with a hi-grip finish to the surface.

Supplementary Planning Guidance Note 11 (SPG11) which uses a standard formula for the calculation of contributions and is used as a starting point for negotiation. SPG11 relates to the assessment of the need to make contributions towards the maintenance of on-site open space and commuted payments in lieu of on-site provision. Such monies are thus made available for the capital expenditure towards the quantitative and qualitative improvement of areas of open space which residents of the development could then make use of.

The proposed Arrow Park provides 1.15 hectares of on-site public open space. This falls short of the on-site requirement set out in SP11. The following issues are thus important for Members to consider in light of this shortfall:

(a) There is a significant benefit arising from the scheme since the open space will be publically accessible both to residents of the application site and the wider community
(b) The nature of the open space is derived from a consideration of the site opportunities and constraints, most notably the de-culverting of the River Arrow, flood risk and drainage and ecology
(c) The traffic calming proposals to Groveley Lane contains a toucan crossing which will facilitate a safe pedestrian crossing to Cofton Park to the north-west of the site. Cofton Park provides a range of recreational facilities, including three full-size football pitches and three senior cricket ovals with some changing facilities.
(d) The NPPF makes clear that the development industry should be on the front-foot in promoting growth and investment including that arising from housing development, and that barriers should not be placed in the way of proposals which are in accordance with up to date Development Plans. The NPPF also makes clear that Councils should adopt a flexible approach to Section 106 contributions in order not to stymie development. The issue of viability is also contained in the Ministerial Statement: Planning for Growth.
(e) The applications needs be viewed in the context of a deliverable housing scheme in order to assist in making good the Council's 3.5 year deficit in the supply of deliverable sites compared with the minimum five year requirement.

Management to deliver the long-term protection and maximise the wildlife and amenity benefits of habitats within the application site will be implemented as a Landscape Management Plan and Maintenance Schedule for the proposed Arrow Park. This will be undertaken via the formation of a management company. This will be secured by

Condition to ensure full management and maintenance continues for the life of the development.

Given the above points (with particular regard to viability issues and the growth agenda and the proximity of Cofton Park to the application site), I consider the shortfall in on-site open space to be justified in this instance. I thus raise no objection on this issue. The views of the Head of Leisure Services are noted.

Ground Conditions, Flood Risk and Drainage Issues

Members will note the Contaminated Land Officer has raised no objection to the scheme, subject to the imposition of suitable Conditions.

Policy ES2 of the Bromsgrove District Local Plan states that proposals involving new development will not normally be permitted where there is a known risk of flooding, or where the Environment Agency indicates there are potential problems. A Flood Risk Assessment (FRA) and Drainage Strategy has accompanied the application.

The NPPF sets out a sequential approach to steer new development to areas with the lowest probability of flooding. This gives preference to sites within Flood Zone 1 (lowest risk), before Flood Zone 2 and finally Flood Zone 3a (high risk). Where development is proposed in Flood Zones 2 and 3, it must usually be demonstrated that there are no available sites at a lesser risk of flooding, in order to direct development to areas that are at the lowest risk.

The FRA indicates that the site is located in Flood Zone 1, which indicates that the site is at little or no risk of flooding with an estimated annual probability or river flooding of less than 1 in 1000 years (i.e. a less than 0.1% chance in any given year), and therefore has the lowest category of flood risk attributable. However, the River Arrow is culverted through the site and there is no floodplain associated with the watercourse in this location due to its small catchment size. The submitted FRA details hydraulic modelling works for the upper River Arrow to determine the flood risk to the site. The results show that the proposed development would be sited outside the current 1% (1 in 100 year) plus climate change floodplain.

The development proposals include measures to improve the River Arrow through the site, providing flood risk betterment and enhancing the river corridor, for biodiversity and water quality matters. The proposals include the removal of the old culverting and replacement with an open section of watercourse through the proposed River Arrow Park. It will not be possible to open up the entire watercourse through the site due to the topography. This will be replaced by a section of new culvert. The FRA confirms that the proposed channel works would not result in any out of bank flooding through the site during the 1% plus climate change flood event and that any built development would be located outside the 0.1% flood extent within Flood Zone.

The development will not have any adverse flooding impact on the watercourse and surrounding environment. The proposed works will not increase the risk of flooding upstream or downstream of the site. I thus raise no objection on flooding grounds. In order to ensure that new dwellings are not affected by overland flow it is recommended that the finished floor levels of new houses should, wherever possible, be set 0.60m

above surrounding finished ground levels. This can be secured via the imposition of a suitable Condition.

In relation to surface water run-off, it is noted that there will be a reduction in the impermeable area, providing betterment in surface water run-off rates post-development. This includes the partial opening of the River Arrow and the inclusion of landscaping areas throughout the site. Surface water will be have unrestricted discharge into the River Arrow to ensure flows are maintained for downstream receptors. British Waterways have requested this happens in order to provide sufficient flows to support the Bittell reservoirs downstream. Ground remediation works are ongoing to remove potential sources of contamination from the former car manufacturing plant. This will inevitably restrict the appropriateness of SUDS.

The public foul sewer will require diverting through the development. This has been agreed in principle with Severn Trent Water and will be subject to Section 185 of the Water Industry Act. The proposal is to discharge foul sewage by gravity into the public sewer at location MH 1801.

The Council's Drainage Engineer, the Environment Agency, Severn Trent Water and British Waterways have raised no objection to the scheme, subject to the imposition of suitably worded conditions.

Ecological and Biodiversity Issues

The Habitats Regulations implements the requirements of the Habitats Directive for species listed in Annexe IV of the Directive (European protected species). Stricter provisions than those contained in the Wildlife and Countryside Act 1981 apply for these species and regulation 3(4) of the Habitats Regulations places a duty on Local Planning Authorities, in the exercise of their functions, to have regard to the requirements of the Directive so far as they might be affected by those functions. All European protected species are also separately protected under the Wildlife and Countryside Act 1981.

The application site has been assessed through ecological survey work between 2005, 2006, 2007 and 2011 and background data searches in 2007 and 2011. There is one statutory conservation site within the zone of influence with the potential to be affected by the proposed development, namely Bittell Reservoirs SSSI which is of national ecological value. There are four non-statutory sites within the potential zone of influence of the proposed development: Cofton Plantation 'Cabbage Patch' SWS, Cofton Reservoir SWS and Bittell Reservoir (associated ponds) SWS (County Value) and a site of Borough value (Cofton Park SLINC).

The following habitats are recorded across the site:

- Hardstanding
- Woodland and scrub
- Individual trees
- Tall ruderal vegetation
- Semi-improved grassland
- Open water
- Swamp

Surveys found a low level of use of site as commuting habitat for common and soprano pipistrelle and noctule bat. Badgers have been identified as active within the site. Great crested newts and reptiles are not a constraint to the proposed development.

Overall, the ecological interest of the site has been assessed as being of between within the immediate zone of influence only and local value. The assemblage of protected species within and adjacent to the application site, such as bats, are assessed as being no greater than local value. Impacts considered include those relating to loss and fragmentation of habitats and disturbance, both during construction and operational phases. Construction will be controlled by means of the CEMP, which will prevent damage to valuable habitats and harm and disturbance to protected species. Where protected species impacts have been identified mitigation will include method statements to be developed within Natural England licence applications, where required, and the implementation of mitigation to minimise potential impacts.

Management to deliver the long-term protection and maximise the wildlife and amenity benefits of habitats within the application site will be implemented as a Landscape Management Plan and Maintenance Schedule for the proposed Arrow Park. By these means the potential for significant adverse impacts to valuable resources such as protected sites and species should be avoided. Overall, provided the mitigation and compensation strategy is implemented, the scheme will avoid, mitigate or compensate for all potentially significant adverse impacts. There will be significant positive impacts as a result of de-culverting part of the River Arrow and the landscaping of its associated green space.

The site will ensure that biodiversity is maintained and enhanced, in particular through the retention of features that are of biodiversity value. Where features of biodiversity value are to be lost, these are to be mitigated for through new planting and enhancement of retained habitats. There will be significant positive impacts as a result of de-culverting part of the River Arrow and the landscaping of its associated green space. Natural England and Worcestershire Wildlife Trust have raised no objection to the scheme.

I am thus of the view that the outline application should meet with the requirements of the NPPF and the relevant Policies set out in the WCSP and the BDLP relating to biodiversity, subject to the imposition of suitable Conditions relating to the implementation of mitigation measures.

Noise Issues

Policy ES14A of the BDLP states that proposals for noise-sensitive developments (for example, housing) must be located away from existing sources of significant noise. Proposals potentially noisy developments must be located in areas where noise will not such an important consideration or where its impact can be minimised. The NPPF requires significant effects to be avoided and adverse effects to be mitigated or reduced, but no thresholds are defined in the NPPF or the Noise Policy Statement for England (NPSE). Members will be aware that the impact of noise is a material planning consideration and the impact of this issue can have a significant effect on environment and on the quality of life enjoyed.

The key dominant noise sources affecting the site include road and rail traffic. A detailed assessment of the site and its potential impact upon noise and vibration levels has accompanied the application. The assessment details that the site predominantly falls into noise exposure categories A and B which are generally considered suitable for residential development. The report concludes that the site would be suitable for residential development, with the recommendation of noise mitigation measures to those properties adjacent the railway line to the eastern boundary. The presence of the proposed buildings themselves would further reduce noise across the site ensuring that the properties away from the perimeters are exposed to lower noise levels.

The mitigation measures include the installation of a 2 metre high noise barrier along the boundary of the site with the railway line (consisting of a landscaped bund or a solid fence constructed from solid sheet with no gaps between or around adjacent panels, or a combination of the two). The report also suggests the use of acoustic glazing and ventilation measures.

Subject to such mitigation measures to be secured through appropriate Conditions, I raise no concern on this issue. WRS has raised no objection to the scheme subject to the imposition of Conditions to ensure the mitigation measures are implemented.

Construction noise can be controlled through working hours restrictions covered in the Construction Environmental Management Plan accompanying the application.

Air Quality

Members will note the views of WRS. I thus raise no issue on this point. The Construction Environmental Management Plan will enable mitigation of any potential dust nuisance during construction phase. This can be secured through Condition.

Archaeological Issues

The views of the County Archaeologist are noted. The WCC(CA) has raised no objection to the scheme. No Conditions are requested.

Other Issues

Crime Prevention

Section 17 of the Crime and Disorder Act 1998 states that a LPA has a duty "to *exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area".* Policy DS13 is a general policy relating to sustainable development. Amongst other things it sets out a requirement for all development to reflect the need to safeguard and improve the quality of life of residents by ensuring social progress which recognises the needs of everyone and by protecting the area's character and environmental assets, including the character of settlements.

The NPPF equates good design and the promotion of healthy communities to the creation of safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

The views of the Crime Risk Manager are noted. I note the concerns regarding the layout of the development, with particular regard to the security of courtyard parking features. The CRM has suggested preventative measures through gates, with particular regard to courtyards that border onto the railway line should be gated. I acknowledge these views and these have been put to the applicant. The applicant has responded and considers the orientation of the units around the courtyard areas will provide obvious natural surveillance. In this respect it is considered that the suggested gated entrances to the courtyard features are considered unnecessary. I raise no further issue on this point.

Climate Change

Local Plan Policy DS13 states that the Council will take full account of the need for future development to be sustainable so that present demands do not compromise the ability of future generations to meet their own demands or enjoy a high quality environment.

The sustainability of these properties is well below that which the AAP had envisaged, with the development proposed being the minimum standards as required by Building Regulations, rather than the more aspirational targets as set out in the AAP. The AAP also encourages homes to be built to Lifetime Homes Standards. This can be reviewed through the subsequent viability assessments linked to any Reserved Matters application.

Notwithstanding this, the following measures are detailed in the Design and Access Statement:

- The layout has been partly developed to facilitate air flows through the site so enabling cooling between and within buildings.
- Shading and vegetation has been incorporated around the site and along pedestrian routes.
- Buildings will adopt a natural ventilation strategy integrated with glazing and shading design.
- Glazing specification to use double-glazed systems with low-emissivity glass.
- In built ability to incorporate future renewable generation where appropriate, with particular focus on solar (PV and thermal hot water) technologies.
- To minimise water demand efficient sanitary fittings will be installed to all buildings.
- All gardens to include water butt to collect rainwater for irrigation and other external purposes. This will be directly connected to house downpipes and will offer up to 200 litres of rainwater storage per garden

Further strategies can be employed to deal with this issue, from layout and urban form (for example, optimising solar exposure through block orientation and architecture to promote good levels of natural daylight), building design and energy strategy (to include water drainage measures, construction and materials, waste and transport).

Although I note the current scheme falls short of the level set out in the AAP, I consider on balance that regard has been paid in the submission to matters of climate change mitigation and adaptation measures. Furthermore there is an opportunity to review these measures at the Reserved Matters stage. I am therefore of the view that the proposal complies with Local Plan Policy DS13 and the thrust of the NPPF.

Educational and Services Infrastructure

Members will note that Worcestershire County Council Education Services has commented that in recognition of the viability issues surrounding the redevelopment of the site, the only contribution sought relates to the replacement of temporary accommodation at Lickey Hills Primary School with a permanent extension. No other financial contributions are being requested. The County has confirmed this equates to a financial figure of £500,000.

The Education Service has confirmed that the extension to the school is not required until after the completion of Phase One. Notwithstanding this, the applicant has confirmed a willingness to make a financial commitment to provide this during the first phase (payable on occupation of the 100th dwelling) to enable the County to complete the works in good time to accommodate within the school the additional children who will live within the Longbridge East development in Phase 2 and beyond. It has been agreed in principle that the payment of £500,000 for the school improvements will be made as a Local Infrastructure Tariff payment (index linked). It is also agreed that the payment is to be spent within 5 years from the date of payment. If the payment is not used for Lickey Hills Primary School, the sum will be targeted for education within the County or for general LIT purposes if no required subsequently for education. The sum and payment criteria will be secured through the Section 106 Agreement mechanism.

Other Matters

Construction Matters

The development is to progress in accordance with a Construction Environmental Management Plan (CEMP) and this is included in the application. The CEMP will ensure that site works are progressed sympathetically and to agreed good practice to ensure that the potential, adverse impacts of the construction period, albeit being temporary, are minimised as much as possible.

The CEMP gives consideration to the following matters, amongst others, and sets out appropriate mitigations in relation to:

- Hours of construction and site working activities
- Means of access to the site
- Arrangements for construction works
- Noise and dust mitigation measures
- Protection measures for ecological interests and trees
- Routing plans and timing arrangements for construction and site fill materials

Deliveries to the development site during the construction phase are also able to be controlled through a Construction Traffic Management Plan (CTMP). This could include the following:

- The prohibition of the movement of construction vehicles on the local highway network in the vicinity of the development site during the morning and evening peak hour periods
- Restricting construction vehicles to designated routes
- Restrictions of the hours of working on site

I intend to impose a suitable Condition to ensure the development accords with an agreed CEMP and CTMP.

Section 106 Agreement

Members will be aware that Section 106 obligations are legal agreements negotiated between Local Planning Authorities and developers in the context of a grant of planning permission. Such agreements are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.

Circular 05/05 has now been cancelled following the publication of the NPPF. Paragraph 173 of the Framework relates to “careful attention to viability”, and states “the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.” It goes on: “To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

Paragraphs 203 to 206 are all that remains of Circular 05/2005. Three of the five key policy tests remain: (Section 106 obligations must be: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development) but the 2008 CIL Regulations are now key. Critically, "Where obligations are being sought or revised, Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.” The issue of viability is also contained in the Ministerial Statement: Planning for Growth as detailed previously.

Following an accepted position of viability matters, Members will note the following agreed Heads of Terms breakdown of contributions for inclusion in the Section 106 Agreement:

- 15% affordable housing (equates to 36 dwellings); 50% affordable rent, 50% shared ownership ie 18 rented and 18 shared ownership in a mix of 2, 3 and 4 bed houses with 18 to be built completed by the sale occupation of the 100th open market dwelling and the remainder by the sale occupation of the 193rd open market dwelling
- £500,000 specifically towards the replacement of temporary accommodation at Lickey Hills primary school with a permanent extension, payable on occupation of the 100th dwelling – such sums to be used on education within the County if not used for Lickey Hills School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education.
- Construct and complete new public Park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.

Members are reminded that the only committed LIT contribution at this stage relates to the £500,000 for predominantly education infrastructure provision detailed above. The Groveley Lane scheme of traffic calming will be provided via Condition, subject to Traffic Regulation Order being obtained and delivered through a Section 278 Agreement.

It is considered that the agreed level of contribution detailed above meets the three key policy tests set out in the NPPF.

This approach will drive the ability to commence development on Longbridge East and on-site improvements to the highway infrastructure and public realm. This approach would allow the first phase of the development to proceed and deliver new housing and the new park. The viability of subsequent phases will be re-appraised using the approved base cost information to establish if enhanced Section 106 contributions/affordable housing numbers could be made, if market conditions improve. This review mechanism for subsequent phases will be secured in the Section 106 Agreement attached to the outline planning application as detailed elsewhere on your agenda.

The Section 106 Agreement is currently being drafted. I will update Members at your Committee on the progress of this document.

Conclusions

In planning policy terms, this site needs to be judged on its own merits and in line with existing policies and relevant material considerations. Whilst the mainstay of appraising the application relates to the LAAP and the NPPF, Local Plan Policies still form the Development Plan for the area, and any decision needs to be made in accordance with these policies unless material considerations indicate otherwise.

The issue of viability is also a material consideration in decision making. The weighting attached to viability issues needs to be balanced with the specific circumstances of the development site at Longbridge East, the underlying policy basis and all other relevant material planning considerations.

In planning policy terms, this site needs to be judged on its own merits and in line with existing policies and relevant material considerations. This includes the LAAP. Bromsgrove requires additional housing across the district to attempt to rebalance its housing market, and there is not currently a 5 year supply of housing land in Bromsgrove as required by national policy. In weighing up all the issues, including compliance with other adopted policies in the Local Plan and meeting the housing crisis the District is facing, the proposal should begin to address the serious shortfall in housing land supply. The proposal would additionally assist with the Council's task "*….to maintain a flexible and responsive supply of land for key sectors, including housing…"* as urged in the Ministerial Statement 'Planning for Growth'.

The NPPF retains the presumption in favour of sustainable development. The development of this site would comply with the key sustainability aims of the NPPF, thus contributing to housing in a sustainable location in addition to addressing (albeit in a limited way), the shortage of affordable housing in the District by supporting a an element of such dwellings.

Advice within the NPPF, the WCSP and BDLP makes it clear that the impact upon the character of the locality, as well as the relationship of proposed developments to the surrounding area to be legitimate material factors to take into account in the determination of planning proposals. Indeed, the NPPF advocates the rejection of poorly designed developments, including those that are clearly incompatible with their surroundings.

The partial de-culverting of the River Arrow, the proposed on-site public open space, the approach to high quality design advocated by the Design and Access Statement, the improvements to highway safety and new landscaping would be of local benefit which are factors that weigh in favour of the proposals. Fundamentally, the scheme forms part of the wider regeneration agenda for Longbridge and thus in turn would contribute to the wider vision and objectives for Longbridge established within the AAP.

I am content that the site is able to support the erection of 229 residential units in a well-designed manner, which will integrate well with surrounding development and the use of existing natural features. The scheme will provide a density considered to be appropriate in order to balance the need to make more efficient use of land with the acknowledged constraints of the site (with particular reference to topography, the watercourse and the adjacent railway). Furthermore, the scheme offers an opportunity for the provision of some on-site affordable housing units, together with elements of landscaping and ecological enhancement works that will reinforce such elements both within the site and to the boundaries of the development site (with particular regard to the Arrow Park). The site is sustainable and this factor weighs in favour of the application. Members will note WH have raised no objection to the scheme and furthermore I am not in receipt of any technical objections to the proposals. Having considered all material considerations, I am thus minded to approve planning permission.

What is clear from both the discussions and the financial modelling work which informed the discussions is that a fully AAP compliant scheme is unviable. I thus accept that the scheme falls short of some of the requirements of the AAP, with direct reference to the LIT and affordable housing provision. If is acknowledged that it may not be feasible for all developments to meet all of the requirements set out in national, regional and local planning policies and still be financially viable and therefore the balance of contributions that are being sought has been carefully considered. In this respect I am content that viability has been thoroughly assessed. The Section 106 Agreement will inherently permit the Local Planning Authority to review the viability of the scheme as the development of the site progresses in order to reassess the level of future contributions as a response to changing economic stability.

The applicant is in the process of submitting a legal agreement to deal with the matters detailed above. I am thus seeking delegated powers from Members to deal with this matter upon completion.

RECOMMENDATION:

(a) **MINDED to APPROVE FULL PLANNING PERMISSION**

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the full planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:

(i) The securing of 36 affordable housing units (with a tenure mix of 50% affordable rent and 50% shared ownership) with 18 to be built completed by the occupation of the 100th open market dwelling and the remainder by the occupation of the 193rd market dwelling

(ii) A LIT contribution of £500,000 to improve education facilities at Lickey Hills Primary School to be made prior to the occupation of the 100th dwelling – with such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education.

(iii) Construct and complete the new public park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.

For the reference of Members I intend to impose suitable Conditions relating to:

- Commencement of development

- Compliance with approved drawings

- Materials and external appearance finish
- Finished floor levels (set at least 600mm above the 1% AEP + CC flood level)
- External lighting
- Number and location of the affordable housing units to be provided.

- Soft and hard landscaping
- Footbridge design
- Landscape Management Plan
- Boundary treatments
- Details of the treatment and finishes to the Arrow Park
- Tree and Landscape Protection Plan

- Habitat Management Plan
- Details of bat and bird boxes

- Noise mitigation measures

- Construction Environmental Management Plan (CEMP)
- Construction Traffic Management Plan (CTMP)

- Contamination investigation and remediation programme as applicable

- Surface water drainage scheme
- Foul drainage disposal

- Highway matters (access/turning/parking, highway alignment works)

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
CALA HOMES **"A"**	Submission of Reserved Matters to 11/0343 (internal access, appearance, layout, scale and landscaping) for the erection of 80 residential units Land at Church Road, Catshill **As amended by:** Affordable Housing Layout: received 03.04.12 House Type Elevations and Floor Plans received: 03.04.12 Proposed Street Scenes received: 03.04.12 Update Topographical Survey: received 03.04.12 Proposed Site Layout received: 05.04.12 **As augmented by:** Site Sections: received 03.04.12 Measured Works Schedule Softworks Only: received 05.04.12 Hoggin Path Detail: received 05.04.12 Detailed Soft Layout Proposals for Plots: received 25.04.12 Detailed Hard and Soft Layout Proposal for Play Area: received 25.04.12 Detailed Hard and Soft Layout Proposals for POS: received 10.05.12 Construction Details Knee Rail: received 05.04.12 Report for Trees, Landscape and Biodiversity Protection: received 05.04.12 Combined Biodiversity and Landscape Management Plan: received 11.05.12 Supplementary Design Statement: received 20.04.12	ADR TPO LBS	12/0066 17.05.12

RECOMMENDATION: that **RESERVED MATTERS** be **APPROVED**

Consultations

WH — Consulted – views received 12.04.12:

- No objection subject to Conditions relating to:
- Cycle parking
- Engineering details and specification of the proposed roads and highway drains
- Road completion deadline
- Welcome pack

HA — Consulted – views received 20.03.12:

- No objection subject to Condition relating to:
- The design and construction of the noise bund

Drainage Engineer — Consulted – views received 27.04.12:

- No objection, in principle, with the layout of the site
- Support the Environment Agency's conditions regarding elevated flood levels, and the pre-development approval of the foul and surface drainage, flood storage areas and both brook crossings by the Local Planning Authority. We would like to see, in particular, full plans of Sustainable Drainage.
- We would also like to see calculations and models showing development will not result in increased flood risk downstream. This is particularly important as our records indicate there have been a number of flooding incidents to the highway and properties immediately downstream.
- We would like to ensure that the access routes (at the brook crossing points) are above flood level to ensure safe entry and exit to the dwellings.

Severn Trent Water — Views received 16.03.12:

- No objection subject to Conditions relating to:
- Surface and foul sewage

EA — Consulted – views received 26.04.12:

- In general, the proposed layout plan appears to be in accordance with the details agreed at the outline application stage.
- However, it should be noted that we recommended a number of conditions were attached to the outline permission in securing further detailed information on: the management and treatment of the watercourse and its associated floodplain through the site; the proposed watercourse crossings, raised access roads and flood storage areas; a surface water drainage scheme; and the setting of finished floor levels for the proposed development, in accordance with the Flood Risk Assessment (FRA), FRA Addendum Report (dated August 2011) and Ecological Appraisal Report (dated April 2011, Rev D).
- We note that your Council attached our recommended conditions to the outline planning permission as condition no. 8, 18, 23, 34 and 36. The applicant should note that further detailed information will be required to address these conditions, which are considered to be ongoing at this time.
- Notwithstanding the above, items of information have been submitted and discussions undertaken in relation to these conditions, linked to the reserved matters consultation.
- Condition no. 34 of the outline permission requires the detail of a surface water drainage scheme to be submitted for approval. The surface water drainage scheme must be in accordance with the details of the FRA/FRA Addendum, submitted as part of the outline planning application, in providing sufficient on site attenuation to meet the discharge rate calculated at that stage.

WRS: Noise — Consulted – views received 12.03.12:

- No objection

WRS: Air Quality
Consulted – views received 12.03.12:
- No objection

Urban Designer
Consulted – views received 05.03.12:
- In summary, although I have not seen the damage done to the landscape by the recent clearance, the site deserves a design approach which responds positively to its quality, in order to produce a development of real distinction.
- This is possible in the proposed scheme, but there is not enough evidence submitted that we can rely upon to ensure that it will be delivered.
- The process which is being followed is somewhat back to front, in that the submitted scheme requires significant modification in order to be at a standard of quality which I believe should be expected by the Council.
- I hope that it is possible to achieve this

Additional views received 19.04.12:
- The design of the apartment building has not improved
- There has been one significant positive change: the L-shaped plan form has been flipped, so that the courtyard which previously faced north-west, now faces north-east, and addresses the end of the spine road, which terminates to the east of the building
- The building is, however, enclosed on three sides by retaining walls more than four metres high, and on the fourth side there is a similar four metre difference in level between the courtyard and the road
- This represents a failure to design a building that fits the topography
- Remain concern over the location of the apartment block given it places elderly residents at the points on the site furthest from local facilities and at the end of an uphill walk of considerable length
- Concern raised over the regimented and uniform set of 21 houses in four blocks to the eastern side of the site
- Location of the affordable houses are located together. The proposed concentration of affordable houses mitigates against social equity and the stark contrast in architectural character reinforces the inequity.
- The treatment of the landscape and its relationship to built form appears to be satisfactory

Planning Policy
Consulted 27.02.12: views awaited

Open Space

Head of Leisure Services
Consulted – views received 13.04.12:
- No objection

Strategic Housing Manager
Consulted 27.02.12: views awaited

WWT
Consulted – views received 09.03.12:

- Would prefer to see the indicative environmental enhancements outlined on the overall plan.
- This would allow WWT to confirm the proximity of the proposed houses to new wetland features and provide clarification as to the potential for light spill and other effects

Additional views received 11.05.12:

- Following receipt of the revised Combined Biodiversity and Landscape Management Plan (dated 11 May 2012), the Trust is content with this document and raised no objection to the scheme

Tree Officer — Consulted – views received 27.04.12:

- Following receipt of these plans I am now satisfied that the detailed scheme of landscaping proposed is sufficient to provide additional and enhanced habitat areas to mitigate the loss of existing woodland and scrub areas and meet the requirements of policies C10, C10A, C12 and C16.
- I am further satisfied that it is possible to implement both the development and the landscaping scheme while protecting existing retained trees, woodland and other important habitat areas.
- The submitted Tree Protection Plan TPP1 within the Tree Condition Survey document details the areas to be protected during the development and the specification for protective fencing and I am satisfied that these details meet the initial requirements. It is evident however, that this development & particularly the creation of the proposed wetland features will require some works to be carried out within the Root Protection Area (RPA) of retained trees and woodland. The proposed levels changes in the vicinity of these zones may also seriously affect drainage conditions resulting in either drying out or water logging of Root Protection Areas and thus the future survival of these trees.
- I am satisfied that, subject to conditions allowing careful consideration and control of levels within the 1 in 1000 year floodplain zone. and the RPA of retained trees and woodlands, the proposed scheme can be successfully implemented

Contaminated Land Officer — Consulted 27.02.12: views awaited

Conservation Officer — Consulted – views received 04.04.12:

- No objection
- Although part of the site falls within the setting of the Listed Building, I do not consider that the development as proposed will significantly impact on the Listed Building or its setting

WCC(CA) — Consulted 27.02.12 views awaited

West Mercia Constabulary — Consulted – views received 05.04.12:

- The revised layout is an improvement on the original submission
- A number of rear gardens are adjacent to open land; it is therefore essential that the fencing around these gardens is of the highest quality and is at least 1.8 metres in height.

	Consideration should be given to topping the fence with trellis to make it harder to climb. • I note on the revised plans that pedestrian walkways have been put between plots 7-12, 13-17, 18-21 and 23-27. The drawings indicate that a gate will be put at the top of these walkways near to the front building line. To be effective the gates must be kept locked, therefore I suggest that they be fitted with automatic closing devices and locks that automatically secure the gate when shut. Each resident that has use of the path will have to be provided with a key. • I am a little bemused as to why gates have not been specified between plots 21-22 and 22-23. Any potential burglar operating in the area will simply use the paths between these houses to gain access to the rear gardens. These paths need to be gated in the same way as those mentioned above.
Community Safety	Consulted – views received 19.03.12: • Mature tree canopies should be raised above two metres to maintain visibility lines from footpaths • Footpaths should be provided alongside all roads on the development on both sides • The footpath that connects the development with Stourbridge Road should be at least 3 metres wide and as straight as possible • Lack of surveillance to the open space to the rear of plots 49 – 60 and the side of plots 33 – 80. These should have enhanced security measures (high fencing with topping/defensive planting) • Lack of defensible space to the apartments • Gable end plots attract graffiti and loitering, particularly where there is no defensible space and little natural surveillance (plots 1,12, 21, 30, 33, 49, 69, 77 and 80) • Garages are preferred to car-ports • Car-parking should be located within the development boundary. The development has a number of communal car parking areas with allocated car parking spaces. Some spaces do not have good surveillance • Recommendation of a number of security measures (window and door standards/security lighting/side access gate specification) • Enhanced boundary treatment to existing perimeter boundaries
Climate Change Officer	Consulted 27.02.12: views awaited
Western Power Distribution	Consulted 27.02.12: views awaited
CPRE	Views received 14.03.12: • Concerns over issues relating to: • Public open space • Interference with Badgers' setts
Catshill and North Marlbrook PC	Consulted – views received 13.03.12: • Flooding: The s106 agreement states the dwellings must be a

minimum height above the floodplain and they will therefore be an over-dominant feature to the north-east of the site; the Parish Council would prefer to see the heights reduced to be less of a dominant feature. There are concerns the culverting of Battlefield Brook to the north-east of the site may create flooding upstream and of the play area during periods of heavy rainfall; similar concerns apply to the access road.

- Street Lighting: The street lighting to the west of the site may cause a nuisance to the residents of Stourbridge Road whose back gardens will be lit up by the new lighting.
- Parking: The provision of parking spaces is inadequate, with minimal parking for properties and no visitor parking eg. at the flats, 15 spaces are proposed for 15 flats and it is believed that double-depth parking in some of the areas will produce problems to residents. The insufficiencies of parking provision in the existing surrounding roads, eg. Chadcote Way, cause problems to residents and impede free flow of traffic so it would be wrong to repeat the same mistake on a new-build site.
- Appearance: The Parish Council is not in favour of 3-storey dwellings. The proposed street scenes are not aesthetically pleasing, particularly those of the affordable units at the north-east of the site.
- Traffic: There are concerns about the junction within the site where the upper and lower road separate – will rights of way be clearly signed, can visibility be improved taking into account the differing heights of the roads?

Re-consulted 05.04.12 in relation to amended plans: views awaited

Publicity

38 letters sent 27.02.12 (expire 19.03.12)
1 letter sent 05.03.12 (expires 26.03.12)
40 letters sent 05.04.12 in relation to amended plans (expire19.04.12)
7 identical site notices posted 22.03.12 (expire 12.04.12)
1 press notice published 20.04.12 (expires 11.05.12)

1 letter received from the Catshill Marshes Action Group **objecting** to the scheme on the following principal grounds:

- Loss of privacy to dwellings on Stourbridge Road: the new road and dwellings should be built at least 4 metres below the existing level and should not have windows overlooking the existing gardens
- General concerns regarding overlooking
- Density is too great
- Lack of green space between buildings and to perimeter
- Lack of replacement planting measures
- Security concerns
- Loss of rear access to dwellings on eastern boundary

19 representations **objecting** to the scheme on the following principal grounds:

- Site is totally unsuitable for housing development

- More detached dwellings are unsuitable
- Proposed homes will not enhance the area
- Layout lacks design quality
- Revised plans do not overcome concerns previously expressed
- Affordable housing will be built cheaply and the appearance reflects this in its design. These units are crammed in
- Plots 1-6 and 28-33 are appropriate and give the appearance of space, design and privacy located in a natural setting
- The western side of the development has a good mix of styles and materials that will stop the development from becoming too uniform
- The apartment block is poorly designed and should be split into 2 or 3 blocks and built with similar materials to rest of the development
- No provision for children's play area on the western side of the development

- Church Road is narrow and already creates traffic problems
- Cars travel at great speeds coming off Stourbridge Road and the proposed access is just after a blind bend
- Planned road layout is unsuitable and potentially hazardous
- Exacerbate parking issues on Church Road, Chadcote Way, Bourne Avenue and Woodrow Close
- Cycle path at the top of the site is in a dangerous position
- Pedestrian safety will be compromised
- More homes mean more traffic and pollution to an already heavily congested area
- Request for additional parking measures for Christ Church, the Cemetery and the Spiritualist Church and adequate speed calming measures on Church Road

- Destruction of woodland and wildlife habitat
- Loss of biodiverse area of natural habitat will prevent the reduction of atmospheric carbon dioxide

- Flooding issues will be exacerbated: through pressure on the water table and the flooding created by blockage of the brook and the impact on the rainwater drainage in Church Road and its overflow into Marsh Way
- The garages on Bourne Avenue regularly flood

- Loss of existing access to rear of property
- Rear accesses to new dwellings are unacceptable
- Loss of light
- Overlooking and loss of privacy due to proximity of new dwellings to existing properties
- Proximity of new dwellings to the rear of properties in Woodrow Close, Bourne Avenue and Chadcote Way

- Concern over levels, with particular regard to the new dwellings facing the rear gardens of the existing dwellings on Stourbridge Road
- Security concerns (with particular regard to the rear gardens of existing properties fronting Stourbridge Road)
- Lack of provision for the safety of existing residents

- Light pollution
- Restrict street lighting to low level bollards and restrict security flood lighting on the new dwellings

- Lack of green space
- The removal of the existing vegetation and mature tree specimens leaves an inability to have a robust landscaping scheme
- Include landscape buffers between existing and new dwellings

- Increased noise for existing residents

Members are encouraged to review all submitted documentation, including the third party letters summarised above. These are available to view online via the Council's Public Access system or within the planning application file.

The site and its surroundings

The application site consists of approximately 6.1 hectares on the north-western fringe of Catshill, approximately 650 metres to the principal facilities located in Catshill and 400 metres northwest of the central area of Catshill. The site is located approximately 3.1 kilometres north of Bromsgrove.

The site is vacant and has recently been cleared of the majority of low lying scrub vegetation and a number of tree specimens. The site is open in character and is roughly linear in shape. The southern boundary of the site is bounded by Church Road, with the eastern boundary abutting the established residential dwellings located on Marsh Way/Chadcote way/Bourne Avenue/Woodrow Close/Mayfield Close. The western boundary is bounded by the rear gardens of dwellings located on the B4091 Stourbridge Road. The northern boundary runs parallel with the M5 motorway.

The site comprises of steeply sloping land to the west with more level land adjacent to the watercourse, Battlefield Brook, which flows through the site. The site levels vary from some 126.02 AOD to some 122.0 AOD within the watercourse area to the east, with this eastern aspect of the site having similar ground levels to the residential areas in Bourne Avenue and Marsh Way. To the west, the site rises significantly from some 125.0 AOD to some 141.0 AOD. The existing dwellings on Stourbridge Road are elevated further above the western area of the site.

Christ Church (Grade II) is located adjacent the south-western boundary. An electricity sub-station is located on the southern site frontage, enclosed within a compound of metal fencing and low level landscaping. From here, the site has a network of overhead cables.

Battlefield Brook runs through the central/eastern area of the site, which is low lying, wet and marshy. The Brook enters the site from the north, via a culverted section underneath the M5 motorway and moves southwards via a shallow channel. A section of Church Road is elevated as a bridge structure which allows the watercourse to continue further south. The development site lies within Flood Zones 1, 2 and 3 of Battlefield Brook. Existing foul and storm sewers are present along the eastern edge of the site with no-build easements.

There are currently two vehicular accesses serving the site. One is located off Church Road, via a dropped kerb and the other is located in the northern corner of the site located off Stourbridge Road. This is currently gated.

The site is designated as an ADR (Area of Development Restraint) under the Bromsgrove District Local Plan and the Draft Core Strategy 2 (retitled "Development Site").

Since the approval of the outline planning application, the site is now subject to a blanket Tree Preservation Order. This is with particular regard to the mature trees located along the valley of the Battlefield Brook.

Proposals

This is an application for the approval of reserved matters following the granting of outline planning permission 11/0343 for the erection of up to 80 residential units.

The application seeks approval of internal access, appearance, layout, scale and landscaping Reserved Matters for the erection of 80 residential units. The layout of the scheme broadly follows the Masterplan submitted as part of the outline application under 11/0343.

In summary, the development consists of:

- Construction of 80 no. residential units, comprising 65 no. 2, 3 and 4 bedroom houses and 15 no. 1 and 2 bedroom apartments set in a singular L-shaped block
- Provision of a total of 159 no. car spaces comprising 22 no. garages, 23 no. carports and 114 no. open spaces
- Provision of communal bin and cycle store with capacity for 15 no. bicycles to serve the apartment block
- Provision of garden sheds capable of storing cycles to the affordable housing units
- Construction of new spine road with access from Church Road and two cul-de-sacs
- Provision of public open space including children's play area and pedestrian links to Stourbridge Road

The site has three distinct areas:

(a) The dwellings set along the spine road and western cul-de-sac
(b) The 'horseshoe' of dwellings to the east
(c) The apartment block to the north-east boundary

Members will recall that access was determined at the outline stage with vehicular and pedestrian access obtained off Church Road to the south. A dedicated walking/cycling access formed by the existing track to the northern boundary leading off the service road on Stourbridge Road has also been approved as part of the outline consent.

The development will provide a mix of dwelling types and sizes, with the net residential density on the developable area of the site equating to 36 dwellings per hectare. The proposed mix below indicates an emphasis on 2, 3 and 4 bed units.

Property Type	**No. of bedrooms**	**No. of units**	**Proportion of mix**
House	4 bed	25	31%
	3 bed	19	24%
	2 bed	21	26%
Apartment	1 bed	6	8%
	2 bed	9	11%
Total		**80**	**100%**

The mix of house types comprises detached, semi-detached and terraced dwellings, with one block of one and two bed apartments. All dwellings are two-storey in height. The apartment block is three-storey in height. Car parking will be provided on site within the curtilage of a plot, on a private driveway, or within small groups relating to a small group of dwellings.

Thirty two affordable units are provided, which equates to a provision of 40% affordable housing made within the site. This is consistent with Policy S15 of the adopted Local Plan.

This mix of affordable homes is as follows:

Proposed Mix	**Rent**	**Intermediate**
1 Bed Apartment	3	3
2 Bed Apartment	5	4
2 Bed House	6	1
3 Bed House	8	2
	22	10

An area of public open space of 3.81 hectares is provided on site. This encompasses the existing tree-planted valley adjoining Battlefield Brook running north to south through the site and a substantial area of open land in the north-west corner of the site. New footpaths and re-grading will permit access to areas of steep topography towards the western boundary. A more formal area of public open space is proposed to be set out with formal landscaping and an equipped children's play area adjacent to the horseshoe of new housing to the north-east of the site.

Relevant Policies

WMSS	UR3, UR4, RR1, RR3, RR4, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7
WCSP	SD.2, SD.4, SD.5, CTC.1, CTC.5, CTC.6,.CTC.8, CTC.9, CTC.14, CTC.15, D.6, D.43, T.1, T.3, T.9
BDLP	BROM5E, BROM28, DS3, DS8, DS11, DS13, S7, S14, S15, C4, C5, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, TR1, TR8, TR11, TR13, ES1, ES2, ES4, ES6, ES7, ES11, ES14A
Draft CS 2	CP2, CP3, CP4B, CP6, CP7, CP14, CP17, CP19, CP20, CP21, CP22, CP23
Others	NPPF, Circular 06/98, Circular 06/05, SPG1, SPG11, Bromsgrove District Housing Needs Study (2004), Strategic Housing Market Assessment (2007), Housing Market Assessment (2008), Ministerial Paper: Planning for Growth

Relevant Planning History

11/0343 Outline application for up to 80 residential units, including 12 retirement flats and associated communal facilities, access, parking, amenity space and associated work
Approved: 13 January 2012

Notes

The principle of the proposed development (up to 80 units) has been established through the granting of outline permission 11/0343. Therefore, the issues for consideration by Members are limited to matters of the internal vehicular access, layout, scale, appearance and landscaping.

For reference:

• **appearance** means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;
• **landscaping** relates to the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, the planting of trees, hedges, shrubs or grass, the formation of banks, terraces or other earthworks, the laying out or provision of gardens, courts or squares, water features, sculpture, or public art, and the provision of other amenity features;
• **layout** means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;
• **scale** refers to the height, width and length of each building proposed within the development in relation to its surroundings

I have therefore attached very little weight to objections raised by residents with regards to the release of this site for housing provision, surface water drainage, the issue of vehicular access into the site from Church Road and wildlife issues, as the principle of development has already been established by the outline permission.

The main issues to consider in the determination of this application therefore are whether the siting and design of the proposed dwellings, as well as means of access, are acceptable when assessed against BDLP Policy S7 and the NPPF.

For the reference of Members, Policy S7 of the BDLP sets out a number of criteria against which residential proposals should be considered. This Policy is in general conformity with the thrust of the NPPF.

General Principles

The Design Statement accompanying the application sets out the main objectives of the scheme:

- The arrangement of the access, spine road and cul-de-sac following the contours along the western side of the valley with a linear arrangement of two-storey houses
- A further cul-de-sac crossing the Brook, with an area of public open space enclosed on three sides by houses, with the third side open to the valley
- The construction of two crossing points over Battlefield Brook
- A grain and architectural vocabulary taking reference from adjoining residential development but with a semi-rural character appropriate to the valley setting
- The siting of an apartment block and parking court at the head of the spine road at the north-western end of the site, recessed into the slope
- The creation of an area of open space in the north western corner of the site with a network of public footpaths and landscape enhancement
- The creation of a planted bund adjacent to the M5 Motorway to act as a visual and acoustic barrier
- The retention of identified trees and enhancement of the valley
- Retaining and enhancing the ecological features of the site which include badger setts, existing wildlife habitats, shrubs and trees. Retain and enhance Battlefield Brook and ensure that it is an inclusive feature of the development

Form and Layout

Members will note the scheme proposes a total of 80 residential units, equating to a density of 36 dwellings per hectare (based on the developable area of the application site). Members will be aware that the adopted Local Plan no longer includes a policy requiring residential development to meet a minimum density, nor does the NPPF contain minimum density figure requirements. Notwithstanding this, I am of the view that the density of 36 dwellings per hectare achieves an efficient use of land and will result in a development that respects its surroundings whilst providing for a range and choice of dwellings.

The development contains a mix of unit types, ranging from one and two bedroom apartments to two, three and four bedroom houses. All housing units are two-storey in appearance. The apartment block to the northern boundary is three-storey. The proposal includes a mix of detached, semi-detached and terraced units, in addition to the one and two bedroom units contained within the apartment block.

The topography of the site, Battlefield Brook and the surrounding flood zones strictly prescribe the path of the road structure to which the dwellings relate. The lower density grain of detached and semi-detached houses to the west of the site are arranged to follow the topography, with the slab levels gradually stepped up the slope along the spine road from the southern frontage towards the northern boundary. The looser grain of dwellings in this location would enable parking spaces to be located to the side of houses, avoiding frontage parking. Higher density dwellings to the east of the site are set in a more formal arrangement and the existing topography allows more consistent slab levels. The consolidated blocks of mainly semi-detached and terraced housing in this area is reflective of the scale and grain of adjoining residential development to the east. Parking would generally be in open spaces to the front of dwellings with garages to the larger detached units overlooking Battlefield Brook. The affordable housing elements of the development are located to the north-east corner and within the apartment block to the north-west boundary.

Members will recall the views of the Urban Designer in relation to the Masterplan presented as part of the outline planning application under 11/0343. In this response, the UD deemed the north-facing location of the retirement block, with the enclosed space turned away from the road and its full exposure to the noise of the motorway, in addition to its physical location at the most distant from local facilities in an uphill location, to be misguided. The UD has repeated these concerns in his latest response to the design merits of the scheme.

The applicant has responded to the points raised by the UD. With respect to the positioning of the apartment block, I accept it is located to the northern part of the site. This location provides a greater landscape setting than that afforded to individual dwellings, with the northern area of the site providing the optimum location by virtue of open land towards the M5 and the proposed public open space to steeply graded land to the rear of houses on Stourbridge Road. The extent of the floodplain at the southern end of the site and the road gradients present clear constraints to locating this building closer to Church Road.

The L-shaped footprint would be maintained, but the building is now proposed to be re-orientated to better address the end of the spine road, reduce the encroachment into the steep bank to the west, and to have less of an impact on the adjoining house plots and views from the north across the M5 Motorway. The apartments are orientated to face away from the most severe gradient and the ground is sculpted elsewhere in order to provide a more attractive outlook from habitable rooms. The footprint has been reduced and the building more compact in form to that shown on the original Masterplan. In order to achieve this reduction in massing, the accommodation has been consolidated into a three-storey building with hipped roofs (rather than the 1, 2 and 2.5 storey block proposed in the Masterplan). The ground floor slab level would be slightly higher to further reduce the area of excavation and provide level access to the front of the building. The building would be surrounded by higher ground and substantially hidden by the slope in views from the north, south and west. Whilst partially set into the severe gradients of the site, levels adjoining the apartment block have been designed to ensure that accessibility of the apartments is acceptable.

Although I note the view of the CSO, the front of the apartment block will have defensible space given the provision of parking which will be marked out and surfaced to be clearly separate from the open spaces surrounding it. As a consequence of the topography,

there will be a retaining wall that sits beyond the north, south and western elevations and as such there will be a clear definition between circulation and open spaces that are semi-private and associated with the apartments, and the public accessible open spaces beyond.

The proposed dwellings to the west would be predominantly finished in red facing brickwork with selected use of render to enhance key elevations. Roofs to houses would be pitched and finished in either red or grey tiles with boxed or corbelled eaves. Houses along the central access road would have a mixture of gabled roofs and projecting gabled bays. The car ports would have pitched roofs. The more regular pattern of houses to the east would define the rectangular area of open space which they enclose and be predominately grouped in terraces. The elevations are designed with gabled roofs to provide focal points within the street scene. The choice of materials would be from a similar range to the houses to the west. Windows and door openings would generally have arched brick soldier courses or stone heads with stone sills. Windows would be PVC casements with dividing glazing bars. Front doors would be 'cottage style' timber finish with vertical boarding with matching garage doors where applicable. The apartment block would be in a mixture of red and brown facing brickwork. The main elevations would be punctuated by balconies at upper levels and the ground floor apartments would have external terraces.

I note the views of the UD with respect to the provision and location of the affordable housing units to the north-east aspect of the site. This contains roughly similar numbers of mixed tenure affordable and market dwellings. This part of the site is more appropriate for smaller family dwellings than other parts of the site and has the benefit of an area of fairly level public open space containing a play area, remote from the sloping areas of the site and the brook. A sewer easement is required to run north/south and which cuts through the courtyard and line of the northern and southern terraces. This provides a further constraint to the site.

The scheme includes natural surveillance where necessary (parking areas, pedestrian routes and public open space). The applicant has reduced the number of car-ports. in line with the comments of the CSO. Whilst I note the specific comments of the CSO in relation to plot 69 and plot 80, Members will be aware of the need to balance urban design matters and crime prevention measures and as such I am satisfied with the orientation and boundary treatments of these two plots in these circumstances. I am of the view the proposed design and layout of the site adequately provides sufficient space within the gardens of the plots for bin stores, bin collection and cycle parking.

I am of the view that the design principles are generally sound in that the proposed development would provide a sustainable, attractive, safe and convenient place to live. I raise no issue on the external finish to the dwellings. As such this approach accords with the principles of design set out in the NPPF.

Landscaping and Public Open Space

The site has recently been cleared and this has led to the loss of scrub and some tree cover. In terms of the legality of the start on site, the definition of commencement of the development specifically excludes site clearance, amongst other things, in the Section 106 Agreement attached to the outline planning permission. On this basis the developer has not implemented the outline planning consent.

I have paid regard to the Combined Biodiversity and Landscape Management Plan submitted in response to the requirements of Condition 18 on outline planning consent 11/0343. This sets out the habitat protection, creation and management approaches for the site. This document has been the subject of extensive discussions with Worcestershire Wildlife Trust and the Council's Tree Officer. The content of this document has now been agreed by all parties.

All retained trees are now protected by a Tree Preservation Order. The Order was imposed following site clearance was undertaken.

The application site broadly consists of three distinct areas.

(a) Forming a corridor running north-south through the centre of the site is a low-lying floodplain zone through which runs a section of the Battlefield Brook. At the north and south ends of this corridor, the Brook has a single channel with central tree cover. In the central section of the site, the Brook has broken it's banks within recent years to form three separate channels, and has formed extensive area of reedbed and wetland habitat of breadth corresponding approximately with the line of the 1 in 100 year floodplain
(b) On the western side of the central corridor, the land rises gently up to the rear of houses on Stourbridge Road
(c) To the north-east of the central wetland corridor, another small area of land rises towards Bourne Avenue.

The largest landscape feature, forming a central unifying band of managed open space, would be along Battlefield Brook and encompassing the flood compensation plain. The western edge of this aspect of the site is defined by the spine road set between approximately 1 and 2 metres higher than the valley floor, with an embankment providing the transition in levels and affording views over the green corridor from the houses to the west. Due to this topography, it will be possible for occupiers of the dwellings on plots 49 to 60 to observe the open space the rear boundary treatment, in addition to having a degree of passive surveillance up across the open space to the west.

Retained tree and shrub planting is to be incorporated into the development, in addition to replacement planting measures. Watercourse enhancement works will create new areas of marsh and reed bed habitats adjacent to the new channel.

The central green corridor extends toward the proposed dwellings to the east and the more formal open land within the 'horseshoe' of houses includes an equipped children's play area overlooked by the surrounding dwellings. The landscaped corridor would continue to the north where levels would be re-graded to form a new landscaped bund towards the motorway. The proposed development has been situated to avoid offset zones surrounding the existing badger setts identified in the ecology report. A substantial area of public open space is located between the rear boundary of houses to the central access road and the western site boundary where topography is at its most extreme. The new apartment block would be cut into the eastern bank of this area and footpaths would provide access to the higher land and link with the existing gated entrance to the site from Stourbridge Road.

Following extensive discussions and a review and subsequent revision of the Combined Biodiversity and Landscape Management Plan, Worcestershire Wildlife Trust has raised no objection to the scheme. The Tree Officer has raised no objection to the scheme. I therefore raise no issue on landscaping and tree matters.

No objection has been raised by the Environment Agency or Drainage Engineer in relation to flooding and drainage matters.

Harm to Amenities of Neighbouring Properties

SPG1 sets out design guidance for residential development including separation distances to existing dwellings so as to avoid detriment to residential amenity due to overlooking, overshadowing and overbearing affects. The Guidelines suggests that new development with main windows overlooking existing private spaces should be set back by a distance of 5 metres per storey from the site boundary where it adjoins a private garden area. A minimum separation of 21 metres is required to achieve a degree of privacy within conventional two-storey dwellings. Where three and four storey housing is proposed with main living rooms above ground floor level (such as flats and maisonettes), a minimum separation of 27.5 metres is required to achieve both privacy and adequate visual separation.

I note the views arising from the consultation process with regard to this issue and with particular reference to a resultant loss of privacy for the occupiers of those dwellings in Stourbridge Road. The proposed site layout plan details a new road running parallel to the western boundary together with a landscape verge to create separation to the rear boundaries of the existing dwellings in Stourbridge Road. This road is designed to serve a group of houses to achieve an active frontage in front of public open space and to create enclosure around this space to counter-balance the rear elevation of houses along the spine road. The topography of the site will result in these new houses being situated lower than existing houses on Stourbridge Road having a separation distance of some 50 metres. This is detailed on the site sectional drawings accompanying the application.

I am satisfied that the majority of the scheme has been designed to comply with the guidance in SPG1. This includes the dwellings to the eastern boundary located to the rear boundaries of properties located in Bourne Avenue and Woodrow Close. The relationship between the proposed and existing dwellings is such so as to avoid any significant harm to residential amenity and complies with the separation distances set out in SPG1. This includes the interface between the proposed and existing dwellings on Stourbridge Road to the west and the proposed and existing dwellings on Bourne Avenue to the east. The applicant has responded to the concerns raised by third parties in relation to the retention of access to the rear of a number of properties on Bourne Avenue. This has now been incorporated into the layout scheme.

For the reference of Members, a suitable Condition has been imposed on the outline consent in relation to noise mitigation from the adjacent motorway, including the formation of a raised bund to the northern boundary, boundary barrier treatments and noise attenuating glazing and ventilation specifications.

I would also advise Members that there is an hours of construction condition attached to the outline permission, which will help reduce concerns raised by nearby residential properties with regards to the potential nuisance generated by the construction of the site.

Traffic and Access

Members will recall that the vehicular access into the site from Church Road has been agreed as part of the outline permission. Therefore, I would reiterate that the internal road layout, parking/turning and surfacing are the only matters required for consideration in this application before Members.

I note the views of the CSO in relation to access and footpath issues. Footpaths are provided along all stretches of road and are located to coincide with the location of houses (ie. where there is single sided development only, the footpath occurs on the side where houses are sited). Where it is possible to do so, footpaths are provided on both sides of the road. However due to the need to retain the floodplain area and as a consequence of topographical issues it has not been possible to provide a footpath on both sides of the main spine road, nor the western road adjacent to the Stourbridge Road properties. I am of the view that safe and convenient pedestrian access has been achieved given the acknowledged constraints of the site.

As a result of the views of the CSO, the footpath leading into the site from Stourbridge Road has been increased to 3 metres in width. Due to topography and the need to achieve appropriate gradient it is not possible for this path to be straightened, but in any event given that this path is at a significantly higher level than the properties on the site this presents opportunities for passive surveillance from the rear of plots 51 to 60 and plot 80. Furthermore, the secondary informal path to the north and west of the apartments will similarly be overlooked from the front of the apartments where the path passes the parking area and from the rear of the apartments where the path runs parallel with the M5 to the northern boundary.

WH has raised no objection to the scheme on the internal road system (including the suitability of visibility splays, design and function) subject to the imposition of suitable Conditions relating to engineering details and specification of the new road and highway drains, a deadline for the completion of highway works, the submission of a welcome pack travel plan and cycle parking provision.

Other Matters

Impact on the Setting of the Grade II Listed Building (Christ Church)

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that regard is paid to the desirability of preserving the setting of Listed Buildings.

The Conservation Officer has raised no objection to the scheme on this issue.

Sustainable Design and Construction

The construction methods chosen would be responsible and energy efficient to meet the requirements of current Building Regulations. Dwellings will be constructed to achieve

Code for Sustainable Homes Level 3, incorporating appropriate insulating materials, energy-efficient means of heating, low energy light fittings, A-rated appliances, and would include the installation of water metres and low water consumption sanitary fittings.

A sustainable surface water drainage system will be taken into account the existing watercourses flowing through the site and the associated flood risk.

As such I consider regard has been paid in the submission to matters of climate change mitigation and adaptation measures. I am therefore of the view that the proposal complies with Local Plan Policy DS13 and the aims of the NPPF.

Conclusions

Although I note the views of third parties, the principle of development has been established through the granting of outline planning permission 11/0343. The proposed layout follows the broad principles set out in the Masterplan presented to Members at the outline stage.

I am of the view that the proposed development would represent an appropriate form of residential development, which reflects the character and appearance of the area. I am therefore of the view that the detailed design of the site is acceptable on such grounds. The scheme will provide a suitable relationship between buildings and streets, an acceptable pattern of development and would be appropriate in terms of its form, scale, appearance and materials. The retention of the wetland feature and the open brook course are particularly of merit. This habitat will be properly controlled and managed through the parameters set out in the now agreed Combined Biodiversity and Landscape Management Plan in response to the requirements of Condition 18 attached to the outline planning consent 11/0343.

The proposed internal highway details ensure that there would be a safe movement of vehicles through the site and that there is adequate parking/turning provision to serve the plots. The proposed landscaping of the site is considered appropriate for this scheme and retains the important existing natural features of the site in its design with sufficient boundary treatments to the existing adjoining residential properties and future occupiers of the plots. I am content the scheme will not lead to adverse neighbour amenity issue given the careful design and siting of the new dwellings. No issues have been raised by consultees in relation to flooding and drainage matters.

I therefore find no reason to refuse permission and I am thus minded to approve the submitted Reserved Matters.

RECOMMENDATION: that **RESERVED MATTERS** be **APPROVED**

(1) The approval must be read in conjunction with outline planning permission 11/0343 and the conditions attached thereto

Reason: The outline permission and the approval of Reserved Matters must be considered together

(2) Prior to the first occupation of any two bedroom dwelling hereby approved, secure parking for 2 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

(3) Prior to the first occupation of any three or four dwelling hereby approved, secure parking for 4 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

(4) Development shall not be occupied until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

(5) All roadworks shall be completed within a period of two years or other period agreed in writing from the commencement of work on the site, or within six calendar months of the substantial completion of 75% of the building(s) (no of dwellings) hereby approved if this is sooner. This will entail the making good of surfacing, grassing and landscaping in accordance with a specification submitted to and approved in writing by the Local Planning Authority. (Nothing in this condition shall conflict with any phasing scheme, in which respect it will be interpreted as applying to the particular phase being implemented).

Reason: In the interests of highway safety and convenience and a well co-ordinated development.

(6) The development hereby permitted shall not be occupied until the applicant has submitted to and have approved in writing a welcome that promotes sustainable forms of access to the site with the Local Planning Authority.

Reason: To reduce vehicle movements and promote sustainable access

(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no openings or windows shall be provided at second floor level or within the roofslope to the rear elevations to Plots 13 to 27 (inclusive).

Reason: To protect the amenities of adjacent occupiers in accordance with Policies S7 and DS13 of the Bromsgrove District Local Plan 2004 and Policy SD.2 of the Worcestershire County Structure Plan 2001

Notes

HN7: Section 38 Agreement Details
HN8: It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.
HN9: No Drainage to Discharge to Highway
HN12: Protection of Visibility Splays
HN24: Temporary Direction Signs to Housing Developments

All doors that are used to enter the residential units should meet PAS24 standards
All ground floor windows should meet British Standard 7950:1997 and be certified to the appropriate material standards
Low energy consumption lighting (greater than 40 lumens per circuit watt) should be used to provide uniformed illumination within the development
External dusk until dawn security lighting should be used to the rear of Plots 1-33 (inclusive), 49, 61 and 80
Bulk head lighting providing illumination around the apartment block should be considered
Side access gates to dwellings should be robust and lockable

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	UR3, UR4, RR1, RR3, RR4, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7
WCSP	SD.2, SD.4, SD.5, CTC.1, CTC.5, CTC.6,.CTC.8, CTC.9, CTC.14, CTC.15, D.6, D.43, T.1, T.3, T.9
BDLP	BROM5E, BROM28, DS3, DS8, DS11, DS13, S7, S14, S15, C4, C5, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, TR1, TR8, TR11, TR13, ES1, ES2, ES4, ES6, ES7, ES11, ES14A
Draft CS 2	CP2, CP3, CP4B, CP6, CP7, CP14, CP17, CP19, CP20, CP21, CP22, CP23
Others	NPPF, Circular 06/98, Circular 06/05, SPG1, SPG11, Bromsgrove District Housing Needs Study (2004), Strategic Housing Market Assessment (2007), Housing Market Assessment (2008), Ministerial Paper: Planning for Growth

Bromsgrove District Housing Trust c/o Mr Steve Faizey	Construction of 16 dwellings plus new access formed by demolition of no 31 Cobnall Road and part demolition of no 33 plus new extension to no 33.	Residential **12/0170** 30.05.2012
'B'	LAND AT E396350 N274440 COBNALL ROAD CATSHILL WORCESTERSHIRE	

RECOMMENDATION: that Planning Permission be **GRANTED.**

Consultations

WH	Consulted: 13.03.2012. Response received: 12.04.2012. Recommends that permission be deferred for the following reasons: In order to accommodate services for the future properties, amendments to the road are necessary to ensure that an adequate service margin is provided. The road will require re tracking showing that refuse vehicle can satisfactorily enter and exit the site and turn within the limits of the prospective highway. The proposed parking area for 33 Cobnall Road should be provided with a 2m by 45 degree visibility splay. Further comments received: 11.05.2012. *No objection* subject to conditions: HC8 (Vehicle Access Construction) HC25 (Modified – Access, Turning and Parking)
Catshill and North Marlbrook PC	Consulted 19.03.2012. Response received: 11.04.2012. There are concerns that this is over-development of a land-locked site with limited parking, likely to spill out on to the already congested surrounding roads. The proposed rendered finish to the properties would not be in keeping with the surroundings.
ENG	Consulted: 13.03.2012. Response received: 20.03.2012. No objection. The site is not within any EA fluvial or surface water flooding zones. The provision of rainwater harvesting and the use of soakaways are welcome.
SP	Consulted: 13.03.2012. No response received.
WWT	Consulted: 13.03.2012. No response received.
WRS	Consulted: 13.03.2012. Response received 19.03.2012. The history of the site suggests that there may be contamination issues. No objection subject to conditions.

GPU Power UK	Consulted: 13.03.2012. No response received.
National Grid (Transco)	Consulted: 13.03.2012. Response received: 20.03.2012. Having reviewed the drawings related to the proposed development I have identified electrical cables, low voltage and high voltage, in this area that will be affected by this development. The developer will contact us to request that we move our cables and equipment before they commence works on site. Therefore, no objection.
Tree Officer	Consulted: 13.03.2012. Response received 21.03.2012. There are no Tree Preservation order protected trees on the site and it is not within a conservation area. There are no trees worthy of protection with the site. I would advise that consideration is given to re-designing the path network required providing access to properties on the on the South Western boundary to protect the root plate of the Willow in the rear garden of 21 Alexander Close. Overall, no objection, subject to a landscaping condition.
Publicity:	39 letters sent: 13.03.2012, expired 03.04.2012. Site Notice posted 28.03.2012, expired 18.04.2012. Press Notice posted: 23.03.2012, expired 13.04.2012. 3 Responses received, summarised as appropriate: • The only concern with the application are the levels differences between the development site and 23 Alexander Close • It is unclear whether the existing vehicular access to 17 Alexander Close will be maintained • The whole proposal looks very good, should stop fly tipping and youths on mini motorbikes • 109 and 111 Woodrow Lane are being denied vehicle access to the rear of their properties. This is important when large goods are being delivered.

The site and its surroundings

The application site is located to the south of Cobnall Road within the residential area of Catshill as defined on the Proposals Map. It is a triangle of land 0.32 hectares in extent. The site is bordered on all sides by the rear curtilages of residential properties off Cobnall Road (to the north), Woodrow Lane (to the east) and Alexander Close (to the west). The site is currently vacant land, having previously been occupied by residential garages which were located mainly towards the northern boundary and have since been demolished. The surrounding development consists of post war housing with a traditional design and layout. There is an existing laneway leading from Cobnall Road into the site and serving as a rear access to the properties on Woodrow Lane and Alexander Close.

Proposal

The application proposes the development of 16 affordable dwellings on the existing vacant site and part of the rear gardens of nos. 27 and 29 Cobnall Road. The scheme also proposes the demolition of the existing property at 31 Cobnall Road to provide for a new access road.

Several of the semi detached properties on Cobnall Road have a connecting first floor extension and this will be lost between No. 31 and 33. As a result the application also proposes a replacement extension on the eastern elevation of that property. The proposed development will provide 12 social rented apartments, and 4 intermediate (Shared ownership) houses. The application is supported by a Supporting Planning Statement, Design and Access Statement and an Extended Phase 1 Habitat Survey.

Relevant Policies

WMRSS	QE3, CF5, CF6.
WCSP	CTC.1, D.5, D.6, SD.2, SD.3, SD.4, SD.8, T.1.
BDLP	DS13, S3, S7, S14, S15, TR1, TR11.
NPPF	Paragraphs 47 - 55
Draft CS2	CP2, CP3, CP6, CP8, CP14.

Relevant Planning History

P11/0095 Construction of New Dwellings on a former garage site, including demolition of an existing dwelling and a new access. Pre application advice.

Assessment

On Tuesday 27 March 2012, the Government released the National Planning Policy Framework (NPPF). The NPPF makes it clear that its policies apply immediately. From the 27 March onwards the National Planning Policy Guidance Notes and Planning Policy Statements cease to exist, including all relevant circulars and guidance (a list of which is contained in Annexe 3 to the NPPF). Planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan currently consists of Local and Regional planning policy documents. The NPPF is also a significant material consideration in planning decisions. The Development Plan will continue to include all the saved Policies of the Bromsgrove District Local Plan. Due weight will be given to these policies according to their *degree of consistency* with the framework set out in the NPPF (the closer the Policies in the Plan to the policies in the Framework, the greater the weight that may be given). Weight may be given to emerging policies in some circumstances. Members should note that the National Planning Policy Framework was not in place at the time of the pre application discussions. Paragraphs 48 and 50 of the NPPF are especially relevant and refer to windfall sites and the delivery of affordable housing to support to mixed and balanced communities. I consider that policies S3, S7 and S14 remain broadly consistent with the principles of the NPPF and are thereby accorded considerable weight.

The main issues in the consideration of the application are the following:

(i) The principle of development
(ii) The design and layout of the proposal and its impact on the character of the area
(iii) The impact of the proposal on the amenity of adjoining occupiers
(iv) Highway and access issues

(i) Principle

The proposal would be located within the defined urban area and amounts to the development of an underutilised site. I note that the applicant has referred to PPS1, PPS3 and PPG13 which have now been superseded by the NPPF. Policy S7 states that residential development outside the Green Belt will be considered favourably provided that they meet criteria is terms of design, density and layout and generally maintain the form and character of the area. Policy S14 states that proposals leading to the provision of affordable housing (for rent, sale or shared ownership) would be welcome. Members should note that the delivery of affordable housing is an important corporate priority. There is a significant shortfall in provision with a total of 3265 persons on the housing waiting list on a District wide basis. The site is substantial and even with the garages present would have represented a poor existing use of land. The principle of development is acceptable.

(ii) Density, Design and Layout

Policy S7 requires developments to respect the character and layout of development in the area and be of a density appropriate to the area. The site area is 0.32Ha. The proposal would result in an overall density of 50 dwellings per hectare. This is a relatively higher density than the properties around it. However, the site is every enclosed from Woodrow Lane and Cobnall Road and therefore, the higher density has a very limited impact on the streetscene.

In terms of layout, the immediate locality is characterised by the linear arrangements of Cobnall Road and Woodrow Lane and development around a turning circle at Alexander Close to the south. The proposal (consisting of 5 blocks) is similar to the arrangement on Alexander Close and I do not consider that the layout proposed is detrimental to the overall layout of the area. The erection of two storey dwellings is acceptable in terms of the form of development in the locality.

In terms of the design of the proposal, this is referred to in detail in the applicants Design and Access Statement (Section 6) and useful visualisations of the proposal are provided in plan Ref: 10025/6A, which I would advise Members to examine. Each of the blocks will have a similar material finish, with a mix of hip and gable roofs. The smaller blocks (2 -5) and (13 – 16) will each contain 4 residential units with two on the ground floor and two on the first floor. The larger linear blocks located to the west end of the site will contain 7 dwellings in a conventional semi detached arrangement. The single bungalow proposed in the rear garden of No. 29 provides interest in the streetscene on the access to the site.

I have some concerns about the alterations between Nos. 29 and 31 to facilitate the access road. No. 31 will be demolished, leaving No. 29 in a stand alone position. A hipped roof has been requested to No. 29 and the applicant has stated that this would require entire reroofing and significant disruption to the existing tenant. The

side extension proposed to No 33 certainly provides some balance to offset this effect but the alteration is detrimental to the streetscene. On balance, I do not consider that this harm is go great that it outweighs the benefits of the scheme. Additional landscaping/screening may be possible.

(iii) Residential Amenity

The proposal is examined against the advice of paragraphs 8.0 - 8.4 of Supplementary Planning Guidance Note 1 (Residential Design Guide).

Plot 1 is a single storey dwelling, located more than 18m from No. 29 Cobnall Road. The front and rear of the property overlooks rear gardens, with no residential properties in the visual line. The rear windows are 5m from the boundary of the garden with No. 25. There is a 15m separation distance to the proposed No. 2. I note that there is only a single small window facing in this direction.

The block containing plots 2 – 5 is located 45m from the properties to the north on Cobnall Road. There are bedroom, bathroom and hall/landing windows located to the side elevation of the block, approximately 16m from plots 10 and 11. I consider that this is acceptable provided that the bedroom windows are removed and the bathroom windows are obscure glazed. Amendments have been requested. In terms of plots 4 and 5, the main living room windows are directed away from plots 6 and 7 and are further away than 21m in any event. The windows on the north side of the block face in the direction of plot 1 and the rear gardens of 21 – 25 Cobnall Road. The view would be obscured by a proposed electricity substation but this is not a matter which makes it specifically unacceptable in terms of SPG1. There are no windows on this elevation facing onto the rear gardens of 107 and 109 Woodrow Lane.

In terms of the blocks containing housing (plots 6 - 9) and (10 – 12), the gable elevation of plot 6 is located an average of 8m from the garden boundaries of 103 – 107 Woodrow Lane. These are substantial gardens with garages at the end and I do not consider that their amenity would be unduly affected. The blocks are located 30m from No.17 Alexander Close and 28m from Nos. 19 and 21 and 23. The end gable of plot 12 overlooks the block containing Nos. 13 – 15 but the elevation only contains one window serving a hall. In terms of the last block (containing plots 13-16), the front of plot 13 is oriented towards the proposed rear gardens of No. 12. There is a 9m separation and this is adequate. The other windows on the block face the access drive to the east. There is a small window serving a kitchen on plot 15 close to the garden boundary of No. 43 Cobnall Road. The windows on the rear elevation of the plot are adequately separated from the gardens of Nos. 23 and 24 Alexander Close. Overall, subject to some minor amendments (as outlined above), the proposal complies with the advice of SPG1.

In terms of private amenity space, the semi detached houses and bungalow are afforded with a private garden and for the remaining units, a shared amenity space is provided. In terms of the houses, these have a garden depth of 8m and an average of 45sqm. The other blocks containing the apartments have approximately 100sqm of shared space and this broadly complies with the requirement of 30sqm per unit outlined in SPG1. Whilst the gardens are small, it is an affordable housing scheme with a majority of rented units.

(v) Highway and Access Issues

Members should note that there is no objection from WH, subject to conditions. There was originally a concern raised about the width of the proposed access. However, the applicant has clearly indicated that it is not their intention to enter into a section 38 agreement for adoption and this will result in the road being privately maintained by the applicant. The proposal complies with policy TR11 of the BDLP.

Other Matters

Members should note the Third Party representations received. There is no significant levels difference in respect of No. 23 Alexander Close and, as outlined above, the proposal complies with the requirements of SPG1. Access will be provided to the rear gardens of surrounding properties where they have a right of access. There is a vehicular access to no 17 Alexander Close and pedestrian access to 109 Woodrow Lane. This is more of a legal than a planning matter.

The application is supported by an Extended Phase 1 Habitat Survey which shows that the site is of low value with no evidence recorded of protected species. In terms of infrastructure, the proposal will provide affordable housing and, as such, contributions towards education and public open space are not required.

Conclusion

The proposal will result in the provision of 16 affordable dwellings and there is a significant shortfall of this type of development in the District. The proposal does not have a significant impact on the character of the streetscene or the amenity of adjoining occupiers. Permission should be granted.

RECOMMENDATION: that permission be **GRANTED** subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with date of this permission.

   Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
   Site Location Plan@ 1:1250 (Ref: 10025/1A)
   Proposed Site Layout@1:100 (Ref: 10025/4C),
   Alterations to Existing Houses (Ref: 10025/5A),
   Alterations to Existing Houses (Ref: 10025/5B),
   Alterations to No. 33 Cobnall Road (10025/18),
   Alterations to No. 33 Cobnall Road (10025/17H),
   Plot 1 Plans and Elevations (Ref: 10025/7C),
   Plots (2 – 5) Elevations (Ref: 10025/12B)
   Plots (2 – 5) Plans (Ref: 10025/8B)

Plots (6 – 9) Elevations (Ref: 10025/13B)
Plots (6 – 9) Plans (Ref: 10025/9A)
Plots (10 – 12) Elevations (Ref: 10025/14B)
Plots (10 – 12) Plans (Ref: 10025/10A)
Plots (13 – 16) Elevations (Ref: 10025/15A)
Plots (13 – 16) Plans (Ref: 10025/11A)
Proposed Streetscenes and Visualisations (Ref: 10025/6A), Received 30.04.2012.
Supporting Planning Statement, Received 29.02.2012,
Extended Phase 1 Habitat Survey, Received 29.02.2012.
Design and Access Statement, Received 29.02.2012.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.

4. Prior to the commencement of the development, full details of the occupancy criteria which are to be used to select occupants of the development shall be submitted to the Local Planning Authority for approval. Subsequently, the occupation of the units shall only be taken up by persons meeting the approved occupancy criteria, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed flats are provided at an affordable level to meet local housing need in accordance with Policy S15 of the Bromsgrove District Local Plan 2004.

5. Before the commencement on site of any works which are the subject of this permission, a scheme of landscaping and planting shall be submitted to, and approved by the Local Planning Authority in writing. The scheme shall include the following:-

a) full details of all existing physical and landscape features on the site including the position, species and spread of all trees and major shrubs clearly distinguishing between those features to be retained and those to be removed;

b) full details of all proposed fencing, screen walls, hedges, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when any of the buildings hereby permitted are first occupied.

Any trees/shrubs/hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

Reason: In order to protect the trees which form an important part of 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.

6 (a) A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk 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 to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

(b) Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. 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"

(c) Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. 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".

(d) Where identified as 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 in advance of undertaking. 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.

(e) 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.

(f) 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.

(g) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason
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.

7 Full details of any soil or soil forming materials brought on to the site for use in garden areas, soft landscaping, filling and level raising must be provided. Where the donor site is unknown or is brownfield the material must be tested for contamination and suitability for use on site. Full donor site details, proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) must be submitted to and approved in writing by the Local Planning Authority prior to import on to the site. The approved testing must then be carried out and validatory evidence (such as laboratory certificates) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought on to site.

Reason
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.

8 Before any other works hereby approved are commenced, the construction of the vehicular access shall be carried out in accordance with a specification to be agreed in writing with the Local Planning Authority.

Reason: To ensure the safe and free flow of traffic onto the Highway and to accord with policy TR11 of the Bromsgrove District Local Plan 2004

9 The development hereby permitted shall not be occupied until the access, turning area, parking facilities and cycle shelters 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.

Reason: To ensure the safe and free flow of traffic onto the Highway and to accord with policy TR11 of the Bromsgrove District Local Plan 2004

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan January 2004 (BDLP) and the provisions of the National Planning Policy Framework (NPPF) 2012 as summarised below:

WMRSS	QE3, CF5, CF6.
WCSP	CTC.1, D.5, D.6, SD.2, SD.3, SD.4, SD.8, T.1.
BDLP	DS13, S3, S7, S14, S15, RAT4, TR1, TR11.
Draft CS	CP2, CP3, CP6, CP8, CP14.
NPPF	Paragraphs 47 - 55

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.

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr Phillip Thomas	Proposed replacement of modern defective windows to granny annex (as amended by plans received 20.04.12) at Bowling Green Farm, Worcester Road, Bromsgrove, B61 7HZ	GB / LB2	12/0175 26/04/12

RECOMMENDATION: that permission be **APPROVED.**

Consultations

Conservation Officer 08.03.12 expires 29.03.12 – no objection

Publicity: Site notice posted 04.03.12 expires 25.03.12
Press Notice issued 04.05.12
No objections

The site and its surroundings

This application relates to a the Granny Annex at Bowling Green Farm; a site that dates back to the early 18th Century and is Grade II Listed. The site occupies a rural location, in a Northerly position off Worcester Road. The site is located in designated Green Belt.

Proposal

Listed Building Consent is required for the replacement of windows, in the granny annex at Bowling Green Farm, due to their poor condition.

Relevant Policies

WMSS: QE3
WCSP: CTC.1, CTC.19
BDLP: DS2, S11, S39
DCS2: CP3, CP16, CP18, CP22
Others: NPPF

Relevant Planning History

- B/2003/0060: Removal of existing lean to structure (garden room), to be replaced with new conservatory on footprint of existing building. Granted 12.03.2003
- B2003/0059: LBC: Removal of existing lean-to structure (Garden Room) and addition of new conservatory on footprint of existing lean-to - Listed Building Consent. Granted 12/03/2003
- B/1999/0904: Conversion of barn into office (Amended plans received 8.11.99 & 15.11 .99 and amended plans received 13.12.99). Granted 21.02.2000
- B1999/0898: Conversion of barn to office use - Listed Building Consent (Amended by plans received 8/11/99 & 15/11/99). Granted 21.02.2000

Assessment

This application needs Listed Building Consent for the replacement of windows due to the fact that it would not meet the Permitted Development criteria. The key consideration is the impact of the windows to the Listed Building.

Policy S39 of the Bromsgrove District Local Plan notes that *"Careful attention will be paid to any proposal affecting the character of a Listed Building or its setting. Any proposal for alteration to a Listed Building will be thoroughly assessed before consent is given. The advantage of keeping a building in active use will be weighed carefully against any impact on the special architectural or historic interest of the building"*

After receiving revised drawings that were submitted by email on the 11th April and a hard copy received on the 20th, the Conservation Officer is happy with the proposal and raises no objection. Therefore it is considered that the replacement windows scheme should be allowed.

With respect to the National Planning Policy Framework (NPPF) recent adoption, it is imperative to note that Local Plan Policy S39 is consistent in its approach with section 12 of the NPPF.
A statement of significance was submitted as part of the Listed Building Consent application, and the significance of the heritage assets were adequately described.

Conclusion

The proposed replacement of windows is considered to be an acceptable alteration to the Listed Building, and as such accords with policies DS13, DS2, DS13, S11 and S39 of the Bromsgrove District Local Plan and the recently adopted NPPF.

Recommendation: that permission be Granted

Conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission

   Reason: Required to be imposed pursuance to Section 51 of the Planning and Compulsory Act 2004

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

   Listed Building Statement of Significance & Design and Access Statment Received 01.03.12
   Drawing Number SJD-025-001 at 1:100 Received 20.04.12

   Reason: For the avoidance of doubt and in the interests of proper planning.

This decision has been taken having regard to the policies within the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan 2004 (BDLP) and the National Planning Policy Framework (NPPF) 2012 as summarised below:

Policies:
WMSS: QE3
WCSP: CTC.1, CTC.19
BDLP: DS2, S11, S39

DCS2: CP3, CP16, CP18, CP22
Others: NPPF

It is the Council's view that the proposed development complies with the provisions of the development plan and National Planning Policy Framework and that, on balance; there are no justifiable reasons to refuse Listed Building Consent.

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Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. S. Dudley	Proposed New Dropped Kerb & Access To Provide Separate Access & Car Parking To The Lodge, Beacon Hill, Rednal, B45 9QL	Green Belt Landscape Protection Area	**12/0310-HR**

RECOMMENDATION: that Planning Permission be **APPROVED.**

Consultations

WH	Consulted: 13.04.12. Response received 12.04.12. No objection subject to conditions listed below.
Ramblers Association	13.04.2011 - No comments received.
Public Rights of Way	13.04.2011 - No comments received.
Tree Officer	13.04.2011 – Objection received. Though there are currently no Tree Preservation Order protected trees on the site, there are a high number of trees on the site that are worthy of Tree Preservation Order protection. To achieve the required ground levels and grading as to allow the installation of the drop curb and proposed entrance would cause excessive damage to the root plates on one Sweet Chestnut tree and one Beech tree close to the boundary of Beacon Hill. These trees are a prominent feature to the area forming an integral part of a wider group of trees that offer a high level of visual amenity value to the area. Therefore these trees are worthy of protection. The estimated impact of this work on the root plates of these trees is likely to have a detrimental affect on health and possibly the stability of both trees. Therefore I recommend that this proposal is refused.
Publicity	Press Notice Posted 20.04.2011 expires 11.05.2011 Site Notice posted 13.04.12; expires 04.05.12 One Neighbour notification letter posted 13.04.12; expires 04.05.12 No letters of objection received.

The site and its surroundings

The application site relates to a detached dwelling located on Beacon Hill, Rednal, Bromsgrove which is situated within a Landscape Protection Area and within the Green Belt as defined in the Bromsgrove District Local Plan 2004. A residential dwelling is situated to the south of the site and Green Belt land is situated to the north, east and west of the site.

Proposal

It is proposed to remove the existing hedge and to lower a 4.6 metre wide section of the kerb to the front of the property and create a driveway with stone chippings with a new turning area and a car parking space within the site boundary. The existing rear access road to the Lodge will be permanently closed off and the existing front access drive currently serving the two dwellings, the Lodge and the Heanor, will only serve the property known as the Heanor.

Part 2 Minor Operations, Class B of the GPDO states '*The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).*'

Beacon Hill is a classified road and thus planning permission is required for the construction or alteration of a means of access.

Relevant Policies

WMSS	QE3
WCSP	T.1, CTC.5, D38, D39.
BDLP	TR11, DS2, DS13, C1, C4
DCS2	CP22
Others	NPPF

Relevant Planning History

None

Assessment

The main considerations in this application are:

1) whether the proposal will maintain a safe means of access and egress to the site for the interests of highway safety.
2) whether the proposal would have a detrimental affect on the Landscape Protection Area and Green Belt
3) whether the proposal would have a detrimental affect on health and possibly the stability of both trees

Access and egress

Policy TR11 of the BDLP requires that 'all development incorporates safe means of access and egress appropriate to the nature of the local highway network and includes sufficient off-street parking.' It is considered that Policy TR11 is consistent with the policy objectives of the NPPF. The proposal would maintain a safe means of access and egress to the site in the interest of highways safety and would be in accordance with Policy TR11 and the NPPF.

Landscape Protection Area

The site is within a Landscape Protection Area and although landscape protection is not explicitly included in the NPPF, Paragraph 17 (Core Principles) states that the intrinsic value and character of the countryside should be *recognized*.

Policy C1 of the Bromsgrove District Local Plan identifies Landscape Protection Areas as local designations of areas where it is considered that the character of the countryside and the quality of the landscape merits special protection. It is noted that Policy C4 identifies specific criteria for assessing development proposals within Landscape Protection Areas by stating that any proposed development should not have a materially detrimental effect on the landscape.

Special attention is given to development on prominent slopes and the proposed site's location on a hillside, whilst providing panoramic views to the south-east, requires careful design that is sympathetic to the landscape. It is therefore necessary to ensure that all new development is sympathetic in form, scale and materials used.

Policy C1 and C4 of the Bromsgrove District Local Plan is consistent with Paragraph 17 (Core Principles) of the NPPF.

It is therefore considered that as the proposal would be small scale, the proposal would not cause significant undue harm to the amenities of the Landscape Protection Area.

Green Belt

Policy DS2, DS13 of the Bromsgrove District Local Plan is consistent with Section 9 of the NPPF. As the proposal would be small scale, the proposal would not cause significant undue harm to the visual amenities and the openness of the Green Belt.

Trees Issues

Policy C17 of the Bromsgrove District Local Plan states that development proposals should retain trees wherever possible and is consistent with Section 11 of the NPPF. Paragraph 118 of Section 11 of the NPPF states, 'Planning permission should be refused for development resulting in the loss or deterioration irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'.

It is considered as there are currently no Tree Preservation Order protected trees on the site, the proposal would be acceptable.

Conclusion

The proposal would not cause significant undue harm to the amenities of the Landscape Protection Area, to the visual amenities and the openness of the Green Belt or to the existing trees, which are not currently Tree Preservation Order protected trees.

Thus, it is considered the proposal will maintain a safe means of access and egress to the site for the interests of highway safety and would be in accordance with Policy TR11 of the BDLP and the NPPF. As such permission should be granted.

RECOMMENDATION: that permission be **GRANTED** stc:

C001A (In accordance with approved plans)
HC8 (Vehicle access construction)
HC13 (Modified Access Closure - use of site - vehicular)

Notes

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

WMSS: QE3
WCSP: T.1, CTC.5, D38, D39.
BDLP: TR11, DS2, DS13, C1, C4, C17
DCS2: CP22
Others: NPPF

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.

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council' Approved Contractor following the issue of a license under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Council's Highways Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Council's Approved Contractor at the applicant's expense.

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
Bromsgrove District Council **'A'**	Extension of temporary planning permission for car park extension Former Market Hall site, St John Street, Bromsgrove	TCZ	**12/0316** 07.06.12

RECOMMENDATION: that a temporary planning permission is **GRANTED** for a period of one year

Consultations

WH	Comments received 27.04.12 recommend that permission is refused for the following reasons: *'The application will encourage additional car movements into the town centre. The development cannot promote sustainable means of access as there is no ability for the application to encourage walking, cycling or bus access over car access. There is a real danger of encouraging car trips into the town centre which will create congestion and in educating motorists as once they regularly access the town via car reversing that trend is very difficult regardless of how attractive the alternative means are.* *It is considered that the principle of a development that encourages car activity and does not encourage sustainable development is unacceptable and should be refused.'*
WCC Public Rights of Way	Comments received 25.04.12: No objection
Ramblers	Consulted 19.04.12; no comments received to date.
CO	Comments received 10.05.12: No objection subject to use being limited to a two year period.
Water Management Officer	Initial comments received 19.04.12: *"The site is in flood zone 3 (high risk of fluvial flooding from Spadesbourne Brook) and is partially at risk of surface water flooding. It is known that there have been significant flood incidents at the site. As the site is used only for car parking, I do not see that the flooding is a high risk to this site, but it might be an idea to have signs*

	warning that the car park is within a flood risk zone. *I do however have concerns that surface runoff is to be discharged into the brook.* *I would like more details on if there are pollution traps in place, and if not I would like to see these added. The reason for this is that there are water voles in the vicinity, which are a protected species under the Countryside & Rights of Way Act (2000), and any damage to the species or their habitat is an offence."* Further comments received 10.05.12: *"As I now understand gulleys in the existing car park have functioning traps, and that runoff from the new parking area is likely to flow towards the older parking area and therefore the trapped gullies, I am happy that there is no increased risk to the water vole populations."*
EA	Comments received 14.05.12: No objection subject to the receipt of satisfactory comments from the Council's Drainage Officer.
Site Notice Posted 03.05.12 expires 24.05.12. Press Notice published 27.04.10 expires 18.05.12	None received

The site and its surroundings

The application site relates to an existing town centre car park. The site was previously occupied by the Market Hall building until its demolition in March 2010. The site is bounded by St Johns Street and Market Place to its northern and eastern boundaries, a public car park to its western boundary and Spadesbourne Brook to its southern boundary. The site is within the Town Centre Zone and the junction of Market Place and St John Street is defined in the BDLP as a Primary Shopping Street. The site is adjacent to, but not within, the Town Centre Conservation Area. There is a public right of way running along the south eastern boundary of the site. The site lies within Flood Zone 3 as defined on the Environment Agency's Flood Map.

Proposal

Planning permission was granted on 16 June 2010 (application ref. 10/0317) for the provision of a temporary car park on the site. That permission is subject to a condition requiring that the use of the site for car parking shall cease on or before the expiry of two

years staring from the date of the permission. The existing planning permission for the car park is therefore due to expire on 16 June 2012.

The site is designated within the BDLP as a Primary Shopping Street. The site is also allocated within the Draft Area Action Plan for Bromsgrove Town Centre as presenting an opportunity for retail led mixed use development. The site forms an important part of the Council's strategic vision for the regeneration of Bromsgrove Town Centre. The existing use of the site for car parking was pursued by the Council as a short term solution due to a lack of developer interest at the time as a consequence of the current economic situation.

Concerns were raised by your Officer in relation to 10/0317 on the basis that the car park proposal would not be appropriate in a Primary Shopping Area but rather in a secondary shopping or edge of centre location. Concerns were also raised by the Highways Authority as the proposal would increase the parking provision of the town centre which would act as a disincentive for people to travel to the Town Centre by more sustainable means such as public transport, cycling and walking.

To address these concerns and to reflect the short term intention of the Council in relation to use of the site for car parking, planning permission ref. 10/0317 was granted for a temporary two year period.

There remains to be no confirmed developer interest in the site. As such this application has been submitted by the Council to seek planning permission for the continued use of the site for car parking.

Relevant Policies

WCSP	SD.9, CTC.1, CTC.8
BDLP	DS13, ES1, ES2, BROM 11, BROM 12, BROM 13
Draft CS2:	CP3, CP15
Others	NPPF, Bromsgrove Town Centre Draft Area Action Plan 2011.

Relevant Planning History

10/0109	Demolition of Market Hall – Prior Approval of demolition not required
10/0120	Change of use from Market Hall to car park - Withdrawn
10/0317	Change of use from Market Hall to car park – PPG 16/06/10

Notes

It should be maintained that the proposed use of the site for car parking is not an appropriate land use within a Primary Shopping Street. It should also be noted that the Highways Authority maintain their objection to the proposal on the basis that it would undermine sustainable transport objectives.

It should be however noted that the site is being actively marketed for retail/leisure development and it is understood from the applicant that initial interest has been received from a number of developers.

It is clear that reasonable efforts are being made to secure the long term retail use of the site. The short term intention of the applicant in relation to use of the site for car parking is also clear.

It is considered that the continued use of the site for car parking would be acceptable under these circumstances. This would allow for revenue to be made from the site until a development proposal is secured.

It is recommended however that planning permission is granted for a further period of one year so to avoid any long term harm to planning policy and sustainable transport objectives.

RECOMMENDATION: that a temporary planning permission is **GRANTED** for a period of one year.

Conditions:

1 The use hereby permitted shall cease on or before the expiry of one year starting from the date of this permission.

Reason: To protect the primary retail function of Bromsgrove Town Centre in accordance with Policy BROM13 of the Bromsgrove District Local Plan 2004, and to ensure that the development does not undermine the objectives of sustainable transport advocated in the National Planning Policy Framework 2012.

Informative(s)

This decision has been taken having regard to the policies within the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan 2004 (BDLP) and the National Planning Policy Framework (NPPF) 2012 as summarised below:

WCSP:	SD.9, CTC.1, CTC.8
BDLP:	DS13, ES1, ES2, BROM 11, BROM 12, BROM 13
Draft CS2:	CP3, CP15
Others:	NPPF, Bromsgrove Town Centre Draft Area Action Plan 2011.

It is the Council's view that the proposed development complies with the provisions of the Development Plan and the National Planning Policy Framework (2012) and there are no justifiable reasons to refuse planning permission.