



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 5TH JUNE 2017
AT 6.00 P.M.

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

PLEASE NOTE THAT AFTER 5PM, ACCESS TO THE PARKSIDE SUITE IS VIA THE MAIN ENTRANCE DOOR ON THE STOURBRIDGE ROAD. PLEASE ALSO NOTE THAT THERE IS NO PUBLIC PARKING AVAILABLE FOR THE NEW PREMISES. THE NEAREST PARKING IS THE PARKSIDE (MARKET STREET) PAY AND DISPLAY CAR PARK.

MEMBERS: Councillors C. Allen-Jones, S. J. Baxter, M. T. Buxton,
R. J. Deeming, C.A. Hotham, S. R. Peters, S. P. Shannon,
M. A. Sherrey, C. J. Spencer, P.L. Thomas and P. J. Whittaker

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

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

5. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 8th May 2017 (Pages 1 - 6)
6. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
7. 2016/1085 - Hybrid Application : Outline Planning Permission for up to 150 dwellings with some matters reserved for future consideration (appearance, landscaping, layout and scale); and full Planning Permission for a Community Facility including details of access and associated car parking, landscaping, drainage and other associated infrastructure - Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett, Worcestershire - C/O Planning Prospects Limited (Pages 7 - 36)
8. 2016/1087 - Erection of 185 dwellings, including details of access, landscaping and open space, drainage and other associated infrastructure - Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett, Worcestershire - C/O Planning Prospects Limited (Pages 37 - 64)
9. 2017/0220 - Replacement of flat roof with pitched roof on outbuilding, extension to front to create corridor and conversion of outbuilding from garage and store to ancillary residential accommodation - Little Paddocks, Warbage Lane, Dodford, Bromsgrove B61 9BH - Mr Gary Bathurst (Pages 65 - 70)
10. 2017/0243 - Two storey side extension - 17 Orchard Croft, Barnt Green, Birmingham B45 8NH - Mr and Mrs Mahony (Pages 71 - 74)
11. 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

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

24th May 2017

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Information for Members of the Public

The Planning Committee comprises 11 Councillors. Meetings are held once a month on Mondays **at 6.00 p.m.** in the Parkside Suite, Parkside, Market Street, Bromsgrove, B61 8DA - access to the Parkside Suite after 5pm is via the main entrance door on the Stourbridge Road. The nearest available public parking for the new premises is Parkside (Market Street) Pay and Display. .

The Chairman of the Committee, who is responsible for the conduct of the meeting, sits at the head of the table. The other Councillors sit around the inner-tables in their party groupings. To the immediate right of the Chairman are the Planning Officers. To the left of the Chairman is the Solicitor who provides legal advice, and the Democratic Services Officer who takes the Minutes of the Meeting. The Officers are paid employees of the Council who attend the Meeting to advise the Committee. They can make recommendations, and give advice (both in terms of procedures which must be followed by the Committee, and on planning legislation / policy / guidance), but they are not permitted to take part in the decision making.

All items on the Agenda are (usually) for discussion in public. You have the right to request to inspect copies of previous Minutes, reports on this agenda, together with the background documents used in the preparation of these reports. Any Update Reports for the items on the Agenda are published on the Council's Website at least one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are available in the public gallery. The Chairman will normally take each item of the Agenda in turn although, in particular circumstances, these may be taken out of sequence.

The Agenda is divided into the following sections:-

- Procedural Items

Procedural matters usually take just a few minutes and include: apologies for absence, approval of the Minutes of the previous meeting(s) and, where necessary, election of a Chairman and / or Vice-Chairman. In addition, Councillors are asked to declare whether they have any disclosable pecuniary and / or other disclosable interests in any items to be discussed. If a Councillor declares a disclosable pecuniary interest, he/she will withdraw from the meeting during the discussion and voting on that item. However, it is up to the individual Councillor concerned to decide whether or not to declare any interest.

- Reports of the Head of Planning and Regeneration

(i) **Plans and Applications to Develop, or Change of Use** - Reports on all applications will include a response from consultees, a summary of

any observations received and a recommendation. Recent consultation responses will be reported at the meeting within the Update Report.

Each application will be considered in turn. When the Chairman considers that there has been sufficient discussion, a decision will be called for. Councillors may decide that, in order to make a fully informed decision, they need to visit the site. If this is the case, then a decision on the application will be deferred until the next meeting of the Committee. Alternatively, a decision may be deferred in order that more information can be presented / reported. If the Councillors consider that they can proceed to making a decision, they can either accept the recommendation(s) made in the report (suggesting any additional conditions and / or reasons for their decision), or they can propose an amendment, whereby Councillors may make their own recommendation. A decision will then be taken, usually by way of a show of hands, and the Chairman will announce the result of the vote. Officers are not permitted to vote on applications.

Note: **Delegation** - All items are presumed to be matters which the Planning Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply, an appropriate indication will be given at the meeting.

Any members of the public wishing to make late additional representations should do so in writing, or by contacting their Ward Councillor(s) well in advance of the Meeting. You can find out who your Ward Councillor(s) is/are at www.writetothem.com.

Members of the public should note that any application can be determined in any manner, notwithstanding any (or no) recommendation being made to the Planning Committee.

- (ii) **Development Control (Planning Enforcement) / Building Control** - These matters include such items as to whether or not enforcement action should be taken, applications to carry out work on trees that are the subject of a Tree Preservation Order, etc.. 'Public Speaking' policy does not apply to this type of report, and enforcement matters are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Reports of the Head of Legal and Democratic Services

These reports relate to, for example, cases where authority is sought to commence legal proceedings for non-compliance with a variety of formal planning notices. They are generally mainly concerned with administrative and legal aspects of planning matters. 'Public Speaking' policy does not apply to this type of report, and legal issues are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Urgent Business

In exceptional circumstances, and at the discretion of the Chairman, certain items may be raised at the meeting which are not on the Agenda. The Agenda is published a week in advance of the meeting and an urgent matter may require a decision. However, the Chairman must give a reason

for accepting any "urgent business". 'Public Speaking' policy would not necessarily apply to this type of report.

- Confidential / Exempt Business

Certain items on the Agenda may be marked "confidential" or "exempt"; any papers relating to such items will not be available to the press and public. The Committee has the right to ask the press and public to leave the room while these reports are considered. Brief details of the matters to be discussed will be given, but the Committee has to give specific reasons for excluding the press and public.

Public Speaking

Where members of the public have registered to speak on planning applications, the item will be dealt with in the following order (subject to the discretion of the Chairman):-

- Introduction of item by the Chairman;
- Officer's presentation;
- Representations by objector;
- Representations by applicant (or representative) or supporter;
- Parish Council speaker (if applicable) and / or Ward Councillor;
- Consideration of application by Councillors, including questions to officers.

All public speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

Feedback forms will be available within the Council Chamber for the duration of the meeting in order that members of the public may comment on the facilities for speaking at Planning Committee meetings.

NOTES

Councillors who have not been appointed to the Planning Committee but who wish to attend and to make comments on any application on the attached agenda are required to inform the Chairman and the relevant Committee Services Officer before 12:00 noon on the day of the meeting. They will also be subject to three minute time limit.

Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officer(s) in order to avoid unnecessary debate on such detail at the meeting. Members of the Committee are requested to arrive at least one hour 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. Councillors should

familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.

Councillors are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to Committee for determination where the matter cannot be authorised to be determined by the Head of Planning and Regeneration Services.

In certain circumstances, items may be taken out of the order than that shown on the agenda and, therefore, no certain advice can be provided about the time at which any item may be considered. However, it is recommended that any person attending a meeting of the Committee, whether to speak or to just observe proceedings and listen to the debate, be present for the commencement of the meeting at 6.00 p.m.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - SECTION 100D

1. All applications for planning permission include, as background papers, the following documents:-
 - a. The application - the forms and any other written documents submitted by the applicant, the applicant's architect or agent, or both, whichever the case may be, together with any submitted plans, drawings or diagrams.
 - b. Letters of objection, observations, comments or other representations received about the proposals.
 - c. Any written notes by officers relating to the application and contained within the file relating to the particular application.
 - d. Invitations to the Council to comment or make observations on matters which are primarily the concern of another Authority, Statutory Body or Government Department.

2. In relation to any matters referred to in the reports, the following are regarded as the standard background papers:-

Policies contained within the County Structure Plan and Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

BDP	-	Bromsgrove District 2011-2-30
SPG	-	Supplementary Policy Guidance
SPD		Supplementary Planning Document

3. Any other items listed, or referred to, in the report.

Note: For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 100D will always include the Case Officer's written report and any letters or memoranda of representation received (including

correspondence from Parish Councils, the Highway Authority, statutory consultees, other 'statutory undertakers' and all internal District Council Departments).

Further information

If you require any further information on the Planning Committee, or wish to register to speak on any application for planning permission to be considered by the Committee, in the first instance, please contact Jan Smyth, Democratic Services Officer, at jan.smyth@bromsgroveandredditch.gov.uk, or telephone (01527) 64252 Extn. 3266.

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

8TH MAY 2017 AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), C. Allen-Jones, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer, L. J. Turner and P. J. Whittaker

Officers: Mr. D. M. Birch, Mr. G. Boyes, Mr. M. Dunphy, Miss. E. Farmer, Miss C. Gilbert, Mr. S. Hawley (Worcestershire Highways Authority), Mrs. T. Lovejoy, Mrs. S. Williams and Mrs. J. Smyth

79/16 **APOLOGIES**

Apologies for absence were received on behalf of Councillors P.L. Thomas and S.J. Baxter. Councillor L.J. Turner was confirmed as Councillor Baxter's substitute for the meeting.

80/16 **DECLARATIONS OF INTEREST**

Councillor R.J. Deeming (Chairman), declared an Other Disclosable Interest in Agenda Items 6 and 7 (Planning Applications 2016/1085 and 2016/1087 – Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett) in that he was a patient at Barnt Green Surgery.

Councillor C. Allen-Jones declared an Other Disclosable Interest in Agenda Items 6 and 7 (Planning Applications 2016/1085 and 2016/1087 – Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett) in that he was a patient at Barnt Green Surgery.

Councillor L.J. Turner declared an Other Disclosable Interest in Agenda Item 10 (Planning Application 2017/0207 – Wythall Park, Silver Street, Wythall, Bromsgrove) in that as a Trustee of Wythall Community Association, the Applicants, he would be withdrawing from the meeting for its discussion. Councillor Turner withdrew from the meeting for the duration of the debate on the item and took no part the Committee's consideration and voting on the matter.

Councillor P.J. Whittaker declared an Other Disclosable Interest in Agenda Item 8 (Planning Application 2016/1182 – land to the rear of 173 Fininstall Road, Bromsgrove) in that, as the Applicant's Agent was known to him and had been employed by him, he would be withdrawing from the meeting for its discussion. Councillor Whittaker withdrew from the

meeting for the duration of the debate on the item and took no part in the Committee's consideration and voting on the matter.

In respect of Agenda Items 6 and 7 (Planning Applications 2016/1085 and 2016/1087 – Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett), Councillor C.J. Spencer questioned whether, as a Parish Council Member of Cofton Hackett Parish Council, she was still eligible to participate in the Committee's consideration of the Applications. Officers confirmed that she was.

81/16

MINUTES

The minutes of the meeting of the Planning Committee held on 3rd April 2017 were received.

RESOLVED that the minutes of the meeting be approved as a correct record.

82/16

TREE PRESERVATION ORDER (NO.19) 2016 - TREES ON LAND AT PLYMOUTH DRIVE, BARNT GREEN, BROMSGROVE

The Committee considered a report which detailed proposals to confirm, with modification, Tree Preservation Order (No.19) 2016, relating to trees on land at Plymouth Drive, Barnt Green, Bromsgrove.

Officers reported additional information in regard to the replacement of paragraph 3.2 in the main agenda report and additional representations made by an objector, all as detailed in a published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting. Officers provided clarification on matters raised in regard to the management of trees the subject of Tree Preservation Orders, in particular in relation to T4, a Redwood Tree to the front of 10 Plymouth Drive, the subject of the additional objector representations received.

RESOLVED that Tree Preservation Order (No.19) 2016 relating to trees on land at Plymouth Drive, Barnt Green, Bromsgrove be confirmed with modification, as detailed in the Plan and Schedule of Modified Order (Appendix 1) to the report.

(Note: Due to his late arrival at the meeting, after the commencement of the Committee's consideration of this matter, Councillor P.J. Whittaker took no part in its discussion nor voted on the matter.)

83/16

2016/1085 - HYBRID APPLICATION : OUTLINE PLANNING PERMISSION FOR UP TO 150 DWELLINGS WITH SOME MATTERS RESERVED FOR FUTURE CONSIDERATION (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE); AND FULL PLANNING PERMISSION FOR A COMMUNITY FACILITY INCLUDING DETAILS OF ACCESS AND ASSOCIATED CAR PARKING, LANDSCAPING, DRAINAGE AND OTHER ASSOCIATED INFRASTRUCTURE - LONGBRIDGE EAST AND RIVER ARROW DEVELOPMENT SITE, GROVELEY LANE, COFTON HACKETT, WORCESTERSHIRE - C/O PLANNING PROSPECTS LIMITED

Members were reminded as to the Committee's reasons for deferring the Application at the previous meeting and provided with further clarification in regard to: the Longbridge Area Action Plan (LAAP) in relation to overall housing provision and the shortfall of 95 dwellings on the East Works site; highway matters relating to the access road to the East Works site: and Section 106 contributions. Officers also reported on additional comments received from the local Vicar and Worcestershire Highways Authority and on finalised details in relation to the contribution for Birmingham City Council and proposed amendments to Recommendation 1) ii) and Condition 1, all as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Miss. Claire Fryer, resident, addressed the Committee objecting to the Application. Reverent Rob Fieldson, Vicar of Cofton Hackett and Barnt Green, addressed the Committee in support of the Application. Mr. Jason Tait, on behalf of the Applicant, addressed the Committee. Parish Councillor Keith Duncan also addressed the Committee on behalf of Cofton Hackett Parish Council.

The Committee then considered the Application, which Officers had recommended for approval. The County Council's Highways Officer provided further clarification on various matters relating to access and capacity arrangements for the East Works site and additional responses to Members queries on other Highways concerns. The Council's Strategic Planning Manager also provided additional clarification in regard to Members concerns and questions in relation to the LAAP and overall housing provision for the Longbridge site, including changes in the housing market subsequent to the implementation of the plan.

Members expressed continuing concerns in regard to the Section 106 agreement in terms of the amounts and the proposed distribution. Officers provided further clarification on various issues raised by Members, including matters relating to: the loss of housing and associated affordable housing; contributions for local open space provision; the proposed contribution for the extension of local Health centres / surgeries to accommodate additional patients.

Having had regard to all of the information presented, the Committee was of the view that the Section 106 contributions did not reflect the

amount of infrastructure required to support the developments and considered that further consultation and information was required in regard to the proposed amounts and distribution before they could make a decision on the matter.

It was therefore

RESOLVED that a decision on the matter be deferred, for Officers to provide additional information in relation to the amounts and distribution of the Section 106 Contributions, as raised during the Committee's consideration of the Application.

84/16

2016/1087 - ERECTION OF 185 DWELLINGS, INCLUDING DETAILS OF ACCESS, LANDSCAPING AND OPEN SPACE, DRAINAGE AND OTHER ASSOCIATED INFRASTRUCTURE - LONGBRIDGE EAST AND RIVER ARROW DEVELOPMENT SITE, GROVELEY LANE, COFTON HACKETT, WORCESTERSHIRE - C/O PLANNING PROSPECTS LIMITED

With the agreement of the Chairman, this Planning Application was considered in conjunction with Agenda Item 6 (Application 2016/1085 – Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett).

Members were reminded as to the Committee's reasons for deferring the Application at the previous meeting and provided with further clarification in regard to: the Longbridge Area Action Plan (LAAP) in relation to overall housing provision and the shortfall of 95 dwellings on the East Works site; highway matters relating to the access road to the East Works site; and Section 106 contributions. Officers also reported on additional comments received from the local Vicar and Worcestershire Highways Authority and on finalised details in relation to the contribution for Birmingham City Council and proposed amendments to Recommendation 1) ii) and an additional Informative, all as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Miss. Claire Fryer, resident, addressed the Committee objecting to the Application. Reverent Rob Fieldson, Vicar of Cofton Hackett and Barnt Green, addressed the Committee in support of the Application. Mr. Jason Tait, on behalf of the Applicant, addressed the Committee. Parish Councillor Keith Duncan also addressed the Committee on behalf of Cofton Hackett Parish Council.

The Committee then considered the Application, which Officers had recommended for approval. The County Council's Highways Officer provided further clarification on various matters relating to access and capacity arrangements for the East Works site and additional responses to Members queries on other Highways concerns. The Council's

Agenda Item 5

Planning Committee
8th May 2017

Strategic Planning Manager also provided additional clarification in regard to Members concerns and questions in relation to the LAAP and overall housing provision for the Longbridge site, including changes in the housing market subsequent to the implementation of the plan.

Members expressed continuing concerns in regard to the Section 106 agreement in terms of the amounts and the proposed distribution. Officers provided further clarification on various issues raised by Members, including matters relating to: the loss of housing and associated affordable housing; contributions for local open space provision; the proposed contribution for the extension of local Health centres / surgeries to accommodate additional patients.

Having had regard to all of the information presented, the Committee was of the view that the Section 106 contributions did not reflect the amount of infrastructure required to support the developments and considered that further consultation and information was required in regard to the proposed amounts and distribution before they could make a decision on the matter.

It was therefore

RESOLVED that a decision on the matter be deferred for Officers to similarly provide additional information in relation to the amounts and distribution of the Section 106 Contributions, as raised during consideration of the application and the previous, related application (Minute 83 refers).

85/16

2016/1182 - DEMOLITION OF EXISTING GARAGE AND ERECTION OF PROPOSED NEW DWELLING ON LAND TO REAR OF 173 FINSTALL ROAD - 173 FINSTALL ROAD, BROMSGROVE B60 3DD - MR AND MRS OVERTON

At the invitation of the Chairman, Mrs Nicola Overton, the Applicant, addressed the Committee.

RESOLVED that Planning Permission be refused for the reasons set out on page 139 of the main agenda report.

86/16

2017/0186 - FRONT, REAR AND SIDE EXTENSIONS - 43 WESTFIELDS, CATSHILL, BROMSGROVE, WORCESTERSHIRE B61 9HJ - MRS ALEX DENTITH

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor K. J. May, Ward Member.

Agenda Item 5

Planning Committee
8th May 2017

At the invitation of the Chairman, Mrs. A. Dentith, the Applicant, addressed the Committee. Councillor K.J. May, in whose Ward the Application site was located, also addressed the Committee.

RESOLVED that Planning Permission be refused for the reasons set out on page 142 of the main agenda report.

87/16

2017/0207 - FORMATION OF LINEAR PATHWAYS WITHIN THE BOUNDARY OF THE PARK AND PLACING OF EQUIPMENT TO FACILITATE OUTDOOR GYM - WYTHALL PARK, SILVER STREET, WYTHALL, BROMSGROVE, WORCESTERSHIRE B47 6LZ - WYTHALL PARK ASSOCIATION

Officers provided further clarification on various matters relating to the equipment to be provided on the site and proposals for amending Condition 2 and the addition of a third Condition, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives set out on pages 145 and 146 of the main agenda report, but with Condition 2 amended to read as follows:

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans / Drawings listed below:

P2232.24E Site Layout Plan

Reason: for the avoidance of doubt and in the interests of proper planning:

and the following additional Condition:

- 3) Each individual piece of exercise equipment proposed on the site shall not exceed a height of 2.3m and a width of 2.3m.

Reason: To protect the openness of the Green Belt.

The meeting closed at 8.00 p.m.

Chairman

Name of Applicant	Proposal	Plan Ref.
C/O Planning Prospects Limited	Hybrid application: Outline Planning Permission for up to 150 dwellings with all matters reserved for future consideration (access, appearance, landscaping, layout and scale) Full Planning Permission for a Community Facility including details of access and associated car parking, landscaping, drainage and other associated infrastructure. Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett, Worcestershire,	16/1085

This application was deferred at the meeting of Planning Committee on 8 May 2017 at the request of Members for the following reasons:-

Having had regard to all of the information presented, the Committee was of the view that the Section 106 contributions did not reflect the amount of infrastructure required to support the developments and considered that further consultation and information was required in regard to the proposed amounts and distribution before they could make a decision on the matter.

Please note that other issues in relation to this application are included in the Appendix report.

RECOMMENDATION:

- (a) MINDED to APPROVE OUTLINE AND FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) A contribution towards the provision of wheelie bins for the scheme based on £61.40 per unit.
 - (ii) £40,297 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill.
 - (iii) £53,730 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park.
 - (iv) £44,775 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general.

- (v) £37,800 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett.
- (vi) £32,554 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery.
- (vii) The provision of affordable housing (35%) to be provided on site and maintained as such in perpetuity.
- (viii) Community centre to be provided on site and transferred to an appropriate body /Trust to maintain.

Assessment of the Proposal

Policy Relevance

The Longbridge Area Action Plan (LAAP) was adopted in April 2009 and the Bromsgrove District Plan (BDP) was adopted in January 2017. Both these plans are highly relevant to the consideration of planning applications within the Longbridge AAP area. The BDP refers to the LAAP as the detailed policy guidance for the Longbridge area.

The LAAP was initially prepared before the time of the global financial crisis. Although as the plan neared examination and adoption the crisis had taken hold, and the financial outlook for development was beginning to become very different. With this in mind sufficient clauses were inserted into the LAAP to allow for flexibility in proposals where the financial viability became a challenge, some of these challenges still remain today. It was decided not to adjust the plan to rule out all the proposals which might be required to support the development as it was hoped financial viability of development would return. The implication of this is, at the current time not all of the supporting schemes which we hoped to be able to progress as a result of the redevelopment of Longbridge will now be able to be progressed until full viability returns. The BDP also has clauses which allow for flexibly in proposals.

The LAAP remains an important tool in the determination of applications at Longbridge to maintain consistency with the development taking place on the Birmingham element of the site and ensure as much of the LAAP can be delivered. The LAAP should be read alongside the BDP as the development plan for the area.

Planning Obligations

Members will recall that this application was deferred due to the potential S106 obligations and the distribution of the potential contributions.

It is important to establish why a contribution is sought for a development and that it should meet the appropriate planning tests set out in the Community Infrastructure Levy Regulations 2010 which are as follows:-

- Necessary to make the development acceptable in planning terms.

- Directly related to the development.
- Fairly and reasonably related in scale and kind to the development.

Affordable Housing Provision. 35% of affordable housing is proposed under the outline application and shall be provided on site and retained as such in perpetuity.

Proposal H2 of the Longbridge Area Action Plan (LAAP) requires 'a target of 35% of dwellings to be affordable'. This scheme will include a provision of 35% of affordable housing, which is necessary to make the development acceptable, is directly related to the development and is fairly and reasonably related in scale and kind to the development being in mind that it fully complies with requirements set out under Proposal H2 of the LAAP.

Wheelie Bin Provision. Under the Worcestershire County's Waste Strategy a financial contribution will be sought to cover the provision of wheelie bins for each unit. This is based on £61.40 per dwelling for the provision of a green bin and a grey bin. This is necessary to make the development acceptable, is directly related to the development and is fairly and reasonably related in scale and kind to the scheme.

Contribution towards GP surgeries. The site lies within the practice areas of two Worcestershire GP surgeries (New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery,). All two are fully utilising all of their clinical rooms and would therefore have no capacity to provide services to the cumulative number of residents that will move into the houses planned to be built in their practice area. Therefore, a financial contribution will be sought to be used as a contribution towards an extension to each of the surgeries concerned.

The contribution has been calculated by NHS England as follows:-

Planned number of dwellings	150
Forecast increase in population	360
Average number of consultations per patient per annum	6
Forecast number of consultations per annum	2,160
Consulting room capacity	6,300
Number of consulting rooms required	.34
Forecast floor area required m ²	5.49
Clinical/non clinical support (excluding circulation)	3.66
Total floor area required m ²	9.14
Forecast outturn costs	£32,554

Following on from the application being deferred from the last meeting, officers have discussed the level of contribution with NHS England who have clarified that the above formula is what they currently use to justify a contribution. They acknowledge that it is not the intention that the above contribution would cover the full cost of a potential extension, but would be a contribution towards the works concerned.

It is important to note that the two surgeries currently have capacity to accept new patients and there are also doctor surgeries closer to the site that are within Birmingham's administrative area.

Policy BDP.12 of the Bromsgrove District Plan encourages improvements to existing facilities to enable them to adapt to changing needs, ie. increase in occupiers in the area. Therefore, it is considered that seeking a contribution to enhance existing GP facilities nearby to the site would be necessary to make the development acceptable, would be directly related to the development and would be fairly and reasonably related in scale and kind to the development. As mentioned above, the contribution requested is not intended to cover the cost of an extension to a surgery but be a contribution towards the works.

Open space / informal recreation facilities for this scheme.

As mentioned in the original report for this application, a provision of open space is required for the scale of the development. Members will be aware that under the phase 1 scheme, on site open space has been provided (Arrow Park). Members will be aware that that under the phase 2a scheme, no on site open space facilities were included but a commitment to provide open space facilities on site would come forward under the next phase. The phase 2b application (ref 17/1087) includes two areas of onsite open space facilities that would comply with Proposal OS.6 of the LAAP and suitably link in with the existing Arrow Park to provide a quality landscaped area suitable for formal and informal recreational use, complying with Proposal OS4b of the LAAP.

However, taking into consideration the total number of units proposed for the East Works site and the existing and proposed provision of onsite open space, there would still be a shortfall of open space facilities. Therefore, a financial contribution to enhance an existing open space facility nearby would be a way of addressing this shortfall. Due to the scale of the development the provision of open space is necessary to make the development acceptable, and is directly and reasonably related in scale and kind to the development.

It is accepted that the site is very close to Cofton Park and as such would be the most obvious site for open space enhancements. However, considerable investment is committed to enhancing Cofton Park as a result of other Longbridge developments.

- Children's playground £220,000 (£120,000 playground + £100,000 maintenance).
- Sports Pavilion, sport pitches and new toilet block- £440,000
- Cofton Park footpath and accessibility improvements - £85,000
- Lickey Hills playground £200,000. As the playground already exists, 100% will be spent on capital works, no maintenance fees.
- Lickey Hills visitor centre toilet refurbishment - £50,000.

Bromsgrove Leisure Services have been consulted on this application and note that whilst there are toddler/junior play area facilities at Cofton Park, there is a lack of teenage/young adult provision. Leisure Services suggested a MUGA facility or a skate facility. However, facility exists at the Youth Factory in the centre of Longbridge. Whilst a skate facility would be welcomed, it would be more appropriate next to the MUGA rather than in Cofton Park. An outdoor fitness facility has also been suggested to address this shortfall and would be a benefit to a wider audience. This would be a facility that would sit well within Cofton Park and is supported by Birmingham Council who manages the park. In addition, enhancements are proposed to existing sports pitches, cricket pitch, as well as access improvements to Cofton Park in general. Officers consider that a contribution to provide this new facility/enhance existing facilities at Cofton Park would address the

shortfall of open space and would be in accordance with BDP25 of the BDP which encourages the enhancing of existing sport, recreational and amenity assets and acknowledges that existing facilities be enhanced if it is impractical to provide open space typologies on site.

The LAAP refers to improvements to Lickey Hills as well as Cofton Park. Given that the Lickey Hills are located within Bromsgrove's administration area and is near to the proposed site it is considered appropriate to enhance this 'amenity asset'. It is intended that a contribution will be used to refurbish the Toposcope (the folly) and car park.

Members will be aware that the Lickey Hills and Cofton Park are managed by Birmingham City Council (BCC). It is envisaged that whilst a S106 Agreement will be drafted in respect to this application. A separate 'Agreement' is proposed to be drafted between BDC and BCC such as a Service Level Agreement or Conditions of Grant Aid Agreement. This would be a legal agreement between the two authorities to ensure BCC be reimbursed once work has taken place on the ground. BCC could provide BDC with a copy of reports that include a cost breakdown showing expenditure and funding sources.

Cofton Hackett Enhancements

As there would be a shortfall of open space for the overall scheme, a financial contribution will be sought to provide enhancements to communal facilities in the local area such as improvements to the local allotments and refurbishment of the play area off Chestnut Drive. Improvements to the local car park at Lickey Road as well as incidental works such as planters and benches / cycle signage in and around Cofton Hackett would be included in this contribution. This would be in accordance with policy BDP25 of the BDP which encourages enhancements to existing recreational and amenity assets. As mentioned above, due to the scale of the development the provision of open space is necessary to make the development acceptable, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

Community Centre

The application provides full details of a community centre to be provided on the junction of East Works Drive and Groveley Lane. The community centre will be provided on site at an estimated cost £500,000. This will then be handed over to an appropriate body/Trust to manage. It is anticipated that the community facility will be provided on site before the 100th occupation on Phases 2b and/or 3. The provision of a community centre is a major component required under Proposal H2 of the LAAP. As such, is directly related to the development and is fairly and reasonably related in scale and kind to the development proposed at East Works as a whole. In addition, the provision of a community centre in this location would be in accordance with policy BDP12 of the BDP.

Other matters

Enhancements to other existing facilities in the area have been suggested. However, as mentioned above they have to meet the appropriate planning tests for them to be justified. In addition, they would need to be supported by the relevant consultee. For instance, members raised concerns in relation to highway matters and a possible contribution requested to improve perceived highway issues. County Highways consider that a contribution is not justified and that there is no need to provide a further crossing on Groveley Lane. There is already one very close to the site access which is a toucan crossing, and further north on Lowhill Lane (BCC Highway) there is an uncontrolled

crossing. The pedestrian desire lines are addressed and as such there is no need to provide any further facility.

In respect to providing a crossing at Hopwood, as referred to under Proposal T13 of the LAAP; there is no relationship between pedestrian movements from the Eastworks site and the desire line to provide a crossing on the A441 in Hopwood. Therefore whether there is a need for a crossing at this location or not, a contribution would not meet the planning tests referred to above and therefore cannot be delivered as part of this application.

Officers are aware that Cofton Hackett Parish Council have requested contributions to cover the fitting out of the village hall and also improvements to access points on Barnt Green Road. However, this would not meet the planning tests as set out above, and therefore cannot be delivered as part of this application.

The applicant is agreeable to these heads of terms and a S106 Agreement is in the process of being drafted.

Conclusion

The principle of residential development is considered to be acceptable and whilst there may be an overall shortfall of housing on the East Works site, this shortfall is unlikely to have a detrimental impact on the anticipated housing target set for Longbridge overall. The proposal would not conflict with the Proposals set out in the LAAP, and complies with policies in the adopted Bromsgrove District Plan. The principle of residential development would also be compliant with the NPPF.

The design and location of the proposed community centre is considered to be acceptable and would comply with policies in the LAAP and the adopted Bromsgrove District Plan.

RECOMMENDATION:

- (a) MINDED to APPROVE OUTLINE AND FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) A contribution towards the provision of wheelie bins for the scheme based on £61.40 per unit.
 - (ii) £40,297 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill.
 - (iii) £53,730 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park.
 - (iv) £44,775 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general.

- (v) £37,800 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett.
- (vi) £32,554 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery.
- (vii) The on-site provision of affordable housing (35%) to be provided on site and maintained as such in perpetuity.
- (viii) Community centre to be provided on site and transferred to an appropriate body.

Conditions / Informatives

1. The community centre and associated access, car parking and landscaping works shall be commenced within 3 years of the date of this permission. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. With the exception of the community centre and its associated works, the development hereby permitted shall be begun not later than whichever is the latest of the following dates:-

- i. The expiration of three years from the date of this permission;
- or
- ii. The expiration of two years from the final approval of the reserved matters;
- or,
- iii. In the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. With the exception of the proposed Community Centre as shown on approved drawings (to be defined), approval of the details of the Access, Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

3. The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings/ Documents listed in this notice:

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

4. The reserved matters applications for the residential development under this planning permission shall include a total number of dwellings which is no less than 145 dwellings and no more than 150 dwellings.

Reason:- To maximise the efficient use of this brownfield site in accordance with policies BDP1 and BDP2 of the Bromsgrove District Plan and Proposal 2 of the Longbridge Area Action Plan.

5. Details of the form, colour and finish of the materials to be used externally on the community centre approved shall be carried out in accordance with Dwg. No. AAH5345 03 Rev B Floor plans and elevations.

Reason: To protect the visual amenity of the area.

6. Other than the materials as approved for the proposed Community Centre, details of the form, colour and finish of the materials to be used externally on the walls and roofs of the proposed dwellings shall be subject to the approval, in writing, of the local planning authority before the materials are used in the construction of the proposed dwellings.

Reason: To protect the visual amenity of the area.

7. No works or development shall take place on the proposed Community Centre until a scheme for foul and surface water drainage, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

8. No works or development shall take place, other than in respect of the approved Community Centre, until a scheme for foul and surface water drainage for the residential scheme, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

9. Development shall not begin, other than in respect of the approved Community Centre, 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, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

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

10. The residential development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access.

11. The landscaping scheme for the community centre including proposed fencing, screen walls etc. shown on Dwg. No.s (to be defined) shall be implemented within 12 months from the date when any of the building(s) hereby permitted are first occupied or in accordance with a phased implementation plan to be agreed in writing with the Local Planning Authority. 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.

12. Prior to commencement of development, other than in respect of the approved Community Centre, 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, floorscape, earth moulding, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when any of the building(s) hereby permitted are first occupied or in accordance with a phased implementation plan to be agreed in writing with the Local Planning Authority.

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.

13. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a construction management plan. The plan shall include
- (a) areas within the site to be used for loading, unloading and manoeuvring,
 - (b) areas within the site to be used for storage of materials and equipment including fuels,
 - (c) wheel washing at the site and leaving the site to reduce mud and spoil on the highway,
 - (d) proposals to minimise dust from construction
 - (e) construction noise suppression,
 - (f) areas within the site to be used for parking for site personnel, operatives and visitors
 - (g) construction traffic routes,
 - (h) piling techniques,
 - (i) programme of works (including measures for traffic management and operating hours),
 - (j) provision of boundary hoarding and lighting. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of adjacent occupiers

14. Recommendations and mitigation and enhancement actions stated in the Longbridge East Ecological Assessment for Phase 3 by Alder shall be implemented.

Reason:- In the interests of ecology in the local area and in accordance with BDP 19 of the Bromsgrove District Plan and paras 9 and 109 of the National Planning Policy Framework.

15. Other than in respect of the approved Community Centre, Secure cycle parking facilities should be provided at the development as determined by Worcestershire County Council LTP3 Policy and AQAP Measure 5.3.7. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be submitted to and approved by the local planning authority prior to the first occupation of the development.

Reason: In the interests of facilitating sustainable development.

16. Details of appropriate cabling and an outside electrical socket to be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking) shall be submitted to and approved by the Local Planning Authority. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational before occupation. The charging point must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building. The approved scheme shall be implemented before the building(s) hereby permitted are first occupied.

Reason: Paragraph 35 of the NPPF states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to [amongst other things] incorporate facilities for charging plug-in and other ultra-low emission vehicles." AQAP Measure 5.2.10

17. Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. Previous reports submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. 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"

2. 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"

3. 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.

4. 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.

5. 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.

6. 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.

18. All of the recommendations relating to glazing, ventilation and the installation of boundary fencing indicated in the noise report shall be implemented as part of the reserved matters application for the residential development.

Informatives

1. In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The authority has helped the applicant resolve technical issues such as:
- o access and parking provision,
 - o the impact of the development in the street scene,
 - o impact of the development upon amenity of neighbours,
 - o improving the design of the proposed development.

The proposal is therefore considered to deliver a sustainable form of development that complies with development plan policy.

2. The applicant is advised that a Section 106 Agreement is applicable to this application.
3. It is advised that the applicant should be directed to the following document for best practice during construction: Worcestershire Regulatory Services "Code of

Plan reference

Best Practice for Demolition and Construction Sites" which can be found on the WRS website at <http://www.worcsregservices.gov.uk/media/448881/WRS-contractor-guidance.pdf>

4. Network Rail informatives.
5. Environment Agency informatives.

Case Officer: Sharron Williams Tel: 01527 534061
Email: sharron.williams@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Plan Ref.
C/O Planning Prospects Limited	<p>Hybrid application: Outline Planning Permission for up to 150 dwellings with all matters reserved for future consideration (access, appearance, landscaping, layout and scale) Full Planning Permission for a Community Facility including details of access and associated car parking, landscaping, drainage and other associated infrastructure. Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett, Worcestershire,</p>	16/1085

This application was deferred at the meeting of Planning Committee on 3 April 2017 at the request of Members in order to address:-

- **the current relevance of the Longbridge Area Action Plan (LAAP);**
- **a lack of Section 106 contributions to directly benefit the local area specifically and Bromsgrove generally in terms of amenities,**
- **education and health provision;**
- **the wider impact of the development on the local highway infrastructure;**
- **and the shortfall of housing provision agreed in the LAAP.**

RECOMMENDATION:

- (a) MINDED to APPROVE OUTLINE AND FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) A contribution towards the provision of wheelie bins for the scheme based on £61.40 per unit.
 - (ii) £40,297 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill.
 - (iii) £53,730 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park.
 - (iv) £44,775 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general.
 - (v) £37,800 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing

allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett.

- (vi) £32,554 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery.
- (vii) The provision of affordable housing (35%) to be provided on site and maintained as such in perpetuity.
- (viii) Community centre to be provided on site and transferred to an appropriate body /Trust to maintain.

Consultations

Cofton Hackett Parish Council

No objections to the outline plan for 150 dwellings and to the revised position of the Village Hall on the corner of Groveley Lane and East Works Drive.

Additional comments received on 24 May 2017, requests village hall equipment and allotment and play area enhancements, and improvements from Barnt Green Road to the Lickey woods.

Birmingham City Council

Recommend a S106 contribution to open space in Bromsgrove, in particular improvements to footpaths surrounding the area and improvements to Lickey Hills Country Park and Cofton Park.

Severn Trent Water

No objections to the proposals subject to the inclusion of a drainage condition.

West Mercia Constabulary

No objections to the scheme.

Highways Department- Worcestershire County Council

The application is a phase of the wider East Works redevelopment and access to the village hall is served of the main distributor road via part of a new estate road. This road will serve part of the residential access provisions when the reserved matters application is considered. Conditions suggested relate to the community centre and not for the wider estate road design.

Following the committee meeting of 3rd April 2017 Worcestershire County Council was asked to review the impact of the development on the local road network, and with particular reference to the Primary access onto Groveley Lane.

The access onto Groveley Lane was established from application 11/0750 which provided for up to 229 dwellings, this application was supported by a transport assessment which looked at the impact of the first phase of development and the full build out. The current application has undertaken a similar exercise of reviewing the access based on a phased and total development. This shows that the junction operates well within its capacity and queue length and delay are not excessive. In practice residents will depart based on their personal circumstances which could result in short

term queuing, but this would be a short term matter and would be contained within the new road i.e. not impacting on Groveley Lane which is the key route. There is no safety concern as a result of short term queuing within the new development. The junction was designed in accordance with the Design Manual for Roads and Bridges and consequently provides a high capacity junction arrangement.

The Groveley Lane traffic calming scheme which has recently been installed terminates at the junction of Parsonage Drive and it was suggested that it should have embraced the new East works access. Groveley Lane is characterised by residential development on one side from Barnt Green Road to Parsonage Drive. At Parsonage Drive there are commercial premises and the road widens to resemble a distributor road which has not individual frontage access. The traffic calming proposal was orientated around the provision on a crossing on the brow of the hill, so with that in mind, the finite financial arrangements and the change of road character it was not deemed suitable to extend the scheme any further.

The Highway Authority remains satisfied that the access arrangements for the East Works site are suitable and operate within the capacity thresholds. The access has been considered with a full site build out and has been demonstrated to be an appropriate design solution.

Worcester Regulatory Services- Contaminated Land

Worcestershire Regulatory Services (WRS) have reviewed the application in relation to contaminated land. This included a review of the document entitled 'Longbridge East Phase 3 Geo-Environmental Report for St Modwen Developments Ltd', produced by Rodgers Leask Environmental, dated October 2016, report reference P14-399.

Given the findings of the report and conditions on site WRS recommend conditions in order that further site investigation is conducted as required and a detailed remedial strategy developed to address potential risks from contamination.

Worcester Regulatory Services- Noise, Dust, Odour & Burning

Proposed Housing Development (Noise):

The submitted noise assessment appears acceptable; all of the recommendations relating to glazing, ventilation and the installation of boundary fencing should be implemented.

Proposed Community Facility (Noise):

No objection to the application in terms of noise but the recommended noise limits for external plant / equipment / ventilation openings should be adhered to.

Worcester Regulatory Services- Air Quality

WRS have considered the impact on local air quality from the above development and recommend conditions to mitigate the cumulative impact on local air quality from the development.

Parks and Green Space Development Officer Martin Lewis

No objection to the proposal. Any open space appears to be purely incidental and fronts Groveley Railway edge plantings shall consist of native buffer mix.

Recommendations and mitigation and enhancement actions stated in the Longbridge East Ecological Assessment for Phase 3 by Alder should be conditioned to ensure that no net loss of biodiversity and a net gain is achieved on site.

Leisure Services

Can confirm that there is a provision of new pavilion and some evidence of improvements to play at Cofton Park. Note that there is a scheduled investment into additional footpath and accessibility routes which will improve inclusivity of the park for all users within this expanding community.

There is a toddler/junior play area with additional elements such as single cable way (zipwire), climbing net and spinner, however the majority of the play space appears to be aimed at toddlers and junior age ranges with an under provision for teenagers. It is also noted within the LAAP (Longbridge Area Action Plan) 2008 baseline study identified that there is a lack of provision for children and young adults such as skate, MUGA or Youth shelter

The locality of Cofton Park within the catchment area of the new development and recommended standards for walking distances for play, would make this large 135 acre park an ideal public open space to provide new facilities to meet the lack of existing teenage/young adult provision, such as skate (perhaps concrete provision for sustainability and longevity)/MUGA or similar as well as potential consideration to include outdoor fitness to encourage the increase in demand of active fitness and support health and wellbeing.

In addition to the above open space there is play and open space provision at Myhill Fields managed by the Parish Council, aimed at younger children and is separated from new development at Longbridge by roads as well as toddler/junior play provided as part of an onsite provision of Longbridge East Development.

Strategic Housing

Would expect 35% affordable housing on this site with a 60/40 tenure split in favour of social rented. The tenure mix needs to be agreed at this stage but happy to wait until a later stage to identify specifically which properties and where the affordable units are positioned.

Drainage Engineers Internal Planning Consultation

The development site is located in the River Arrow catchment which is a tributary of the Avon. The whole of the site is classified as flood zone 1 by the national Environment Agency fluvial flood mapping, and it is not considered that there is any significant fluvial flood risk to the site. Specifically the site is drained directly by the upper part of the River Arrow, this section of the river has been disconnected from the main River Arrow channel and its flow discharges directly to the SSSI of Upper Bittell Reservoir. It is important therefore that the water quality of runoff is considered as part of the application. Recommend a drainage condition.

Strategic Planning

The principle of the proposed development has long been established through the production of the Longbridge Area Action Plan (LAAP), the proposal put forward largely accord with the requirements set down in the LAAP. Subject to appropriate planning

obligations being secured in line with those identified in the planning statement including 35% affordable housing, have no objection to the scheme.

The proposed uses on this portion of the site are acceptable, and inclusion of the community centre is a key element of the development and is welcomed. The proposed higher densities for this portion of the site are also in line with the LAAP and welcomed, it is important to ensure an efficient use of land on brownfield sites to prevent increased levels of development on Greenfield sites.

Health & Safety Executive

No comments submitted.

Joe Holyoak

Has reservations in respect to the potential layout of the housing in comparison to details submitted under the outline proposal for the whole of the Longbridge East site which was submitted in 2011.

Accepts that the re-positioning of the village hall to the junction of Groveley Lane and East Works Drive is an improvement to that originally submitted where it was adjacent to the railway line.

Network Rail

Recommend conditions / informatives

NHS England

The site of the proposed development lies within the practice areas of two Worcestershire GP surgeries located in Rubery. Both are fully utilising all of their clinical rooms and would therefore have no capacity to provide services to the cumulative number of residents that will move into the houses planned to be built in their practice area. Therefore, would request a financial contribution for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery.

Public Consultation

8 letters of objection summarised as follows:-

- Object to the positioning of the community centre. Insufficient car parking for the community centre and potential impact on the neighbours in terms of general noise and disturbance as well as additional car parking.
- Concern in respect to having all the development served off existing means of access.

3 letters of support

- Consider the revised location for the village hall suitable all round - the hall could become a central resource for the entire village (for aforementioned kids clubs and exercise classes etc) and also a very attractive focal point. I cannot foresee parking or traffic problems in this revised location, with the ample parking along Groveley Lane.
- Letter from the local vicar:-
- Consider a slight reduction in the density of the development is appropriate and will make it more fitting to its suburban surroundings.

- Support the community centre proposal, as a church, we have been trying to help build a sense of community eg visiting residents as they move in with a welcome pack of local information, organising community events such as carol singing, a parish walk and tea, a games afternoon, and a recent children's Easter activity workshop. Lots of families with young children moving into these houses, yet there are currently no community facilities. Now is the time that we need the facilities which the developers are willing to provide.

Relevant Policies

Bromsgrove District Plan 2011-2030

BDP1	Sustainable Development Principles
BDP2	Settlement Hierarchy
BDP3	Future Housing and Employment Development
BDP6	Infrastructure Contributions
BDP7	Housing Mix and Density
BDP12	Sustainable Communities
BDP19	High Quality Design
BDP21	Natural Environment
BDP24	Green Infrastructure
BDP25	Health and Well Being

Others:

Longbridge Area Action Plan	
SPG1	Residential Design Guide
SPG11	Outdoor Play Space
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
Worcestershire Waste Strategy	

Relevant Planning History

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

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).

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, site re-profiling, access, parking, landscaping and associated development infrastructure (outline).

Withdrawn.

11/0750 Erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works (full application).
Approved 2 Nov 2012.

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 Nov 2012.

12/0160 Re-profiling and re-modelling of site levels, deculverting of part of the River Arrow and associated infrastructure including construction access
Approved 23 April 2012.

14/0239 Deletion of condition 27 attached to 11/0750 in respect of timing for delivery and nature of off-site highway works to Groveley Lane.
Approved 08.04.2015.

15/0819 Erection of 41 dwellings, landscaping and associated development infrastructure.
Approved 9 Feb 2016

16/1087 Erection of 185 dwellings, including details of access, landscaping and open space, drainage and other associated infrastructure.
Land off East Works Drive, Cofton Hackett
To be determined.

Proposal Description

The application is phase 3 of the redevelopment of the East Works site. This application is a hybrid application and includes a detailed scheme for the community centre and outline proposals for 150 dwellings. The indicative layout plan shows the means of access for the residential scheme off East Works Drive serving 150 dwellings that would be potentially 2+ storeys high. However, all matters (Access, Appearance, Landscaping, Layout and Scale) shall be considered at the Reserved Matters stage.

The community centre is approximately 450 sq m. The building would comprise of ground floor accommodation with a single storey flat roof / double height mono pitched roofline. Materials proposed for the building include grey long format brickwork, timber mullions and vertical cladding, white render and zinc roofing. The community building and associated car parking would be located on the corner of Groveley Lane and East Works Drive.

Site Description

The site forms part of the former MG Rover Works known as Powertrain. A considerable amount of remediation work has taken place in this area in order to make the site suitable for residential development. The site is located to the east of the phase 1 development.

Assessment of Proposal

Principle

The site is designated for housing in the Longbridge Area Action Plan (LAAP) which is part of the Development Plan for Bromsgrove District and specifically applies to the Longbridge area. Members will be aware that the LAAP is a shared document with

Birmingham City Council. It is the starting point for decisions and any development in this area should be determined in accordance with this plan unless material considerations indicate otherwise.

Proposal H2 of the LAAP applies and requires a minimum of 700 dwellings to be provided on the East Works site providing a mix of sizes, types and tenures. Proposal H2 requires an overall density of 40 - 50 dwellings per hectare. There is an aspiration that this particular phase be developed at a higher density compared to phase 2b. The potential density based on the indicative plan would be 52 dwellings per hectare. However, despite the higher density, it is unlikely that the overall minimum requirement will be achieved based on the number of units currently built and proposed:-

East Works site:-

Phase 1 scheme	= 229 dwellings	(built)
Phase 2a scheme	= 41 dwellings	(under construction)
Phase 2b scheme	= 185 dwellings	(Ref: 16/1087 to be determined)
Phase 3 scheme	= 150 dwellings	(Ref: 16/1085 this application)
Total	= 605 dwellings (shortfall 95 dwellings)	

Overall the LAAP requires a minimum target of 1450 dwellings in Longbridge. Officers at Birmingham City Council have confirmed in their SHLAA (2016) that 965 units have been built or have permission. Based on current findings it is anticipated in the LAAP Review (draft) that a total of approximately 1960 dwellings will be provided within the area. Therefore, whilst a shortfall on the East Works site is likely, the overall delivery of housing is expected to be significantly more than the 1450 originally envisaged in the LAAP. Birmingham City Council has not raised concerns / objections in respect to the proposed provision of housing on the East Works site.

Proposal H2 of the LAAP requires a target of 35% of dwellings to be affordable. Comments from Strategic Housing reflect this approach. Affordable housing provision sought under Proposal H2 of the LAAP is more than what would generally be sought under policy BDP8 of the Bromsgrove District Plan (BDP) (30% on a brownfield site). The applicant proposes to provide 35% affordable housing which will form part of the S106 Agreement.

Policy BDP2 of the Bromsgrove District Plan encourages the delivery of housing on previously developed land. This site was formerly part of the MG Rover Works, therefore redevelopment of this site for housing would comply with policy. Policy BDP1 of the adopted plan encourages sustainable development with emphasis on accessibility of public transport options, compatibility with adjoining uses, visual amenity, quality of natural environment, and economic benefits for the District. The site is close to good public transport links and is within an area that is currently being regenerated to create improved local facilities / job opportunities as well as enhancing / creating new open space facilities. The scheme would comply with this policy, as well as core planning principles set out in the NPPF.

Proposal H2 of the LAAP requires new local facilities and shops. This was a sought after facility at the time of the publication of the LAAP. It is now accepted that there would be very little demand for this type of facility in this area. However, the inclusion of the community centre would be a key element of the development.

Policy BDP12 of the District Plan encourages new facilities and services to meet the needs of the community. The provision of a new community centre in this location would be a benefit to the wider community of Cofton Hackett located in a prominent corner location close to the bus network. An appropriate body/Trust would run the centre for the following activities:-

- Parent and toddler groups
- Play groups
- Fitness groups, slimming, yoga, aerobics etc.
- Coffee mornings
- Some kind of Church activities which are family friendly
- Interest groups e.g. Book clubs, W.I.
- Brownies
- Children's activity clubs
- Birthday parties, there would be age restrictions and curfew times etc.

Any late evening group would have a finish time no later than 10.30pm.

The proposed community centre in terms of its design and location is acceptable and complies with policies BDP.12 and BDP.19 of the District Plan. The principle of residential development would comply with the NPPF, accords with the LAAP, adopted Plan and is considered to be acceptable.

Highways and access

The indicative layout plan shows development being served off East Works Drive. Objections have been made in respect to the number of units being served off this road. Worcestershire Highways consider the number of units served off this road to be acceptable and recommend conditions. The access arrangements for the East Works site overall have been designed and built with the anticipation that 700 units and communal facilities would be served off East Works Drive. Given that there is likely to be a shortfall of 95 units on site the access arrangements for the scheme would not be at capacity.

Highway improvements have been carried out in the local vicinity as a result of a financial contribution paid under phase 1. Worcestershire Highways are not seeking any further contributions as result of these subsequent phases.

The general redevelopment of the Longbridge area has enabled investment in sustainable travel with contributions going towards Centro Park and Ride and improvements to Longbridge Railway Station. Improved facilities in public transport are giving new occupiers more choice, and less reliance on their own car. In addition, wider strategic highway improvements have also been part of the Longbridge redevelopment works such as traffic lights at the junction of Lowhill Lane and Lickey Road as well as other improvements to the A38.

Noise and contaminated land

WRS has been consulted and do not raise any concerns in respect to the scheme and recommend conditions / informatives.

Neighbour objections

Objections relate to the increase in traffic which has been considered above. Other concerns relate to the potential disturbance as a result of the community centre. Officers consider the community centre to be a very important asset for this redevelopment area as well as the wider community of Cofton Hackett. Two letters have been submitted supporting this application and the provision of the community centre.

The revised location of the community centre means that it is highly visible and accessible via the public transport network. Taking into consideration comments from residents in respect to general disturbance, this would be dealt with under statutory noise nuisance legislation managed by WRS.

Planning Obligations

Please refer to the Committee report and Update report dated 5 June 2017.

Conclusion

The principle of residential development is considered to be acceptable and whilst there may be an overall shortfall of housing on the East Works site, this shortfall is unlikely to have a detrimental impact on the anticipated housing target set for Longbridge overall. The proposal would not conflict with the Proposals set out in the LAAP, and complies with policies in the adopted Bromsgrove District Plan. The principle of residential development would also be compliant with the NPPF.

The design and location of the proposed community centre is considered to be acceptable and would comply with policies in the LAAP and the adopted Bromsgrove District Plan.

RECOMMENDATION:

- (a) MINDED to APPROVE OUTLINE AND FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) A contribution towards the provision of wheelie bins for the scheme based on £61.40 per unit.
 - (ii) £40,297 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill.
 - (iii) £53,730 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park.
 - (iv) £44,775 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general.
 - (v) £37,800 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive,

improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett.

- (vi) £32,554 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery.
- (vii) The on-site provision of affordable housing (35%) to be provided on site and maintained as such in perpetuity.
- (viii) Community centre to be provided on site and transferred to an appropriate body.

Conditions / Informatives

1. The community centre and associated access, car parking and landscaping works shall be commenced within 3 years of the date of this permission. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. With the exception of the community centre and its associated works, the development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
 - i. The expiration of three years from the date of this permission;
 - or
 - ii. The expiration of two years from the final approval of the reserved matters;
 - or,
 - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. With the exception of the proposed Community Centre as shown on approved drawings (to be defined), approval of the details of the Access, Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

3. The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings/ Documents listed in this notice:

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

4. The reserved matters applications for the residential development under this planning permission shall include a total number of dwellings which is no less than 145 dwellings and no more than 150 dwellings.

Reason:- To maximise the efficient use of this brownfield site in accordance with policies BDP1 and BDP2 of the Bromsgrove District Plan and Proposal 2 of the Longbridge Area Action Plan.

5. Details of the form, colour and finish of the materials to be used externally on the community centre approved shall be carried out in accordance with Dwg. No. AAH5345 03 Rev B Floor plans and elevations.

Reason: To protect the visual amenity of the area.

6. Other than the materials as approved for the proposed Community Centre, details of the form, colour and finish of the materials to be used externally on the walls and roofs of the proposed dwellings shall be subject to the approval, in writing, of the local planning authority before the materials are used in the construction of the proposed dwellings.

Reason: To protect the visual amenity of the area.

7. No works or development shall take place on the proposed Community Centre until a scheme for foul and surface water drainage, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

8. No works or development shall take place, other than in respect of the approved Community Centre, until a scheme for foul and surface water drainage for the residential scheme, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

9. Development shall not begin, other than in respect of the approved Community Centre, 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, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

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

10. The residential development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access.

11. The landscaping scheme for the community centre including proposed fencing, screen walls etc. shown on Dwg. No.s (to be defined) shall be implemented within 12 months from the date when any of the building(s) hereby permitted are first occupied or in accordance with a phased implementation plan to be agreed in writing with the Local Planning Authority. 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.

12. Prior to commencement of development, other than in respect of the approved Community Centre, 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, floorscape, earth moulding, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when any of the building(s) hereby permitted are first occupied or in accordance with a phased implementation plan to be agreed in writing with the Local Planning Authority.

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.

13. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a construction management plan. The plan shall include

- (a) areas within the site to be used for loading, unloading and manoeuvring,
- (b) areas within the site to be used for storage of materials and equipment including fuels,
- (c) wheel washing at the site and leaving the site to reduce mud and spoil on the highway,
- (d) proposals to minimise dust from construction
- (e) construction noise suppression,

- (f) areas within the site to be used for parking for site personnel, operatives and visitors
- (g) construction traffic routes,
- (h) piling techniques,
- (i) programme of works (including measures for traffic management and operating hours),
- (j) provision of boundary hoarding and lighting. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of adjacent occupiers

14. Recommendations and mitigation and enhancement actions stated in the Longbridge East Ecological Assessment for Phase 3 by Alder shall be implemented.

Reason:- In the interests of ecology in the local area and in accordance with BDP 19 of the Bromsgrove District Plan and paras 9 and 109 of the National Planning Policy Framework.

15. Other than in respect of the approved Community Centre, Secure cycle parking facilities should be provided at the development as determined by Worcestershire County Council LTP3 Policy and AQAP Measure 5.3.7. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be submitted to and approved by the local planning authority prior to the first occupation of the development.

Reason: In the interests of facilitating sustainable development.

16. Details of appropriate cabling and an outside electrical socket to be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking) shall be submitted to and approved by the Local Planning Authority. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational before occupation. The charging point must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building. The approved scheme shall be implemented before the building(s) hereby permitted are first occupied.

Reason: Paragraph 35 of the NPPF states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to [amongst other things] incorporate facilities for charging plug-in and other ultra-low emission vehicles." AQAP Measure 5.2.10

17. Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. Previous reports submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. 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"
2. 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"
3. 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.
4. 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.
5. 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.
6. 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.

18. All of the recommendations relating to glazing, ventilation and the installation of boundary fencing indicated in the noise report shall be implemented as part of the reserved matters application for the residential development.

Informatives

1. In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The authority has helped the applicant resolve technical issues such as:
 - o access and parking provision,
 - o the impact of the development in the street scene,
 - o impact of the development upon amenity of neighbours,
 - o improving the design of the proposed development.

The proposal is therefore considered to deliver a sustainable form of development that complies with development plan policy.

2. The applicant is advised that a Section 106 Agreement is applicable to this application.
3. It is advised that the applicant should be directed to the following document for best practice during construction: Worcestershire Regulatory Services "Code of Best Practice for Demolition and Construction Sites" which can be found on the WRS website at <http://www.worcsregservices.gov.uk/media/448881/WRS-contractor-guidance.pdf>
4. Network Rail informatives.
5. Environment Agency informatives.

Case Officer: Sharron Williams Tel: 01527 534061
Email: sharron.williams@bromsgroveandredditch.gov.uk

Name of Applicant	Proposal	Plan Ref.
C/O Planning Prospects Limited	Erection of 185 dwellings, including details of access, landscaping and open space, drainage and other associated infrastructure. Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett, Worcestershire,	16/1087

This application was deferred at the meeting of Planning Committee on 8 May 2017 at the request of Members for the following reasons:-

Having had regard to all of the information presented, the Committee was of the view that the Section 106 contributions did not reflect the amount of infrastructure required to support the developments and considered that further consultation and information was required in regard to the proposed amounts and distribution before they could make a decision on the matter.

Please note that other issues in relation to this application are included in the Appendix report.

RECOMMENDATION:

- (a) MINDED to APPROVE FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) £11,359.00 as a contribution towards the provision of wheelie bins for the scheme.
 - (ii) £49,700 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill.
 - (iii) £66,267 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park.
 - (iv) £55,222 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general.
 - (v) £47,200 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett.

- (vi) £40,149 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery, and/or Barnt Green Surgery, Hewell Road, Barnt Green.
- (vii) The on-site provision of affordable housing to be maintained as such in perpetuity.
- (viii) The proposed open space provision (informal recreation) included within the application to be provided /implemented on site and managed as such in perpetuity.

Assessment of the Proposal

Policy Relevance

The Longbridge Area Action Plan (LAAP) was adopted in April 2009 and the Bromsgrove District Plan (BDP) was adopted in January 2017. Both these plans are highly relevant to the consideration of planning applications within the Longbridge AAP area. The BDP refers to the LAAP as the detailed policy guidance for the Longbridge area.

The LAAP was initially prepared before the time of the global financial crisis. Although as the plan neared examination and adoption the crisis had taken hold, and the financial outlook for development was beginning to become very different. With this in mind sufficient clauses were inserted into the LAAP to allow for flexibility in proposals where the financial viability became a challenge, some of these challenges still remain today. It was decided not to adjust the plan to rule out all the proposals which might be required to support the development as it was hoped financial viability of development would return. The implication of this is, at the current time not all of the supporting schemes which we hoped to be able to progress as a result of the redevelopment of Longbridge will now be able to be progressed until full viability returns. The BDP also has clauses which allow for flexibly in proposals.

The LAAP remains an important tool in the determination of applications at Longbridge to maintain consistency with the development taking place on the Birmingham element of the site and ensure as much of the LAAP can be delivered. The LAAP should be read alongside the BDP as the development plan for the area.

Planning Obligations

Members will recall that this application was deferred due to the potential S106 obligations and the distribution of the potential contributions.

It is important to establish why a contribution is sought for a development and that it should meet the appropriate planning tests set out in the Community Infrastructure Levy Regulations 2010 which are as follows:-

- Necessary to make the development acceptable in planning terms.
- Directly related to the development.
- Fairly and reasonably related in scale and kind to the development.

Affordable Housing Provision. To ensure that the 37 units for rent and 28 units for shared ownership are provided on site and retained as such in perpetuity.

Proposal H2 of the Longbridge Area Action Plan (LAAP) requires ‘a target of 35% of dwellings to be affordable’. This scheme includes a full provision of 35% of affordable housing, which is necessary to make the development acceptable, is directly related to the development and is fairly and reasonably related in scale and kind to the scheme. The proposal fully complies with requirements set out under Proposal H2 of the LAAP.

Wheelie Bin Provision. Under the Worcestershire County’s Waste Strategy a financial contribution will be sought to cover the provision of wheelie bins for each unit. This is based on £61.40 per dwelling for the provision of a green bin and a grey bin. This is necessary to make the development acceptable, is directly related to the development and is fairly and reasonably related in scale and kind to the scheme.

Contribution towards GP surgeries. The site lies within the practice areas of three Worcestershire GP surgeries (New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery, and/or Barnt Green Surgery, Hewell Road, Barnt Green). All three are fully utilising all of their clinical rooms and would therefore have no capacity to provide services to the cumulative number of residents that will move into the houses planned to be built in their practice area. Therefore, a financial contribution will be sought to be used as a contribution towards an extension to each of the surgeries concerned.

The contribution has been calculated by NHS England as follows:-

Planned number of dwellings	185
Forecast increase in population	444
Average number of consultations per patient per annum	6
Forecast number of consultations per annum	2,664
Consulting room capacity	6,300
Number of consulting rooms required	0.42
Forecast floor area required m ²	6.77
Clinical/non clinical support (excluding circulation)	4.51
Total floor area required m ²	11.28
Forecast outturn costs	£40,149

Following on from the application being deferred from the last meeting, officers have discussed the level of contribution with NHS England who have clarified that the above formula is what they currently use to justify a contribution. They acknowledge that it is not the intention that the above contribution would cover the full cost of a potential extension, but would be a contribution towards the works concerned.

It is important to note that all three surgeries currently have capacity to accept new patients and there are also doctor surgeries closer to the site that are within Birmingham’s administrative area.

Policy BDP.12 of the Bromsgrove District Plan encourages improvements to existing facilities to enable them to adapt to changing needs, ie. increase in occupiers in the area. Therefore, it is considered that seeking a contribution to enhance existing GP facilities nearby to the site would be necessary to make the development acceptable, would be directly related to the development and would be fairly and reasonably related in scale and kind to the development. As mentioned above, the contribution requested is not

intended to cover the cost of an extension to a surgery but be a contribution towards the works.

Open space / informal recreation facilities for this scheme.

As mentioned in the original report for this application, a provision of open space is required for the scale of the development. Members will be aware that under the phase 1 scheme, on site open space has been provided (Arrow Park). Members will be aware that that under the phase 2a scheme, no on site open space facilities were included but a commitment to provide open space facilities on site would come forward under the next phase. This application includes two areas of onsite open space facilities (western open space area and southern open space area) which would comply with Proposal OS.6 of the LAAP and suitably link in with the existing Arrow Park to provide a quality landscaped area suitable for formal and informal recreational use, complying with Proposal OS4b of the LAAP.

However, taking into consideration the total number of units proposed for the East Works site and the existing and proposed provision of onsite open space, there would still be a shortfall of open space facilities. Therefore, a financial contribution to enhance an existing open space facility nearby would be a way of addressing this shortfall. Due to the scale of the development the provision of open space is necessary to make the development acceptable, and is directly and reasonably related in scale and kind to the development.

It is accepted that the site is very close to Cofton Park and as such would be the most obvious site for open space enhancements. However, considerable investment is committed to enhancing Cofton Park as a result of other Longbridge developments.

- Children's playground £220,000 (£120,000 playground + £100,000 maintenance).
- Sports Pavilion, sport pitches and new toilet block- £440,000
- Cofton Park footpath and accessibility improvements - £85,000
- Lickey Hills playground £200,000. As the playground already exists, 100% will be spent on capital works, no maintenance fees.
- Lickey Hills visitor centre toilet refurbishment - £50,000.

Bromsgrove Leisure Services have been consulted on this application and note that whilst there are toddler/junior play area facilities at Cofton Park, there is a lack of teenage/young adult provision. Leisure Services suggested a MUGA facility or a skate facility. However, facility exists at the Youth Factory in the centre of Longbridge. Whilst a skate facility would be welcomed, it would be more appropriate next to the MUGA rather than in Cofton Park. An outdoor fitness facility has also been suggested to address this shortfall and would be a benefit to a wider audience. This would be a facility that would sit well within Cofton Park and is supported by Birmingham Council who manages the park. In addition, enhancements are proposed to existing sports pitches, cricket pitch, as well as access improvements to Cofton Park in general. Officers consider that a contribution to provide this new facility/enhance existing facilities at Cofton Park would address the shortfall of open space and would be in accordance with BDP25 of the BDP which encourages the enhancing of existing sport, recreational and amenity assets and acknowledges that existing facilities be enhanced if it is impractical to provide open space typologies on site.

The LAAP refers to improvements to Lickey Hills as well as Cofton Park. Given that the Lickey Hills are located within Bromsgrove's administration area and is near to the proposed site it is considered appropriate to enhance this 'amenity asset'. It is intended that a contribution will be used to refurbish the Toposcope (the folly) and car park.

Members will be aware that the Lickey Hills and Cofton Park are managed by Birmingham City Council (BCC). It is envisaged that whilst a S106 Agreement will be drafted in respect to this application. A separate 'Agreement' is proposed to be drafted between BDC and BCC such as a Service Level Agreement or Conditions of Grant Aid Agreement. This would be a legal agreement between the two authorities to ensure BCC be reimbursed once work has taken place on the ground. BCC could provide BDC with a copy of reports that include a cost breakdown showing expenditure and funding sources.

Cofton Hackett Enhancements

As there would be a shortfall of open space for the overall scheme, a financial contribution will be sought to provide enhancements to communal facilities in the local area such as improvements to the local allotments and refurbishment of the play area off Chestnut Drive. Improvements to the local car park at Lickey Road as well as incidental works such as planters and benches / cycle signage in and around Cofton Hackett would be included in this contribution. This would be in accordance with policy BDP25 of the BDP which encourages enhancements to existing recreational and amenity assets. As mentioned above, due to the scale of the development the enhancement of existing facilities is necessary to make the development acceptable, is directly related to the development and is fairly and reasonably related in scale and kind to the development.

Other matters

Enhancements to other existing facilities in the area have been suggested. However, as mentioned above they have to meet the appropriate planning tests for them to be justified. In addition, they would need to be supported by the relevant consultee. For instance, members raised concerns in relation to highway matters and a possible contribution to improve perceived highway issues. County Highways consider that a contribution is not justified and that there is no need to provide a further crossing on Groveley Lane. There is already one very close to the site access which is a toucan crossing, and further north on Lowhill Lane (BCC Highway) there is an uncontrolled crossing. The pedestrian desire lines are addressed and as such there is no need to provide any further facility.

In respect to providing a crossing at Hopwood, as referred to under Proposal T13 of the LAAP; there is no relationship between pedestrian movements from the Eastworks site and the desire line to provide a crossing on the A441 in Hopwood. Therefore whether there is a need for a crossing at this location or not, a contribution would not meet the planning tests referred to above and therefore cannot be delivered as part of this application.

Officers are aware that Cofton Hackett Parish Council have requested contributions to cover the fitting out of the village hall and also improvements to access points on Barnt Green Road. However, this would not meet the planning tests as set out above, and therefore cannot be delivered as part of this application.

The applicant is agreeable to the heads of terms and a S106 Agreement is in the process of being drafted.

Conclusion

The principle of residential development is considered to be acceptable and whilst there may be an overall shortfall of housing on the East Works site, this shortfall is unlikely to have a detrimental impact on the anticipated housing target set for Longbridge overall. The proposal would not conflict with the Proposals set out in the LAAP, and complies with policies the adopted Bromsgrove District Plan. The principle of residential development would also be compliant with the NPPF.

RECOMMENDATION:

- (a) MINDED to APPROVE FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) £11,359.00 as a contribution towards the provision of wheelie bins for the scheme.
 - (ii) £49,700 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill.
 - (iii) £66,267 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park.
 - (iv) £55,222 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general.
 - (v) £47,200 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett.
 - (vi) £40,149 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery, and/or Barnt Green Surgery, Hewell Road, Barnt Green.
 - (vii) The on-site provision of affordable housing to be maintained as such in perpetuity.
 - (viii) The proposed open space provision (informal recreation) included within the application site to be provided /implemented on site and managed as such in perpetuity.

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 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 Approved Plans/ Drawings/ Documents listed in this notice: (to be finalised)

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 of the dwellings approved shall be carried out in accordance with Dwg. No. - Materials Plan.

Reason: To protect the visual amenity of the area.

4. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

5. Development shall not begin 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, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

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

6. The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access.

7. The landscaping scheme including proposed fencing, screen walls etc. shown on Dwg. No.s (to be defined) shall be implemented within 12 months from the date when any of the building(s) hereby permitted are first occupied or in accordance with a phased implementation plan to be agreed in writing with the Local Planning Authority. 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.

8. All trees to be retained within the development are afforded full protection in accordance with BS5837:2012 throughout any ground or construction works on site.

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

9. Any encroachment into the BS5837:2012 Root Protection Areas of any of the retained tree stock within the development is constructed with No Dig Construction in conjunction with a porous surface material to allow air/moisture exchange to the rooting environments of the trees on site.

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

10. Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. Previous reports submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. 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"
2. 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"
3. 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.

4. 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.
5. 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.
6. 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.

11. No works or development shall take place until a scheme for foul and surface water drainage, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a construction management plan. The plan shall include
 - (a) areas within the site to be used for loading, unloading and manoeuvring,
 - (b) areas within the site to be used for storage of materials and equipment including fuels,
 - (c) wheel washing at the site and leaving the site to reduce mud and spoil on the highway,
 - (d) proposals to minimise dust from construction
 - (e) construction noise suppression,

- (f) areas within the site to be used for parking for site personnel, operatives and visitors
- (g) construction traffic routes,
- (h) piling techniques,
- (i) programme of works (including measures for traffic management and operating hours),
- (j) provision of boundary hoarding and lighting. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of adjacent occupiers.

13. Recommendations and noise mitigation measures (applicable to each plot) set out in the Noise Report shall be implemented prior to the first occupation of that dwelling and retained as such in perpetuity.

Reason:- In the interests of amenities for the potential occupiers.

14. Recommendations and mitigation and enhancement actions stated in the Longbridge East Ecological Assessment for Phase 2b by Alder shall be implemented.

Reason:- In the interests of ecology in the local area.

15. Details of appropriate cabling and an outside electrical socket to be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking) shall be submitted to and approved by the Local Planning Authority. The charging point must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building. The approved scheme shall be implemented before the building(s) hereby permitted are first occupied.

Reason: Paragraph 35 of the NPPF states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to [amongst other things] incorporate facilities for charging plug-in and other ultra-low emission vehicles." AQAP Measure 5.2.10

Informatives

1. The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with applicants in a positive and proactive manner, seeking solutions to problems arising from applications.

In this case the applicant:

- o sought detailed pre-application advice from the authority and acted upon this advice in advance of the application submission

The proposal therefore delivers a policy compliant sustainable form of development.

2. The applicant is advised that a Section 106 Agreement is applicable to this application.
3. It is advised that the applicant should be directed to the following document for best practice during construction: Worcestershire Regulatory Services "Code of Best Practice for Demolition and Construction Sites" which can be found on the WRS website at <http://www.worcsregservices.gov.uk/media/448881/WRS-contractor-guidance.pdf>
4. Network Rail informatives.
5. Environment Agency informatives

Case Officer: Sharron Williams Tel: 01527 534061
Email: sharron.williams@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Plan Ref.
C/O Planning Prospects Limited	Erection of 185 dwellings, including details of access, landscaping and open space, drainage and other associated infrastructure. Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett, Worcestershire,	16/1087

This application was deferred at the meeting of Planning Committee on 3 April 2017 at the request of Members in order to address:-

- **the current relevance of the Longbridge Area Action Plan (LAAP);**
- **a lack of Section 106 contributions to directly benefit the local area generally in terms of amenities,**
- **education and health provision;**
- **the wider impact of the development on the local highway infrastructure;**
- **and the shortfall of housing provision agreed in the LAAP.**

RECOMMENDATION:

- (a) MINDED to APPROVE FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) £11,359.00 as a contribution towards the provision of wheelie bins for the scheme.
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 - (vi) £40,149 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery, and/or Barnt Green Surgery, Hewell Road, Barnt Green.

- (vii) The on-site provision of affordable housing to be maintained as such in perpetuity.
- (viii) The proposed open space provision (informal recreation) included within the application to be provided /implemented on site and managed as such in perpetuity.

Consultations

Highways Department- Worcestershire County Council

Recommend conditions and confirm that a financial contribution towards highway improvements will not be required.

Following the committee meeting of 3rd April 2017 Worcestershire County Council was asked to review the impact of the development on the local road network, and with particular reference to the Primary access onto Groveley Lane.

The access onto Groveley Lane was established from application 11/0750 which provided for up to 229 dwellings, this application was supported by a transport assessment which looked at the impact of the first phase of development and the full build out. The current application has undertaken a similar exercise of reviewing the access based on a phased and total development. This shows that the junction operates well within its capacity and queue length and delay are not excessive. In practice residents will depart based on their personal circumstances which could result in short term queuing, but this would be a short term matter and would be contained within the new road i.e. not impacting on Groveley Lane which is the key route. There is no safety concern as a result of short term queuing within the new development. The junction was designed in accordance with the Design Manual for Roads and Bridges and consequently provides a high capacity junction arrangement.

The Groveley Lane traffic calming scheme which has recently been installed terminates at the junction of Parsonage Drive and it was suggested that it should have embraced the new East works access. Groveley Lane is characterised by residential development on one side from Barnt Green Road to Parsonage Drive. At Parsonage Drive there are commercial premises and the road widens to resemble a distributor road which has not individual frontage access. The traffic calming proposal was orientated around the provision on a crossing on the brow of the hill, so with that in mind, the finite financial arrangements and the change of road character it was not deemed suitable to extend the scheme any further.

The Highway Authority remains satisfied that the access arrangements for the East Works site are suitable and operate within the capacity thresholds. The access has been considered with a full site build out and has been demonstrated to be an appropriate design solution.

Worcester Regulatory Services- Contaminated Land

Worcestershire Regulatory Services (WRS) have reviewed the document entitled 'Residential Phase 2 Longbridge East Geo-Environmental Overview', produced by Rodgers Leask Environmental, dated 10th November 2016, report reference P15-497.

This report provides a summary of site conditions based on the findings of previous site investigations and remediation undertaken so far. Given the findings of the report and conditions on site WRS recommend conditions in order that further site investigation is

conducted as required and a detailed remedial strategy developed to address potential risks from contamination.

Worcester Regulatory Services- Noise, Dust, Odour & Burning

WRS has reviewed the report Noise Assessment by Hoare Lea Acoustics (Hoare Lea Acoustics Report REP-1006380-PJ-280616 - Longbridge Phase 2B rev 2 31/10/2016) The report appears to be technically sound and WRS has no further comments regarding noise

Worcester Regulatory Services- Air Quality

We have reviewed the submitted technical note for a clean cover thickness and sampling strategy for the above site entitled "Strategy for Clean Cover and Imported Subsoil - Longbridge Phase 2B - 19/01/2017" and the report entitled " Residential Phase 2 - Longbridge East - Geo-environmental Overview - Dated 10/11/16".

Both reports are acceptable and we have no adverse comments to make in respect of the reports and recommendations.

Landscape & Tree Officer

Following a site meeting and negotiations in respect to new tree planting, have no objections to the proposed development subject to conditions.

Strategic Housing

Satisfied with the numbers, tenure split and the distribution of the affordable housing within the scheme.

Waste Management

No comments submitted.

Drainage Engineers Internal Planning Consultation

The development site is located in the River Arrow catchment which is a tributary of the Avon. The whole of the site is classified as flood zone 1 by the national Environment Agency fluvial flood mapping, and it is not considered that there is any significant fluvial flood risk to the site. Specifically the site is drained directly by the upper part of the River Arrow, this section of the river has been disconnected from the main River Arrow channel and its flow discharges directly to the SSSI of Upper Bittell Reservoir. It is important therefore that the water quality of runoff is considered as part of the application.

Given the size of the development the impact off site is more considerable than on it from a flooding perspective. Further details are required to demonstrate that the sites runoff will be suitably restricted at the typical storm return periods. This detail should be provided to the LPA as part of the condition.

Birmingham City Council

Recommend a S106 contribution to open space in Bromsgrove, in particular improvements to footpaths surrounding the area and improvements to Lickey Hills Country Park and Cofton Park.

Historic England

Do not object to the principle of the proposed development, but mindful of the potential impact on the cluster of heritage assets that lies to the south. These include the highly-graded Church of St Michael and Cofton Hall, both Grade II* listed, and the Grade II listed barn and stables which line Cofton Church Lane. A new pedestrian and cycle access is proposed from the development through the southern hedge boundary opposite the church and new sightlines are proposed from the development onto this cluster. The new path is proposed to be 3.5 metres wide and seems excessive. Recommend that the Council's expert conservation staff assess this impact to ascertain whether it is harmful to the heritage assets or not, and whether mitigation would reduce the harm.

Conservation Officer

Would consider that the development of this site has the potential to alter the setting of the listed Church, and as a result harm the significance of this heritage asset. Consider that partial views of this housing estate would bring the suburbs of Birmingham into the setting of the Church, and would clearly detract from the rural surroundings.

However, potential views of the site could be reduced by enhancing the planting at this end of the site. Although would not normally advocate planting trees to hide development, given the heavily treed boundary already in existence, it is considered that reinforced planting could screen out views of the housing.

Strategic Planning

The principle of the proposed development has long been established through the production of the Longbridge Area Action Plan (LAAP), the proposals put forward largely accord with the requirements set down in the LAAP. Subject to appropriate planning obligations being secured in line with those identified in the planning statement including 35% affordable housing, the residential use and the density of the proposed dwellings on this element of the site are acceptable. No objection to the scheme.

In respect to the open space areas, the open space to the west of the site is not part of the LAAP boundary. At the time of the LAAP production this area was not considered to be suitable to allocate as open space as it would only perform a limited function. Proposals submitted appear to open the area up to a limited degree, which is welcomed; however, it is very important that an appropriate contribution is made to local open space / leisure facilities such as Cofton Park or the Lickey Hills to address the open space /leisure provision for the scheme.

Cofton Hackett Parish Council

No objections to the scheme but following a spate of burglaries on the phase 1 scheme would request improved levels of security.

Additional comments received on 24 May 2017, requests village hall equipment and allotment and play area enhancements, and improvements from Barnt Green Road to the Lickey woods.

Health & Safety Executive

No comments submitted.

West Mercia Constabulary

No objections to the above application.

Joe Holyoak

The proposal acceptably follows similar principles approved for earlier phases of development. The fundamental elements of the proposal are sound and should achieve a good result.

Severn Trent Water

No objections to the proposals subject to the inclusion of a drainage condition.

Network Rail

Recommend informatives.

Parks & Green Space Development Officer Martin Lewis

Recommendations and mitigation and enhancement actions stated in the Longbridge East Ecological Assessment for Phase 2b by Alder should be conditioned to ensure that no net loss of biodiversity and a net gain is achieved on site.

Leisure Services

Can confirm that there is a provision of new pavilion and some evidence of improvements to play at Cofton Park. Note that there is a scheduled investment into additional footpath and accessibility routes which will improve inclusivity of the park for all users within this expanding community.

There is a toddler/junior play area with additional elements such as single cable way (zipwire), climbing net and spinner, however the majority of the play space appears to be aimed at toddlers and junior age ranges with an under provision for teenagers. It is also noted within the LAAP (Longbridge Area Action Plan) 2008 baseline study identified that there is a lack of provision for children and young adults such as skate, MUGA or Youth shelter

The locality of Cofton Park within the catchment area of the new development and recommended standards for walking distances for play, would make this large 135 acre park an ideal public open space to provide new facilities to meet the lack of existing teenage/young adult provision, such as skate (perhaps concrete provision for sustainability and longevity)/MUGA or similar as well as potential consideration to include outdoor fitness to encourage the increase in demand of active fitness and support health and wellbeing.

In addition to the above open space there is play and open space provision at Myhill Fields managed by the Parish Council, aimed at younger children and is separated from new development at Longbridge by roads as well as toddler/junior play provided as part of an onsite provision of Longbridge East Development.

Worcestershire Rights of Way

Welcome proposed footpath links from the site to the surrounding footpath network and confirm that a financial contribution is not required to resurface the bridleway, The Stocken.

NHS England

The site of the proposed development lies within the practice areas of three Worcestershire GP surgeries. All three are fully utilising all of their clinical rooms and would therefore have no capacity to provide services to the cumulative number of residents that will move into the houses planned to be built in their practice area. Therefore, would request a financial contribution for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery, and/or Barnt Green Surgery, Hewell Road, Barnt Green.

Public Consultation

6 objection letters raising concerns summarised as follows:-

- Increased traffic will be off East Works Drive, currently delays leaving junction at present.
- Concern in respect to continued use of existing showhome and associated car parking for the development of phase 2.
- Concern in respect to Shadow Close being used as a visitor access throughout the development of phase 2.
- Concern in respect to Shadow Close being used as an alternative route for construction development throughout the phase 2 developments.
- Do not object to the scheme but concerns in respect to traffic and impact of additional children to the area using local school – oversubscribed.
- Hours of work during construction.

1 letter of support from the local vicar for the area:-

- Consider a slight reduction in the density of the development is appropriate and will make it more fitting to its suburban surroundings.

Relevant Policies

Bromsgrove District Plan 2011-2030

BDP1	Sustainable Development Principles
BDP2	Settlement Hierarchy
BDP3	Future Housing and Employment Development
BDP6	Infrastructure Contributions
BDP7	Housing Mix and Density
BDP12	Sustainable Communities
BDP19	High Quality Design
BDP21	Natural Environment
BDP24	Green Infrastructure
BDP25	Health and Well Being

Others:

	Longbridge Area Action Plan
SPG1	Residential Design Guide
SPG11	Outdoor Play Space
	Worcestershire Waste Strategy
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

Relevant Planning History

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

Approved 18.03.09

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).

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, site re-profiling, access, parking, landscaping and associated development infrastructure (outline).
Undetermined

11/0750 Erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works (full application).
Approved 2 Nov 2012

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 Nov 2012

12/0160 Re-profiling and re-modelling of site levels, deculverting of part of the River Arrow and associated infrastructure including construction access
Approved 23 April 2012

14/0239 Deletion of condition 27 attached to 11/0750 in respect of timing for delivery and nature of off-site highway works to Groveley Lane.
Approved 8 April 2015

15/0819 Erection of 41 dwellings, landscaping and associated development infrastructure
Approved 9 Feb 2016

16/1085 Hybrid application Outline application for up to 150 dwellings and full planning permission for community centre
To be determined

Proposal Description

The application is phase 2b of the overall redevelopment of Longbridge East. The scheme comprises of the following mix of development:-

Open market housing

5 No. 2 bed dwellings
26 No. 3 bed dwellings
77 No. 4 bed dwellings
12 No. 5 bed dwellings

Affordable housing (rent)

4 No. 1 bed maisonettes
20 No. 2 bed dwellings
7 No. 3 bed dwellings
6 No. 4 bed dwellings

Affordable housing (shared ownership)

16 No. 2 bed dwellings
12 No. 3 bed dwellings

The proposed layout shows vehicular access off Groveley Lane through the recently built phase 1 development continuing off East Works Drive to create an access that will form a circular route with culs de sac off it. In curtilage car parking would be provided for most of the units, however, the dwellings backing onto the railway line would have communal car parking at the rear similar to that already approved under phase 1 and 2a.

The designs of the dwellings are varied and are similar to those currently under construction as part of phase 2a. The units are a mix of 2 and 3 storey and would be in a variety of materials / colours to add interest to the streetscene, such as brick, render, and composite timber cladding.

Two informal open space areas are also included within this application. An existing tree planted area to the west of the site would become an informal walking area, some of the trees would be removed in order to open up this area to create an informal grassed circular route, and a formal aggregate footpath would provide a link to The Stocken bridleway which is beyond the application site. A larger open space area would be provided to the south of the site and would have new tree planting as well as some informal play facilities such as boulders for low level climbing and informal seating as well as horizontal timber stepping logs. A wide footpath (suitable for cyclists) would meander through this open space and finish at Cofton Church Lane.

Site Description

The site forms part of the former MG Rover Works known as Powertrain. A considerable amount of remediation work has taken place in this area in order to make the site suitable for residential development. Mature and substantial tree planting exists along the western and southern boundaries of the site.

Assessment of Proposal

Principle

The site is designated for housing in the Longbridge Area Action Plan (LAAP) which is part of the Development Plan for Bromsgrove District and specifically applies to the Longbridge area. Members will be aware that the LAAP is a shared document with Birmingham City Council. It is the starting point for decisions and any development in this area should be determined in accordance with this plan unless material considerations indicate otherwise.

Proposal H2 of the LAAP applies and requires a minimum of 700 dwellings to be provided on the East Works site providing a mix of sizes, types and tenures. This scheme has a

good mix of sized dwellings, however, it is unlikely that the minimum requirement of 700 units will be achieved overall in this location based on the numbers currently proposed:-

East Works site

Phase 1 scheme	= 229 dwellings	(already built)
Phase 2a scheme	= 41 dwellings	(under construction)
Phase 2b scheme	= 185 dwellings	(Ref: 16/1087 this application)
Phase 3 scheme	= 150 dwellings	(Ref: 16/1085 to be determined)
Total	= 605 dwellings	(shortfall 95 dwellings)

Overall the LAAP requires a minimum target of 1450 dwellings in Longbridge. Officers at Birmingham City Council have confirmed in their SHLAA (2016) that 965 units have been built or have permission. Based on current findings it is anticipated in the LAAP Review (draft) that a total of approximately 1960 dwellings will be provided within the area. Therefore, whilst a shortfall on the East Works site is likely, the overall delivery of housing is expected to be significantly more than the 1450 originally envisaged in the LAAP. Birmingham City Council has not raised concerns / objections in respect to the proposed provision of housing on the East Works site.

Proposal H2 requires that an overall density of 40 - 50 dwellings per hectare be achieved. There is an aspiration that the northern part of the East Works site be developed at a higher density which in turn allows for the southern part of the site to be developed at a lower density, where the impact of development would be greater adjacent to rural surroundings. The density of this scheme (phase 2b) falls within a range of 30 - 40 dwellings per hectare. This is comparable to that of phase 1 which falls within a range of 30 - 45 dwellings per hectare.

Proposal H2 of the LAAP requires 35% of dwellings to be affordable. The scheme includes this provision with a good mix of bedroom types and tenure (affordable rent 37 units / shared ownership tenure 28 units). The affordable housing is proposed to be located in small clusters interspersed with the open market housing. Strategic Housing is satisfied with the number of units, the positioning of, and mix of units proposed. Affordable housing provision sought under Proposal H2 of the LAAP is more than what would generally be sought under policy BDP8 of the Bromsgrove District Plan (BDP) (30% on a brownfield site). It is considered that the affordable housing element of the scheme is acceptable and would form part of the S106 Agreement.

Policy BDP2 of the Bromsgrove District Plan encourages the delivery of housing on previously developed land. This site was formerly part of the MG Rover Works; therefore redevelopment of this site for housing would comply with this policy. Policy BDP1 of the adopted plan encourages sustainable development with emphasis on accessibility of public transport options, compatibility with adjoining uses, visual amenity, quality of natural environment, and economic benefits for the District. The site is close to good public transport links and is within an area that is currently being regenerated to create improved local facilities / job opportunities as well as enhancing / creating new open space facilities. It is considered that the scheme would comply with this policy, as well as core planning principles set out in the NPPF.

The overall scheme accords with paragraph 50 of the NPPF that encourages a wide choice of high quality homes, wider opportunities for home ownership and create

sustainable, inclusive and mixed communities. The principle of residential development would comply with the NPPF, the LAAP, adopted District Plan and is considered to be acceptable.

Highways and access

The layout shows a continuation of existing access roads from phase 1 into the application site creating an overall loop with culs-de-sac off the loop. Objections have been made in respect to the continuation of the loop, and the number of units being served off East Works Drive.

Worcestershire Highways consider the number of units served off this road to be acceptable and recommend conditions. The access arrangements for the East Works site overall have been designed and built with the anticipation that 700 units and communal facilities would be served off this access road. Given that there is likely to be a shortfall of 95 units on site means that the access arrangements for the scheme would not be at capacity. Highway improvements have been carried out in the local vicinity as a result of a financial contribution paid under phase 1. Worcestershire Highways are not seeking any further contributions as result of these subsequent phases.

The general redevelopment of the Longbridge area has enabled investment in sustainable travel with contributions going towards Centro Park and Ride and improvements to Longbridge Railway Station. Improved facilities in public transport are giving new occupiers more choice, and less reliance on their own car. In addition, wider strategic highway improvements have also been part of the Longbridge redevelopment works such as traffic lights at the junction of Lowhill Lane and Lickey Road as well as other improvements to the A38.

Layout and Scale

The layout comprises of a combination of 2 and 3 storey dwellings. A number of the house types have dual aspect particularly those located on corner locations in order to enhance the streetscene.

Whilst the layout generally complies with the spacing requirements set out in the Bromsgrove District Council Residential Design Guide SPG, there is a shortfall of some of the units that are at oblique views to each other. The minimum spacing required is 21 m, however, the spacing of some of the units in this phase is 15 m. Whilst this is quite a shortfall, the same distance has been provided for dwellings under phase 1 (Shadow Close) and phase 2a (currently under construction). Having walked the phase 1 area where this shortfall exists, it is considered that the overall spacing does not give rise to uncomfortable / intimidating surroundings. On balance, the spacing provided is acceptable on this occasion and is unlikely to be detrimental to the amenities of the potential occupiers.

Open Space Provision

As mentioned above there are two areas of open space proposed within the scheme. Whilst the provision of on-site open space is welcomed and considered to be acceptable, there would still be a shortfall for the number of houses being built at the East Works site. As such a financial contribution is sought towards enhancing existing amenity assets nearby, Lickey Hills and Cofton park to address the shortfall of required open space facilities. Community infrastructure would also be enhanced such as the local allotments and refurbishing of a play area off Chestnut Drive that would be accessible to the new

residents via the new footpath link. This would be in line with policy BDP.25 of the District Plan, and Proposal H2 of the LAAP. The open space areas to be provided as part of the scheme shall be privately managed and form part of a S106 Agreement.

Comments submitted by the Conservation Advisor express concern in respect to the potential impact the development could have on the listed church off Cofton Church Lane. Other comments submitted refer to the footpath link that would lead from the south of the site to Cofton Church Lane. Although this footpath is wide (to serve cyclists as well as walkers), it does meander through the open space area and as such enables the opportunity for new trees to be planted to increase screening of the development. It is important for the footpath link to be provided to enable occupiers to have easy access to the surrounding countryside and beyond.

Noise and contaminated land

WRS has been consulted and do not raise any concerns in respect to the scheme and recommend conditions / informatives.

Neighbour objections

Objections mainly relate to the number of dwellings being served off East Works Drive. This has been addressed above. Concern has been raised in respect to the number of dwellings being built that would lead to additional children using the local schools. Members will be aware that under the phase 1 development (11/0750) a financial contribution was paid to the Education Authority to provide improved education facilities at Lickey Hills Primary School. The contribution was to meet the expected requirement for school places from the development as a whole. Since phase 1 the Education Authority has not requested any further monies following the submission of subsequent applications. Therefore, it can be assumed that no further contributions are deemed necessary.

Other comments submitted relate to construction and general visitor traffic using alternative routes to the site and causing disturbance to existing residents living in the phase 1 scheme. A construction management condition could be imposed to clarify these matters.

Planning Obligations

Please refer to the Committee report and Update report dated 5 June 2017.

Conclusion

The principle of residential development is considered to be acceptable and whilst there may be an overall shortfall of housing on the East Works site, this shortfall is unlikely to have a detrimental impact on the anticipated housing target set for Longbridge overall. The proposal would not conflict with the Proposals set out in the LAAP, and complies with policies the adopted Bromsgrove District Plan. The principle of residential development would also be compliant with the NPPF.

Despite one element of the development not fully complying with the Council's SPG on Residential Design, on balance, the layout of the proposal is considered to be acceptable and would otherwise comply with the Council's Residential Design Guide.

RECOMMENDATION:

- (a) MINDED to APPROVE FULL PLANNING PERMISSION
- (b) DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) £11,359.00 as a contribution towards the provision of wheelie bins for the scheme.
 - (ii) £49,700 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill.
 - (iii) £66,267 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park.
 - (iv) £55,222 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general.
 - (v) £47,200 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett.
 - (vi) £40,149 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery, and/or Barnt Green Surgery, Hewell Road, Barnt Green.
 - (vii) The on-site provision of affordable housing to be maintained as such in perpetuity.
 - (viii) The proposed open space provision (informal recreation) included within the application site to be provided /implemented on site and managed as such in perpetuity.

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 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 Approved Plans/ Drawings/ Documents listed in this notice: (to be finalised)

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 of the dwellings approved shall be carried out in accordance with Dwg. No. - Materials Plan.

Reason: To protect the visual amenity of the area.

4. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

5. Development shall not begin 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, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

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

6. The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access.

7. The landscaping scheme including proposed fencing, screen walls etc. shown on Dwg. No.s (to be defined) shall be implemented within 12 months from the date when any of the building(s) hereby permitted are first occupied or in accordance with a phased implementation plan to be agreed in writing with the Local Planning Authority. 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.

8. All trees to be retained within the development are afforded full protection in accordance with BS5837:2012 throughout any ground or construction works on site.

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

9. Any encroachment into the BS5837:2012 Root Protection Areas of any of the retained tree stock within the development is constructed with No Dig Construction in conjunction with a porous surface material to allow air/moisture exchange to the rooting environments of the trees on site.

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

10. Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:
 1. Previous reports submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. 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"
 2. 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"
 3. 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.
 4. 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.
 5. 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.
 6. 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.

- 11.No works or development shall take place until a scheme for foul and surface water drainage, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 12.No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a construction management plan. The plan shall include
 - (a) areas within the site to be used for loading, unloading and manoeuvring,
 - (b) areas within the site to be used for storage of materials and equipment including fuels,
 - (c) wheel washing at the site and leaving the site to reduce mud and spoil on the highway,
 - (d) proposals to minimise dust from construction
 - (e) construction noise suppression,
 - (f) areas within the site to be used for parking for site personnel, operatives and visitors
 - (g) construction traffic routes,
 - (h) piling techniques,
 - (i) programme of works (including measures for traffic management and operating hours),
 - (j) provision of boundary hoarding and lighting. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users or result in any other significant harm to the amenity of adjacent occupiers.

- 13.Recommendations and noise mitigation measures (applicable to each plot) set out in the Noise Report shall be implemented prior to the first occupation of that dwelling and retained as such in perpetuity.

Reason:- In the interests of amenities for the potential occupiers.

- 14.Recommendations and mitigation and enhancement actions stated in the Longbridge East Ecological Assessment for Phase 2b by Alder shall be implemented.

Reason:- In the interests of ecology in the local area.

15. Details of appropriate cabling and an outside electrical socket to be supplied for each property to enable ease of installation of an electric vehicle charging point (houses with dedicated parking) shall be submitted to and approved by the Local Planning Authority. The charging point must comply with BS7671. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building. The approved scheme shall be implemented before the building(s) hereby permitted are first occupied.

Reason: Paragraph 35 of the NPPF states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to [amongst other things] incorporate facilities for charging plug-in and other ultra-low emission vehicles." AQAP Measure 5.2.10

Informatives

1. The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with applicants in a positive and proactive manner, seeking solutions to problems arising from applications.

In this case the applicant:

- o sought detailed pre-application advice from the authority and acted upon this advice in advance of the application submission

The proposal therefore delivers a policy compliant sustainable form of development.

2. The applicant is advised that a Section 106 Agreement is applicable to this application.
3. It is advised that the applicant should be directed to the following document for best practice during construction: Worcestershire Regulatory Services "Code of Best Practice for Demolition and Construction Sites" which can be found on the WRS website at <http://www.worcsregservices.gov.uk/media/448881/WRS-contractor-guidance.pdf>
4. Network Rail informatives.
5. Environment Agency informatives

Case Officer: Sharron Williams Tel: 01527 534061
Email: sharron.williams@bromsgroveandredditch.gov.uk

Agenda Item 9

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Gary Bathurst	Replacement of flat roof with pitched roof on outbuilding. Extension to front to create corridor and conversion of outbuilding from garage and store to ancillary residential accommodation Little Paddocks, Warbage Lane, Dodford, Bromsgrove, Worcestershire B61 9BH	12.05.2017	17/0220

RECOMMENDATION: That planning permission be Granted

Councillor May has requested this application is considered by the Planning Committee rather than under delegated powers.

Consultations

Dodford With Grafton Parish Council Consulted 12.04.2017

Dodford with Grafton Parish Council strongly object as this would be inappropriate development in the Green Belt and as this building can be seen from the road, the Parish Council feel that the pitched roof will be more obtrusive than a flat roof

Conservation Officer Consulted 12.04.2017

No conservation comments.

Arboricultural Officer Consulted 12.04.2017

No objection subject to conditions

Publicity

Site notice posted 13.04.2017 and expired 04.05.17

1 neighbour notification letter sent 12.04.2017 and expired 03.05.2017

Press notice for conservation area published in Bromsgrove Standard on 28.04.2017 and expired 12.05.2017

No representations received in response to the above.

Councillor Karen May – requested this application is considered by the Planning Committee due to the level of public concern.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP15 Rural Renaissance

BDP19 High Quality Design

Plan reference

BDP20 Managing the Historic Environment
BDP21 Natural Environment

Others

SPG4 Conversion of Rural Buildings
SPG1 Residential Design Guide
NPPF National Planning Policy Framework

Relevant Planning History

B/15181/1987	Conversion of stable to dwelling on service unit (Outline)	Refused	22.06.1987
17/0040	Demolition of front porch, rear single-storey extension and porch; erection of new front porch and single storey rear extension; conversion of attic space to form an additional bedroom and bathroom, and works to the rear roof slope to form a roof terrace; new external wall finishes to existing walls comprising render on ground floor walls and cement-fibre weatherboard cladding on first floor walls	Approved	15.03.2017

Assessment of Proposal

The application site is located in the designated Green Belt and is opposite the Dodford Conservation Area. It comprises the main dwelling house, Little Paddocks, and two buildings.

The proposal is to replace the flat roof of the building which comprises a garage and old stable with a pitched roof, along with a narrow extension to the front to infill the existing 'L-shape'. These works are to improve the appearance of the building and to facilitate its conversion into ancillary residential accommodation.

At the current time, the LPA does not possess any evidence to dispute that the land outlined in red and the subject of this application has been in residential use in excess of 10 years. Aerial photography confirms that the buildings have been in existence in excess of 10 years and the land to the south west of the building has been maintained for this period too.

Paragraph 89 of the NPPF states that in the Green Belt a proposed addition to a building would only be considered appropriate development if it were to be proportionate to the original building. Paragraph 90 of the NPPF goes on to state that the re-use of buildings of a permanent and substantial construction can also be considered as an appropriate form of development, provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Policies BDP4 and BDP15 of the Bromsgrove District Plan are in accordance with the NPPF.

The proposed works would result in an approximate increase in volume of 55.1%. The increase in the height and bulk of the roof would harm the openness of the Green Belt to a degree. As such, the extension and roof would constitute a disproportionate addition and result in harm to the openness, failing to comply with either of the Green Belt bullet point exceptions to which it could be considered. The proposal would therefore be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved unless very special circumstances exist.

Consideration must be given to the permitted development fallback position for Class E outbuildings within the curtilage of a dwellinghouse. Whilst the proposed extension and roof alteration are to facilitate the conversion of the building to ancillary living accommodation thus requiring planning permission, it is acknowledged that the outbuilding could be extended (or even rebuilt) to the proposed height of 2.3metres at eaves level and 4 metres overall height if it remained incidental to the enjoyment of the dwellinghouse. Interior works to convert an existing building within the domestic curtilage of a dwelling into ancillary residential accommodation would not in itself constitute development under Section 55 of the Town and Country Planning Act 1990. This means that the building could be extended or rebuilt for a purpose incidental to the dwellinghouse but be converted internally at a later date into ancillary living accommodation without requiring permission.

The alterations to the windows and doors of the existing building would constitute permitted development under Part 1, Class E of the Town and Country Planning General Permitted Development Order 2015 (As amended).

On the basis of the above it is felt that the strong permitted development fallback would constitute a very special circumstance exist so as to clearly outweigh the harm caused to the Green Belt.

The Parish Council have raised an objection in respect of the pitched roof being inappropriate development in the Green Belt and obtrusive in the streetscene, however, the Conservation Officer has raised no objection and as per the above, there is a strong permitted development fallback position when considering the harm to the Green Belt and the character of the building and area.

In respect of design, it is considered that the refurbishment of the building and the improvement to the flat roof appearance would be an enhancement to the local area and would be rendered so as to be in keeping with the recently approved alterations to the main dwellinghouse and the surrounding dwellings of the conservation area. The proposal would not give rise to any residential amenity concerns.

The Tree Officer has raised no objection subject to conditions.

The development would therefore comply with policies BDP1, BDP19 and BDP20 of the Bromsgrove District Plan.

In conclusion, on the basis of the above the Council considers that very special circumstances exist which would outweigh the harm to the Green Belt and the development would comply with the policies within the District Plan and the NPPF.

RECOMMENDATION: That planning permission be Granted

Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the Materials specified in Question X of the Application Form and the Approved Plans/ Drawings listed in this notice:

Location Plan

Plans and Elevations as Proposed drawing no. 1915/04C received 12.04.2017

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

- 3) The walls shall be rendered in an off-white colour and the tiles shall be of a similar appearance to those used in the main roof of the existing dwelling. The door shall be timber and the windows grey PVCu to match those in the existing dwellinghouse.

Reason: To protect the visual amenity of the area in accordance with policy BDP1, BDP19 and BDP20 of the Bromsgrove District Plan.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Class E shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the openness of the Green Belt in accordance with the policies contained within the Bromsgrove District Plan.

- 5) Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the Oak tree adjacent to the development hereby permitted shall be protected with fencing around its Root Protection Area. This fencing shall be constructed as detailed in Figure 2 and positioned in accordance with Section 4.6 of British Standard BS5837:2012 and shall be maintained as erected until all development has been completed.

Reason: In order to protect the trees, hedges & landscape features which form an important part of the amenity of the site and adjacent properties in accordance with policies BDP1, BDP19, BDP21 & BDP22 of the Bromsgrove District Plan 2011 - 2030.

- 6) No works of any kind shall be permitted within or through the Root Protection Areas of the adjacent Oak tree without the prior specific written permission of the Local Planning Authority. This specifically includes any works such as changes in ground levels, installation of equipment or utility services, the passage or use of machinery, the storage, burning or disposal of materials or waste or the washing out of mixing or fuel tanks.

Reason: In order to protect the tree which forms an important part of the amenity of the site and adjacent properties in accordance with policies BDP1, BDP19, BDP21 & BDP22 of the Bromsgrove District Plan 2011 - 2030.

- 7) Any external lighting to be incorporated into the development hereby permitted shall be lowpowered (i.e. lux level of 3 or less), downward-pointing and/or mounted at a low level to minimise the level of impact from lighting on bats.

Reason: To avoid disturbance to protected species in accordance with paragraph 125 of the NPPF

Informatives

- 1) The applicant is advised to be aware of their obligations under the Wildlife & Countryside Act 1981 (as amended by the Countryside & Rights of Way Act 2000) to avoid disturbance of nesting wild birds and protected species such as bats when carrying out these works. If anything is found then works must stop until an Ecologist has been consulted.

The best types of lighting for use are narrow spectrum lights with no UV content, warm white LED or low pressure sodium.

- 2) In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Case Officer: Laura Russ Tel: 01527 534122
Email: l.russ@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr and Mrs Mahony	Two storey side extension 17 Orchard Croft, Barnt Green, Birmingham, Worcestershire, B45 8NH	06.06.2017	17/0243

RECOMMENDATION: That planning permission be Granted

Councillor Hotham has requested that this application be considered by Planning Committee rather than being determined under delegated powers

Consultations

Barnt Green Parish Council Consulted 20.04.2017

The Parish Council recommend refusal of the application due to the excessive increase in size and additional bulk of the proposals which will have an overbearing effect on the neighbouring property at 18 Orchard Croft. The proposal is out of character with the surroundings and due to its unusual siting the rear of the property is adjacent to the front of the neighbouring property on its other side where it also has an adverse visual impact.

Publicity

(Originally submitted plans): 4 letters sent on the 20th April 2017 (expired 11th May 2017)
(Amended plans): 4 letters sent on the 12th May 2017 (expired 26th May 2017)

Neighbour Responses

2 responses submitted from neighbouring properties in support, raising comments as summarised below:

No objection to the proposed new build. Similar extensions have been permitted in Orchard Croft. Our preference would be for the roof height to the proposed extension to be consistent with the existing roof line serving No.17. Living at number 18 Orchard Croft, which is immediately adjacent to No.17, I am arguably most affected by the proposals submitted and I support them wholeheartedly. The appearance of the rear of No.17 will be improved by the proposed extension.

2 responses submitted from neighbouring properties in objection, raising comments as summarised below:

The rear (north) elevation of 17 Orchard Croft overlooks the garden of 20 Bittell Road. As such there is a consequent loss of privacy. The proposals would exacerbate this. It should be noted that 17 Orchard Croft is on a higher ground level to properties on Bittell Road. The cumulative impact of the plans are to complete a terracing effect along the driveway to 22 Bittell Road. The proposal is out of proportion with the existing house and out of character with the housing in this part of Barnt Green where properties tend to be large with gardens that compliment this size. The plans do not allow for any screening to mitigate the visual impact or to preserve the privacy of 20 Bittell Road, nor does there

seem to be space to do so. The proposal would be overbearing in nature, excessive in scale and bulk, over-developing the plot leading to a feeling of being hemmed in.

Councillor Hotham

Letters both in support and objection to the application have been received. The level of public interest in the application is such that the proposal merits careful consideration and determination by the Planning Committee.

Relevant Policies

Bromsgrove District Plan

BDP19 High Quality Design

Others

SPG1 Residential Design Guide

NPPF National Planning Policy Framework

Relevant Planning History

17/0107	Two storey side extension	Application	23.03.2017
		Withdrawn	

Assessment of Proposal

The site and its surroundings

No.17 is one of five, two storey detached dwellings situated in Orchard Croft, Barnt Green. The others are numbers 18, 19, 20, and 21. Of these, some have historically been extended to the side at first floor level (numbers 18 and 19) and others (including the application property and numbers 20 and 21) have not been extended to the side. Immediately to the west of the site lies the property 'The Croft' 22 Bittell Road. Unlike other houses in Orchard Croft, this dwellings' rear garden backs onto Orchard Croft to the south and is accessed via a private drive which itself is served via Bittell Road to the North.

Background

Application 17/0107 as above which comprised a larger two storey extension was withdrawn by the applicant in March 2017 when it was made clear to the applicant that the application would be refused planning permission.

The Proposed Development

The originally submitted plans were identical to those submitted under application 17/0107 above. The plans have now been amended such that the extension is smaller and subservient to the existing dwelling in accordance with the Councils Residential Design Guide SPG. The amendments also reduce the bulk and prominence of the extensions.

The reduction in scale and massing has been achieved by setting in the front wall of the extension (facing Orchard Croft) and lowering the ridge height of the extension from the existing ridge line in accordance with the above design guidance. The extensions proposed are now considered to be in accordance with the SPG and are in compliance with Policy BDP.19 of the Bromsgrove District Plan.

Despite the two objections received in objection, I am satisfied that the proposals would not result in any adverse harm to the amenities enjoyed by the occupiers of nearby dwellings with regard to loss of light, outlook or privacy. I have taken into consideration the representations received from the nearest affected property, number 18 Orchard Croft (who support the application) and have noted that the rear garden associated with number 20 Bittell Road (this occupier objects to the application) measures approximately 50 metres in length at its longest point. Separation distances between the No.17 and surrounding dwellings are such that the proposals would not exacerbate any perceived loss of privacy which already occurs from the existing flat roofed box dormer roof extension to No.17 Orchard Croft. Members may be aware that roof extensions to domestic dwellings of this kind can usually be erected under rights afforded to householders under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015.

RECOMMENDATION: That planning permission be Granted

Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. The development shall then be carried out in accordance with the approved details.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

- 3) The development hereby permitted shall be carried out in accordance with the approved plans/ drawings listed in this notice:

Drawing number 0950-02 - B
Drawing number 0950-06 - B
Drawing number 0950-07 - B
Drawing number 0950-08 - B

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

Case Officer: Steven Edden Tel: 01527 548474
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