



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 6TH AUGUST 2018
AT 6.00 P.M.

PARKSIDE SUITE - PARKSIDE

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 R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer 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. To receive apologies for absence and notification of substitutes
2. 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.

3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on ... (Pages 1 - 10)

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 18/00041/FUL - Erection of New Industrial Units for B2 (General Industrial) and B8 (Storage and Distribution) uses - Land Adjacent Corbett Business Park, Shaw Lane, Worcestershire (Pages 11 - 24)
6. 18/00119/OUT - Residential Development comprising 14 units providing a mixture of 2 - 4 bed homes - Brine Pump Cottage, Weston Hall Road, Bromsgrove (Pages 25 - 42)
7. 18/00185/FUL & 18/100186/LBC - Conversion of existing outbuildings to form no.1 bedroom dwellings and a home office for one of the proposed dwellings - Land rear of 37 Nash Lane, Belbroughton (Pages 43 - 60)
8. 18/00423/FUL - Two Storey side extension to form new bedroom suite, ground floor cloakroom and new reception room - Chadwich Heights, Sandy Lane, Bromsgrove (Pages 61 - 64)
9. 18/00458/FUL - Retention and rebuilding of ancillary building - 36 Fairfield Road, Bournheath, Bromsgrove (Pages 65 - 70)
10. 18/00463/FUL - Construction of 2 no. 2 bedroom 4 person and 3 no.1 bedroom 2 person affordable houses together with external works, car parking and landscaping - Land to the rear of no. 15 York Avenue, Bromsgrove (Pages 71 - 80)
11. 18/00569/FUL - Construction of 4 no. 1 bedroom affordable flats together with external works, car parking and landscaping - Land off Lingfield Walk, Catshill, Bromsgrove (Pages 81 - 84)

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

26th July 2018

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 summary of the responses received from

consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the District Council's website www.bromsgrove.gov.uk. Recent consultee and third party 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 Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

BDP	-	Bromsgrove District Plan 2011-2030
SPG	-	Supplementary Policy Guidance
NPPF	-	National Planning Policy Framework
NPPG	-	National Planning Practice Guidance
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 Pauline Ross, Democratic Services Officer, at p.ross@bromsgroveandredditch.gov.uk, or telephone (01527) 881406

This page is intentionally left blank

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 2ND JULY 2018, AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman),
C. Allen-Jones, S. J. Baxter, M. Glass, C.A. Hotham, S. R. Peters,
C. J. Spencer and P. J. Whittaker

Observers: Ms. F. Mughal, Democratic Services Officer

Officers: Mrs. T. Lovejoy, Mr S Edden, Miss. E. Farmer, Miss C. Gilbert,
Mr. P. Lester, Mr. S. Hawley (Worcestershire Highways Authority) and
Mrs. P. Ross

11/18

APOLOGIES

Apologies for absence were received from Councillors M. T. Buxton,
S. P. Shannon and M. A. Sherrey, with Councillor M. Glass present as
substitute for Councillor M. A. Sherrey.

12/18

DECLARATIONS OF INTEREST

Councillor C. A. Hotham declared in relation to Agenda Item 5
(Application 17/01191/FUL – Land between The Croft and Hopwood
Garden Centre, Ash Lane, Alvechurch, Worcestershire, B48 7TT), that
he had a predetermined view on the matter and would be withdrawing to
the public gallery to speak on this item as Ward Councillor under the
Council's public speaking rules. Following the conclusion of public
speaking, Councillor Hotham withdrew from the meeting for the duration
of the Committee's debate and took no part in the Committee's
consideration nor voting on the matter.

Councillor C. A. Hotham also declared in relation to Agenda Item 6
(Application 17/01363/FUL – Land at corner of Redhill Road and
Redditch Road, West Heath, Birmingham, B38 9EJ0), that he had a
predetermined view on the matter and would be withdrawing to the
public gallery to speak on this item as Ward Councillor under the
Council's public speaking rules. Following the conclusion of public
speaking, Councillor Hotham withdrew from the meeting for the duration
of the Committee's debate and took no part in the Committee's
consideration nor voting on the matter.

Councillor S. J. Baxter declared an Other Disclosable Interest in Agenda
Item 8 (Application 18/00529/FUL – 4B Truemans Heath Lane,
Truemans Heath, Birmingham, Worcestershire, B47 5QB) - in that she

Agenda Item 3

Planning Committee
2nd July 2018

was Vice-Chairman of Wythall Parish Council, who had been consulted on the Application. Having advised that, she had not attended the meeting when the application was considered at the Parish Council meeting; Councillor Baxter participated and voted on the matter.

At the commencement of the public speaking, Councillor C. A. Hotham declared an Other Disclosable Interest in Agenda Item 7 (Application Land at Hollow Tree Lane, Tardebigge, Bromsgrove, B60 1PR), in that he knew the objectors husband. Councillor Hotham then withdrew from the meeting for the duration of the Committee's debate and took no part in the Committee's consideration nor voting on the matter.

13/18

MINUTES

The minutes of the meeting of the Planning Committee held on 4th June 2018 were received.

RESOLVED that the minutes of the meeting held on 4th June 2018 be approved as a correct record.

14/18

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)

The Chairman confirmed with Members that they had received and read the updates which had been published and circulated.

15/18

17/01191/FUL - ERECTION OF 3 RESIDENTIAL DWELLINGS - LAND BETWEEN THE CROFT AND HOPWOOD GARDEN CENTRE, ASH LANE, ALVECHURCH, WORCESTERSHIRE, B48 7TT - MR. N. CLARKE

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor C. A. Hotham, Ward Member.

Officers reported on an additional comment that had been received relating to drainage and that a further condition (Condition 10) was recommended in order to address ecological matters; as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Mr. A. Smith, on behalf of Hopwood Residents Association and Chairman of Alvechurch Parish Neighbourhood Plan Steering Group, addressed the Committee in objection to the Application. Lauren Carpenter, the Applicant's Agent addressed the Committee on behalf of the Applicant. Councillor John Cypher, on behalf of Alvechurch Parish Council addressed the Committee in objection to the Application; and Councillor C. A. Hotham, Ward Member, also addressed the Committee.

Agenda Item 3

Planning Committee
2nd July 2018

The Committee then considered the Application, which had been recommended for approval by Officers.

Following the comments raised by Councillor Hotham, Members sought clarification from Officers in respect of Condition 5, as detailed on page 11 of the main agenda pack. Mr S. Hawley, County Council Highways Officer, provided clarification and stated that following the comments made by Councillor Hotham and having reviewed the application, it would not be reasonable to adopt Condition 5, as the Condition did not serve a purpose, he would advise not to impose such a Condition.

With the agreement of the Chairman, the Council's Planning Lawyer referred to a statement made by Mr. A. Smith, that planning permission be refused on the grounds of prematurity. The Council's Planning Lawyer informed the Committee that this may be appropriate where a proposed development was so substantial, that granting permission could prejudice a development plan policy, however, the Application being considered by Members, did not fall into that category, the Application was for the erection of 3 residential dwellings.

Members then sought further clarification from Officers on the village envelope boundary.

The Chairman agreed to an adjournment to enable Officers to locate and display an extract from the Bromsgrove District Plan 2011-2030, which would detail the boundary for Hopwood.

The meeting stood adjourned from 18:28 hours to 18:34 hours.

Having re-convened Officers displayed an extract from the Bromsgrove District Plan 2011-2030; and further explained that the Alvechurch Parish Neighbourhood Plan, was in draft and had not been adopted, and that the village envelope boundary was not relevant to the Application being considered

Members went on to debate the definition of village, development outside of the village envelope and if the application complied with the NPPF. Mr S. Hawley, County Council Highways Officer, commented that, with regard to the Site Visit conducted by some of the Members; and that following appeal, planning permission was granted to the bungalow on the opposite side. The appeal allowed for development outside of the village envelope as it considered that it formed part of the village. There was no definition of village.

Members considered how much weight they should give to the emerging Alvechurch Parish Neighbourhood Plan.

Having considered the Officer's report and the representations made by the speakers, Members expressed their concerns with the design of the dwellings, in particular flat roofs and were therefore minded to refuse the

Application, as it was out of keeping with other residential properties in the area and would impact on the existing street scene.

RESOLVED that Planning Permission be refused on the grounds that the development was not in keeping with other residential properties in the area, in particular the flat roof elements to the front and rear. It would therefore impact on the existing street scene.

16/18

17/01363/FUL - RECONFIGURATION OF EXISTING PLAYING FIELDS TO PROVIDE NEW CLUB HOUSE AND STAND, MATCH PITCH AND FLOODLIGHTS, WITH THREE FURTHER GRASS PITCHES AND ONE ALL WEATHER PITCH, PLUS ASSOCIATED CAR PARKING AND LANDSCAPING - LAND AT CORNER OF REDHILL ROAD AND REDDITCH ROAD, WEST HEATH, BIRMINGHAM, B38 9EJ - MR. R. THORNDIKE ON BEHALF OF ALVECHURCH FC / THE HAYES SPORTS PARTNERSHIP

Officers reported on comments received from Sport England, that the proposals were considered to accord with exceptions E2 and E5 of Sport England's policy and the guidance in Paragraph 74 of the NPPF. Sport England had raised no objections to the Application subject to the imposition of the conditions, as detailed in the published Update Report.

Officers drew Members' attention to the additional Conditions 17, 18, 19 and 20, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

Officers further reported that the existing facilities would continue to be used until the new facilities were completed.

At the invitation of the Chairman, Mr. J. Jowitt, the Applicant's Agent, addressed the Committee on behalf of the Applicant. Councillor C. A. Hotham, Ward Member, also addressed the Committee. Councillor Hotham commented that he was aware that officers had work tirelessly with the applicants in relation to this planning application.

The Committee then considered the Application, which officers had recommended for approval. Members were in agreement that new facilities were needed and they would congratulate Alvechurch Football Club / The Hayes Sports Partnership.

Officers provided clarification on the lighting system and informed the Committee that, as detailed in the report, Worcestershire Regulatory Services had received information relating to the proposed external lighting and that the proposed external lighting was acceptable. Members further considered the car parking for 145 cars and the proposed changing room facilities.

Having had regard to all of the information presented, the Committee were minded to approve the Application.

Agenda Item 3

Planning Committee
2nd July 2018

RESOLVED that authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to;

- 1) the satisfactory completion of a planning obligation (Unilateral Undertaking) to ensure that the shuttle bus arrangements detailed in the Mayer Brown technical note 21/05/2108 Rev A are provided;
- 2) Conditions 1 to 16, as set out on pages 26 to 29 of the main agenda pack;

the following additional Conditions and Informative:

Conditions

- 17) Prior to the first occupation of the development hereby permitted a report must be submitted to the Local Planning Authority which clearly demonstrates that the development has met the BREEAM 'Very Good' standard (or a successor equivalent);

Reason: In accordance with Policy BDP19 of the Bromsgrove Local Plan.

- 18) No development shall commence until further details of the design and specification of the proposed 3G artificial grass pitch, proposed changing pavilion and associated works have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The AGP shall not be constructed other than in accordance with the approved details.

Reason: To ensure that the development is fit for purpose and sustainable.

- 19) Use of development shall not commence until:

(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS)

(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

- 20) Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply

to the proposed 3G AGP and associated facilities and include details of pricing policy, sinking fund, hours of use, access by non-football club users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

Informative

- 1) The Local Planning Authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application through negotiation and amendment.

17/18

18/00488/FUL - CHANGE OF USE FROM GRAZING TO EQUESTRIAN USE / GRAZING. ERECTION OF EIGHT STABLES, WOOD CONSTRUCTION UPON A CONCRETE BASE WITH ADJOINING STORE AND TACK ROOM - LAND AT HOLLOW TREE LANE, TARDEBIGGE, BROMSGROVE, WORCESTERSHIRE, B60 1PR - MRS J. JOHNSON

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

Officers reported on the update received from Highways and that, following discussions regarding the proposed viability splay, the applicant had commissioned a speed survey. The results of this survey had been assessed and the proposed 2.4m x 70m was considered acceptable, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Mr. G. Mackenzie and Mrs. Jane Keene addressed the Committee in objection to the Application. Mr. D. Swift addressed the Committee on behalf of the Applicant. .

The Committee then considered the Application, which had been recommended for refusal by Officers. Members commented that the site rose away from the land and the proposed stable buildings would be situated approximately 30m from the nearest residential property. Members further commented that they had given the Application a great deal of consideration as they were aware that the Applicant had made the Application due to their existing stables being displaced from an existing green belt site. Members noted the comments raised in objection to the Application with regard to drainage. Members were of the view that the Application would not cause harm to the character and appearance of the site and the wider open countryside; and therefore there would be minimal impact to the green belt.

The Committee were therefore minded to grant Planning Permission, subject to suitable conditions as deemed by Officers.

RESOLVED that Planning Permission be granted, subject to Conditions relating to:-

- 1) Drainage (to be contained within the Site)
- 2) Additional landscaping
- 3) Ensure that the stables were not used for commercial purposes

and any other suitable Conditions appropriate to the development by Officers.

18/18

18/00529/FUL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 8 TWO AND THREE STOREY HOUSES WITH PARKING. ACCESS FROM TRUEMANS HEATH LANE - 4B TRUEMANS HEATH LANE, TRUEMANS HEATH, BIRMINGHAM, WORCESTERSHIRE, B47 5QB - MR B. SKILLETT

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

Officers reported that the Applicant had responded to a number of comments raised during the consultation by local residents, with regard to waste collection, drainage, amenity concerns, planning history. Comments had been received from Councillor Adam Kent, County Councillor for Wythall with regard to concerns raised in respect of the loss of jobs at the site, the density of the development, parking arrangements, drainage and access. In respect of the loss of local jobs, Bromsgrove currently had sufficient land allocated for business uses within the District. The existing site was within the residential area and therefore a residential use was considered to be more appropriate in this location. All other issues raised had been addressed within the Officers report, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Ms. C. Hassam addressed the Committee in objection to the Application. Mr. R. Cobb, the Applicant's Agent, addressed the Committee on behalf of the Applicant. With the agreement of the Chairman, the Council's Planning Lawyer read out a statement from Councillor L. J. Turner, Ward Member, who had been unable to attend the meeting.

The Committee then considered the Application, which had been recommended for approval by Officers. Member sought clarification on the following concerns:

- Access to the site by the Fire Service
- Parking arrangements

- Waste Collection

Mr S. Hawley, County Council Highways Officer, informed the Committee that the road was not a public road and that the road was wide enough and met the requirements from the fire service, which required a minimum of 2.75m access road. Members were also provided with further clarification to their queries on other highways concerns and in doing so, informed the Committee that it was estimated that the proposed dwellings would carry out approximately 8 trips per day; the site currently had 50 movements per day, so the proposal would be less intensive than the current arrangements.

Officers responded to Members questions with regard to the waste bin collections, more specifically the number of bins that would be left on the road on collections days; and the proposed rear access which Members felt would encourage crime.

Officers further clarified that the site was not designated employment land.

Having had regard to all of the information presented, the Committee was of the view that both the general layout and the design of the dwellings were not it keeping with the area. Members were therefore minded to refuse the Application.

RESOLVED that Planning Permission be refused for the following reason:

- 1) The proposed development does not respect the general layout and density of the area and the design of the properties did not reflect local character. The development was therefore harmful to the character and appearance of the locality and to the visual amenity of the area. The development therefore failed to comply with Policy BDP19 (High Quality Design), the Residential Design Guide SPG and Section 7 of the NPPF which required high quality design.

19/18

18/00560/FUL - ERECTION OF TELESCOPIC TOWER WITH ANTENNAS FOR HOBBY AMATEUR RADIO PURPOSES - RICHMOND HOUSE, ICKNIELD STREET, HEADLEY HEATH, BIRMINGHAM, WORCESTERSHIRE, B38 0EP - L. VOLANTE

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor G. N. Denaro, Ward Member.

At the invitation of the Chairman, Mr. L. Volante, the Applicant addressed the Committee. With the agreement of the Chairman, the Council's Planning Lawyer read out a statement from Councillor G. N. Denaro, Ward Member, who had been unable to attend the meeting.

Agenda Item 3

Planning Committee
2nd July 2018

The Committee then considered the Application, which Officers had recommended for refusal. Having considered all of the information provided and the Applicant's responses to the queries raised by the Committee, Members were of the view, that the structure was slender in appearance and well shielded by the surrounding trees. As highlighted by the Applicant, that it was a hobby of his and that the structure would be folded down a high percentage of the time. Members were therefore minded to approve the Application.

RESOLVED that Planning Permission be granted, subject to the following Condition:

- 1) that the telescopic tower to be retracted and tilted over when not in use.

The meeting closed at 8.21 p.m.

Chairman

This page is intentionally left blank

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mongoose Ltd	Erection of New Industrial Units for B2 (General Industrial) and B8 (Storage and Distribution) uses Land Adjacent Corbett Business Park, Shaw Lane, Stoke Prior, Worcestershire, B60 4EA	17.04.2018	18/00041/FUL

This application is being reported to members because it is a major application for which officers do not have delegated powers to determine.

RECOMMENDATION: That planning permission be Granted.

Consultations

Natural England Consulted 30.05.2018

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.

Arboricultural Officer Consulted 30.05.2018

No objections to this proposed application, in relation to any tree related issues.

Economic Development And Regeneration Consulted 06.03.2018 and 30.05.2018

The facility will enable the continued growth of an established Bromsgrove business and will ensure that their future remains within the area. There is a shortage of commercial space within the area to meet business needs and, given the compliance with policy and the economic benefits that will be brought as a result of the application, it is wholeheartedly support by NWedR.

Dodderhill Parish Council Consulted 06.03.2018 and 30.05.2018

Object to application due to concern over HGV access. It is felt that the rail bridge on Stoke Road / Shaw Lane restricts access for taller vehicles and this already causes difficulty for a number of HGV drivers who, unable to progress under the bridge, find themselves unable to turn around. Alternative routes that avoid the low bridge are also not ideal for larger vehicles. It was also felt that the transport issues would be exacerbated by the increasing levels of traffic generated by the proposed 202 houses on the nearby Polymer Latex site.

Health And Safety Executive Consulted 21.02.2018

Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Wychavon District Council Consulted 08.02.2018 and 30.05.2018

We have reviewed the submitted details and do not wish to raise any matters concerning the impact of this proposal. We would suggest that the application is determined in the usual manner, accordance with your adopted development plan policies.

Canal And River Trust Consulted 08.02.2018 and 30.05.2018

The main issues relevant to the Trust as statutory consultee on this application are:

- a) Impact on the character and appearance of the waterway corridor.
- b) Impact on the biodiversity of the waterway corridor.

On the basis of on the information available our advice is that suitably worded conditions are necessary to address these matters.

Stoke Parish Council Consulted 08.02.2018 and 30.05.2018

The Parish Council has serious concerns about the continuing industrial development of Stoke Prior. At the end of the day Stoke Prior is a small village which is being overtaken by this type of development. In addition this will only further increase the volume of light and heavy traffic travelling along Shaw Lane which is becoming a major issue for local residents. This is an issue which appears to be totally ignored by highways officers and planning officers. The village will already have to deal with the increased traffic caused by the new housing development. The increased traffic will make the Shaw lane area even more dangerous for pedestrians and negate the idea that parents will be able to walk their children from the new houses to school because the roads will be unsafe. There is also the issue of air pollution caused by the number of heavy vehicles using the industrial estates in the parish. Enough is enough!

Conservation Officer Consulted 08.02.2018 and 30.05.2018

No objections to the proposed subject. The proposed colours are fine and would be sympathetic to the conservation area. I'm happy to see that a planting screen has been added to the proposal as this will help to lessen the visual impact of the new units as viewed from the Worcester and Birmingham Canal, however full details of landscaping and any boundary treatments should be conditioned.

Drainage Engineers Consulted 08.02.2018 and 30.05.2018

I am happy with the proposed drainage layout and the discharge values provided. I therefore no longer believe the condition I had requested in my initial response is required.

WRS - Contaminated Land Consulted 08.02.2018 and 30.05.2018

WRS recommend that the a condition relating to the Reporting of Unexpected Contamination and Gas Protection Measures are attached to any planning permission granted.

WRS - Noise Consulted 08.02.2018 and 30.05.2018

No Objection raised subject to a condition requiring a noise assessment to be submitted in order to demonstrate that noise from / associated with the new industrial units will not adversely impact on any nearby sensitive receptors.

In order to minimise any nuisance during the construction phase the applicant should refer their contractor to the WRS Demolition and Construction guidance (attached) and ensure its recommendations are complied with.

WRS - Air Quality Consulted 06.03.2018 and 30.05.2018

WRS do not recommend an air quality assessment is required for a development of this type and size and concur with the comments of Mr Thomas of Air Quality Assessments

Ltd below. However, as discussed, the National Planning Policy Framework requires the cumulative impacts on air quality from individual sites in local areas should be considered and therefore WRS previous recommendations (14th March 2018) for standard mitigation measures for a site of this type and size remain unchanged.

Worcester Regulatory Services- Light Pollution Consulted 30.05.2018

No Comments Received To Date.

Network Rail Consulted 19.02.2018 and 30.05.2018

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent

Worcestershire Wildlife Trust Consulted 18.05.2018

Subject to conditions (CEMP and Habitat enhance/ management plan) we do not wish to object to the proposed development and we believe that you now have sufficient ecological information to be able to progress the application in line with the law and guidance.

Highways - Bromsgrove Consulted 08.02.2018 and 30.05.2018

No objection subject to conditions relating to:

- Travel plan,
- Parking provision,
- Electrical vehicle charging point,
- Cycle parking,
- Conformity with submitted details,
- Turning area parking

Publicity

19 neighbour notification letters sent out on 08.02.2018 expired 01.03.2018

11 Amendment neighbour notification letters sent out on 30.05.2018 expired 20.06.2018

1 site notice dated 16/02/2018, expired 09/03/2018

1 Press notice dated 16/02/2018, expired 02/03/2018

A total of 7 objections have been received. Reasons for objection included:

- Highway Safety
- Suitability of roads for HGVs
- Transport issues exacerbated by the increasing levels of traffic generated by the proposed houses on the nearby Polymer Latex site
- Safety of children crossing Shaw Lane
- Insufficient Parking within site leads to vehicles parking on surrounding roads
- Insufficient infrastructure in area
- Noise from HGVs accessing site and parking within highway
- Noise from factories
- Congestion on road

- Unsustainable location
- Overdevelopment as adequate warehousing is available on the Business Park on the Hanbury Road
- Mud on road
- Light pollution from headlights
- air pollution

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
 BDP3 Future Housing and Employment Growth
 BDP13 New Employment Development
 BDP14 Designated Employment
 BDP16 Sustainable Transport
 BDP19 High Quality Design
 BDP20 Managing the Historic Environment
 BDP21 Natural Environment
 BDP22 Climate Change
 BDP23 Water Management

Others

NPPF National Planning Policy Framework (July 2018)
 NPPG National Planning Practice Guidance

Relevant Planning History

14/0018	Certificate of Lawfulness for proposed use: Extension to industrial unit	Granted	06/05/2014
B2007/1123	Raise ground levels of part of existing land to form a development platform and form raised bund area for landscaped tree planting.	Granted	06/02/2008
B/2006/0574	Raise ground levels of part of existing land to form a development platform and form raised bund area for landscaped tree planting.	Refused	14.08.2006
B2005/0717	Erection of additional Storage Accommodation.	Granted	09/02/2006
B/2005/0716	Deletion of condition 04 attached to B/2003/0531 to permit unrestricted operational hours	Granted	09/02/2006
B/2003/0688	Two-Storey Officer Building	Granted	15/07/2003

Agenda Item 5

Plan reference

B/2003/0531	Change of Use to B1, B2 & B8 use.	Granted	16/06/2003
B/2001/0815	Erection of Temporary warehouse for a period of three years.;	Granted	01/10/2001
B/1995/0933	Extension to gatehouse and proposed pallet store	Granted	02/01/1996
B/1993/0280	To use the site for controlled land filling purposes	No Objection	21/06/1993
B/18396/1989	Erection of two storey extensions to form accommodation for elderly relative,	Granted	27/10/1989
B/15168/1987	Erection of single storey warehouse, relocation of temporary offices, provision of additional car parking and associated external works (including water collection pits).	Granted	22/06/1987
B/9916/1982	Construction of warehouse on site of old Salt Works, Shaw Lane, Stoke Prior.	Granted	13/09/1982
B/8076/1980	The tipping of inert solid waste material (waste rubber hydrocarbon with iron salts) in a natural depression	Granted	27/10/1980

Assessment of Proposal

The application site relates to an area of land measuring some 5.7 hectares. Part of the site is already developed and contains an office building, warehouse buildings, car parking, hard surfaced yard areas and access tracks. The northern part of the site which is currently fenced off from the business park is undeveloped. The site is currently known as Corbett Business Park.

The Birmingham and Worcester Canal runs along the southern boundary of the site. The canal is a designated Conservation area. Planning permission has been granted for housing on the opposite side of the canal from the site. There are also a number of residential dwelling houses immediately opposite the existing access to the site. Immediately to the north of the site lies the railway. The site is designated as an employment area in Bromsgrove District Plan adopted 2017.

The proposal is for the construction of a new industrial building and associated parking in the development part of the site, to the north east of the existing industrial buildings. The building would form two units, the use of which would be either storage and distribution (B8) uses or General Industrial (B2) uses. Whilst the application is for a standalone building, it is understood that space is required for an adjacent occupier, who have expressed an interest in the provision of additional space.

Employment use and Principle of development

Policy BDP14 sets out that designated employment areas '*are expected to make a significant contribution towards creating jobs across Bromsgrove and meeting the employment targets identified in Policy BDP3.*' Policy BDP14.1 states that '*The regeneration of the District will continue through maintaining and promoting existing employment provision in sustainable, accessible and appropriate locations (as identified on the Policies Map)*'.

Corbett Business Park is an existing industrial park situated on land designated for employment purposes. The use of the site for B1, B2 and B8 uses has also been established under planning permission granted under planning application reference: B/2003/0531. As such the principle of industrial development on this site is considered to be acceptable.

In addition, North Worcestershire Economic development and Regeneration have set out that the proposal would help Bromsgrove to achieve some of the economic priorities that were adopted in April 2017, which include: driving economic growth; supporting businesses to start and grow; and driving up and retaining skills locally.

The proposal would also enable the continued growth of an established Bromsgrove business and would ensure that their future remains within the area.

Character and Appearance and Heritage

The proposed building would be a large structure situated at the end of the existing line of industrial buildings that currently form Corbett Business Park. However given the previous development and industrial heritage that surrounds this stretch of the Worcester and Birmingham Canal Conservation Area, the Councils Conservation Officer does not consider that the proposal would have a detrimental impact on the character, appearance or significance of the Worcester and Birmingham Canal Conservation Area.

Highways

Concerns have been raised by the residents and by the Parish Councils with regards to the impact the proposal would have on the highway safety in the area. The concerns they have raised include: the suitability of the roads in the area to take extra traffic; suitability of roads for HGV traffic; lack of parking on the site causing cars to park in road; and, the cumulative impact of this proposal and the development of the former Polymer Latex site.

The site is located off Shaw Lane which has vehicle height restrictions in the vicinity. The road is subject to a 30mph speed limit. The proposed development is to be accessed via the existing vehicular access which serves Corbett Business Park. Within the site the existing access road would serve the proposed development.

The proposal includes the provision of 49 car parking spaces which include 4 disabled car parking bays, plus 16 cycle parking space. Worcestershire County Council Highways consider that this level of parking is an over provision for the proposed B2/ B8 use building. They do however note that these additional spaces would hopefully be able to alleviate the parking issues that have been raised from residents and the Parish Councils.

Worcestershire county Councils Highways have undertaken a robust assessment of the proposal, and based on the analysis of the information submitted with the application and the consultation responses received from third parties, they do not consider that the proposal would have a serve impact on highways safety in the area. As such they have raised no objection.

Worcestershire County Council Highways have however recommended that several conditions should be appended to any permission that is given. One of these conditions is for a travel plan to be submitted that promotes sustainable forms of access to the development site, in order to reduce vehicle movements and promote sustainable access.

Ecology

Worcestershire Wildlife Trust have confirmed that they do not believe that there are any overriding ecological constraints to development on this site and as such they do not wish to object to the application. However, their position is contingent on the council being able to append conditions covering the following matters to any permission that is granted:

- Construction Environmental Management Plan
- Lighting strategy
- Drainage strategy
- Landscaping and habitat management plan

Drainage

North Worcestershire Water Management (NWWM) have confirmed that the site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding. In addition, they do not hold any reports of flooding on or directly adjacent to the site.

The applicant has provided a drainage layout for the proposal, which NWWM have confirmed that they are happy with.

Amenity of neighbouring occupiers

The NPPF does require the cumulative impacts on air quality from individual sites in local areas to be considered. Therefore although Worcestershire Regulatory Services (WRS) have not raised any objection to the proposal in regards to air pollution, they have suggested that their standard recommendations for a development of this size are put in place to mitigate against the cumulative impact on local air quality from all development.

A noise assessment was requested to be submitted with the application. Worcestershire Regulatory Services (WRS) have assessed this and have confirmed that it appears satisfactory. As such they have not raised any objection to the proposal in terms of noise. This is subject to a condition that the mitigation recommendations set out in the noise assessment being adhered to.

To further protect the amenities of the occupiers of the current and future dwelling house near to the site, it is considered necessary to restrict the industrial processes that take place on the site, to inside the building. This would be in line with a condition that was appended to planning permission that was granted for the whole site under planning application Reference: B/2003/0531.

The proposal is to use the existing access into the site off Shaw Lane, which is situated opposite residential dwelling houses. Concerns have been raised by residents regarding the increase in noise and light from additional HGVs accessing the site and parking within the highway. Given the context of the site, the current use of the site and the views of WRS it is not considered that the additional HGV traffic to the site would have an adverse impact on the amenities of the nearby residents. However, in line with previous planning permission that was granted for this site under planning application reference: B/2005/0232 it is considered necessary to control the hours of deliveries and dispatches to and from the site.

WRS have not commented on the proposal in terms of light pollution, but due to the housing development that is approved on the former Polymer Latex site and the sensitive ecological nature of the site it is recommended that a lighting strategy should be conditioned as part of any permission that is granted to protect the amenity of the residents and dark corridors.

In order to minimise any nuisance during the construction phase WRS have recommended that the applicant should refer their contractor to the WRS Demolition and Construction guidance and ensure its recommendations are complied with.

Conclusion

Overall it is considered that the proposed development for the new industrial units within Corbett Business Park accords with the policies in the Bromsgrove District Plan and the NPPF and is therefore acceptable.

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 approved shall be carried out in accordance with the following drawings and documents:

Drawing No. 1804/P01 Rev. C Location Plan

Drawing No. 1804/P11 Rev. A Site Plan

Drawing No. 1804/P12 Rev. B- Proposed Ground Floor and Site Plan

Drawing No. 1804/P15 rev. C- North West Elevation, South East Elevation and South West Elevation
Drawing No. 1804/P16 Rev. B- North Elevation and Typical Section
Drainage Strategy Dated 21/06/2018 produced by Ridge and Partners LLP
(Project No. 5006621)

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. The development hereby permitted shall be carried out using the following materials:

Roof- Colour coated HP 200 Plastisol coated steel profiled insulated roof cladding to steel portal frame Colour Merlin Grey and 1000x2000 GRP safety translucent sheet double skin roof lights Colour - Clear translucent

Walls- Facing brick plinth to cladding Colour - Blue Facing brick; and, Colour coated HP 200 Plastisol coated steel profiled insulated wall cladding to steel portal frame sheet set vertically Colour- Merlin Grey

Flashing and trims- Powder coated contrasting colour coated cover flashings and trims Colour - blue 18.C.39

Windows and Doors (Labelled 06 on Drawing Number 1804/P15 Rev. C)- Standard section UPVC windows and doors

Doors (Labelled No. 08 on Drawing Number 1804/P15 Rev. C) -Standard solid core timber doors and frames Door protected with painted galvanised sheet Colour- Blue 18.C.39

Roller shutter doors-Powder coated galvanised steel manually operated sectional overhead door Colour - Colour coated HP 200 Master fine- Ocean Blue 18.C.39

Reason: To make sure that the development relates to the area in which it is being built and protects the character and appearance of the canal conservation area.

4. The noise mitigation recommendations set out in the Noise Survey Ref. NS222 dated 11/07/2018 produced by Blue Acoustics which include: that all HGVs should use the northern service road to enter and exit the site where possible and the roller shutter doors located within the building should remain closed except for ingress and egress, shall be fully adhered to in perpetuity.

Reason: To protect the amenities of the sensitive receptors in close proximity of the site.

5. No deliveries or dispatches shall take place on the site outside the hours of 0700-1830 hours Monday to Friday and 0800- 1300 hours on Saturdays and there shall be no deliveries or dispatches taking place from the site whatsoever on Sundays and Bank Holidays.

Reason: To protect the amenities of the sensitive receptors in close proximity of the site.

6. No industrial process shall take place outside any of the buildings on the site.

Reason: To protect the amenities of the sensitive receptors in close proximity of the site.

7. No development shall take place (including any demolition, ground works or site clearance) until a Construction Environmental Management Plan (CEMP) for the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: This is a pre commencement condition to ensure that the development does not harm protected species, or their habitats in accordance with the NPPF.

8. A landscape and habitat management plan shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the first use of the development hereby approved. This plan shall provide ecological enhancement in line with the recommendations made in the Middlemarch Ecological survey report No. RT-MME-127755RevA dated June 2018.

The landscape and habitat management plan shall be carried out as approved and shall be implemented for a period of ten years unless otherwise approved in writing by the Local Planning Authority.

Reason: To enhance biodiversity and habitats of protected species in accordance with the NPPF.

9. Prior to the first occupation of the development hereby approved, details of a landscaping scheme including a planting schedule, showing details of retained and new landscape planting have been submitted to and approved in writing by the Local Planning Authority.

Such approved planting shall be completed prior to the first occupation of the development or such other time as is agreed as part of the details to be submitted. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that the external character and appearance of the development is satisfactory.

10. Gas protection measures complying with Characteristic Situation 2 as set out in BS8485:2015 and CIRIA C665 as a minimum requirement must be incorporated within the foundations of the proposed structure(s). Following installation of these measures, and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed.

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

Reason: To reduce vehicle movements and promote sustainable access.

12. The Development hereby permitted shall not be first occupied until 2 electric vehicle charging points have been installed in two of the proposed parking spaces. Thereafter these charging points shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities and in the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

13. Prior to the first occupation of the development hereby approved details of the installation of Ultra-Low NOx boilers with maximum NOx Emissions of less than 40 mg/kWh shall be submitted to and approved by the local planning authority. The

approved boilers shall then be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

14. Prior to the first occupation of the development hereby approved an external lighting strategy to protect and maintain any dark corridors around the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall thereafter be implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To comply with the NPPF as the lighting at waterside developments should be designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution should be avoided by ensuring that the level of luminance is appropriate for the location, is sustainable and efficient, and protect the integrity of the waterway infrastructure.

15. The Development hereby approved shall not be brought into use until the parking spaces numbered 1-50 and turning facilities as shown on drawing 1804/ P12 B have been provided. These areas shall thereafter be retained for these purpose.

Reason: To ensure conformity with submitted details and in the interests of highway safety.

16. The Development hereby permitted shall not first occupied until the secure cycle parking for 8 cycles as shown on drawing No. has been provided. Thereafter the cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards and to facilitate the use of sustainable transport modes, and in the interests of the living conditions of occupiers of nearby properties and future occupiers of the site

17. 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 in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be

carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 2) In order to minimise any nuisance during the construction phase the applicant should refer their contractor to the WRS Demolition and Construction guidance (<http://www.worcsregservices.gov.uk/pollution/planning-and-pollution.aspx>) and ensure its recommendations are complied with.
- 2) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Case Officer: Claire Gilbert Tel: 01527 881655
Email: claire.gilbert@bromsgroveandredditch.gov.uk

This page is intentionally left blank

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr MICHAEL FLETCHER	Residential development comprising 14 units providing a mixture of 2-4 bed homes Brine Pump Cottage, Weston Hall Road, Stoke Prior, Bromsgrove, Worcestershire B60 4AL	19.06.2018	18/00119/OUT

RECOMMENDATION:

- (a) Minded to **APPROVE OUTLINE PLANNING PERMISSION**
- (b) That **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:
- (i) The provision of 5 affordable housing units
 - (ii) The provision of a financial contribution towards the play area and Open Space to the west of the development at Shaw Lane
 - (iii) A contribution of £50.98 per dwelling for the provision of wheelie bins

Consultations

Stoke Parish Council

Object to the proposal

1. Historical site, brine pumps should be retained
2. Larger family homes, there is a strong need for affordable homes in the area
3. Further strain on local roads
4. Further junction into Weston Hall Road

Worcestershire Archive and Archaeological Service

No Comments

Waste Management

A financial contribution towards the provision of bins is required.

Natural England

No Comments

Housing Strategy

Strategic Housing are happy to support this application and take note that there is a proposal for five units to be affordable housing. The application does not specify the tenure of these properties and we would wish them to be split as follows:

- 3 x 2BH = social rented
- 2 x 3BH = shared ownership

Highways - Bromsgrove

No objections subject to conditions.

18/00119/OUT

1. Vehicular access
2. Residential Parking Provision
3. Electric vehicle charging points
4. Cycle parking
5. Vehicular visibility splays
6. Development shall not be brought into use until access, turning and parking facilities has been provided

WCC Transport Operations have indicated that there will be an impact from this development on Community Transport for those residents with limited mobility who are unable to access conventional bus services. They have requested a contribution of £1,500 for community transport.

NWWM

No objection to the proposed development subject to conditions regarding

1. Foul and surface water drainage

WRS - Contaminated Land

No objection subject to a tiered investigation condition.

WRS - Noise

No objection

WRS - Air Quality Consulted 15.05.2018

No objection subject to conditions

1. Secure Cycle Parking
2. Electric Vehicle Charging
3. Low Emission Boilers

Arboricultural Officer Consulted 15.05.2018

No objection subject to a condition

1. Retention of two existing trees

Canal and River Trust

The Canal and River Trust have commented on the impact on the heritage, character and amenity of the waterway, impact on natural environment and landscape of the waterway, Impact on Structural Integrity of the Waterway and Public Access to the Waterway. They have no objections subject to conditions.

1. Details of proposed layout, appearance, materials, sections, boundary treatments including wall the protection of the existing boundary wall and repairs
2. Proposed Landscaping and Lighting
3. Details of any proposed accesses to the towpath to be constructed

Conservation Officer

Object to the proposal

The Brine Pump Cottage site is located to the south of The Worcester and Birmingham Canal Conservation Area at Stoke Works, just to the east of Westonhall Road, and to the west of the Corbett Salt works site, latterly owned by ICI and recently granted planning permission for an extensive residential scheme. Access to the site is from Westonhall

18/00119/OUT

Road. Until recently the only structure on the site, backing on to the Canal, was Brine Pump Cottage. A 19th century brick built house beneath a pitched clay tiled roof which, despite a number of alterations, had an attractive elevation to the Canal with rendered panels and decorative barge boards. The property was damaged by a fire and subsequently demolished rather than repaired. Reference is made to disused brine extraction points being present on the site but no further information has been provided, as to the nature or significance of these. The site is clearly within the setting of the Conservation Area.

The Conservation Officer concludes that it not considered that the proposed scheme will preserve or enhance the character or appearance of the neighbouring Conservation Area, as required by the Historic Environment policies in the Local Plan in particular BDP20. I would judge the level of harm as less than substantial within the context of the NPPF. Therefore in accordance with Paragraph 134 the harm must be balanced against the public benefit of the proposed scheme. Great weight however is attached to the conservation of heritage assets.

If you are minded to approve then I would suggest that you condition the following;

- Materials
- Joinery details at 1:5, I would expect to see timber windows and doors due to the proximity of the scheme to the Conservation Area
- Plans showing the detailing of the proposed houses
- Landscaping
- Boundary treatments
- Repairs to the wall between the application site and the site to the east

Leisure Services Manager

Seek an appropriate off site contribution towards the Play area and Open Space to the west of the development at Shaw Lane.

Education Department at Worcestershire

No Comments

Worcestershire Wildlife Trust (WWT)

WWT have been advising the applicants Ecologists regarding the Ecological Appraisal submitted as part of the application. Full details of mitigation strategies, landscaping and long-term management can then be secured by condition.

Hereford and Worcester Fire And Rescue Service

No Comments

Western Power Distribution

No Comments

Publicity:

20 letters sent on the 15th May 2018 (expired 5th June 2018)

1 site notice posted on the 15th May 2018 (expired 5th June 2018)

Press Advert published in the Bromsgrove Standard on the 21st May 2018 (expired 8th June 2018)

18/00119/OUT

Neighbour Responses

1 response has been submitted. This objects to the development on the following grounds:

- Lack of parking spaces
- Parking issues along Westonhall Road

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP3 Future Housing and Employment Development
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP14 Designated Employment
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP 21 Natural Environment
BDP22 Climate Change

Others

NPPF National Planning Policy Framework (2018)
NPPG National Planning Practice Guidance

Relevant Planning History

B/11490/1983	Creation of roads and footpaths to serve industrial development on land between Hanbury Road and Westenhall Road, Stoke Prior, Bromsgrove	Approved	09.12.1983
--------------	---	----------	------------

Assessment of Proposal

The Site and its Surroundings

The site is located on the southern side of Stoke Prior and comprises a triangular piece of land measuring 0.52 hectares. It was formally occupied by number of buildings, specifically a residential cottage, ancillary outbuildings and 3 disused brine extraction points, which have been capped at ground level.

The former dwelling, known as Brine Pump Cottage was in severe disrepair after being damaged in a fire in August 2016 and has since been demolished following a structural survey, which demonstrated the building was beyond economic repair.

The site is bordered by Westonhall Road to the south, The Birmingham to Worcester Canal to the north west and the former Polymer Latex Works to the east, where Barratt

18/00119/OUT

Homes are currently building homes under planning permissions 15/0687 and 17/00761/FUL for a total of 216 dwellings.

The Principle of the Development

This is an outline planning application for the development of the site for 14 dwellings, with all matters reserved for future consideration. Although an indicative plan has been provided, which demonstrates how the site could be development it is illustrative only and does not form part of any subsequent permission that may be granted. The key issue in the determination of the application is therefore whether the development of the site is acceptable in principle.

The proposal is located within a designated employment area as defined on the Proposals Map which reserves the land for B1, B2 and B8 uses. The proposal would contribute a net gain of 14 additional residential units towards the Bromsgrove housing land supply, however employment land would be lost. Whilst the basic principle of residential development outside of the Green Belt would usually be supported the impact of the loss of employment will need to be explored in greater detail and weighed against the benefits of the scheme.

The determination must be made in accordance with the plan unless material considerations indicate otherwise. In the case of residential development, paragraph 11 of the National Planning Policy Framework 2018 (NPPF) states that 'decisions should apply a presumption in favour of sustainable development' For decision taking where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date. This includes, for applications involving the provision of housing, where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The first key question therefore is whether the Council can demonstrate a five-year housing supply.

The Council has published its 5 Year Housing Land Supply Report with a base date of 1st April 2017. This concludes that the Council cannot currently demonstrate a five year housing land supply being able to demonstrate 4.57 year supply of deliverable land for Housing. This document concludes that the Council falls short of a 5 Year Supply of Land for Housing. In accordance with paragraph 11d of the NPPF. The presumption in favour of sustainable development as set out at paragraph 8 of the NPPF therefore applies.

In these circumstances, this application should be considered with regard to the presumption in favour of sustainable development as set out in Paragraph 11d of the NPPF. This means that planning permission should be granted unless the adverse impact of doing so would significantly outweigh the benefits when assessed against the Framework as a whole, or in specific circumstances where development should be restricted. Local Plan policies continue to be relevant to determining site-specific issues and whether a development can be considered 'sustainable'.

The site is located location adjacent to and within the setting of, The Worcester and Birmingham Canal Conservation Area. Therefore the first consideration is the impact of the proposal on designated Heritage Assets.

Heritage

As this proposal is situated adjacent to and within the setting of, The Worcester and Birmingham Canal Conservation Area, the development must be considered against paragraph 193 of the NPPF in terms of its impact on the significance of designated heritage assets.

This recommendation must also be mindful of the requirements to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The consideration of this issue goes to the heart of the decision making process. Notwithstanding the fact that the Council cannot demonstrate a five-year supply of housing sites, an assessment of the impact of the development on heritage assets must be a consideration.

The NPPF covers new development impacting on heritage assets (such as listed buildings and conservation areas) and states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and, the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF goes on to explain that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be.

Paragraph 196 indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed, as a separate exercise, against the public benefits of the proposal, including securing its optimum viable use.

The Worcester and Birmingham Canal Conservation Area was designated in 1987. This Conservation Area does not have the benefit of a Conservation Area Character Appraisal. A Heritage Statement was submitted with the application. This has been prepared to assess the potential impact of the proposed residential development on the character and appearance of the Conservation Area. The Heritage Statement has been assessed by the conservation officer. The officer considers that the proposed scheme will not preserve or enhance the character or appearance of the neighbouring Conservation Area, as required by the Historic Environment policies in the Local Plan, noted above. They conclude that the level of harm is less than substantial within the context of the NPPF, therefore in accordance with Paragraph 134 the harm must be balanced against the public benefit of the proposed scheme. Great weight however is attached to the conservation of heritage assets.

In accordance with NPPF (Para 196) this harm should be weighed against the public benefits of the proposal. The Heritage Statement and supporting information within the submitted application put forward significant public benefits as follows:

18/00119/OUT

- Help address the significant identified shortfall in deliverable housing land across the District;
- Delivery of 14 semi-detached and detached dwellings;
- Provision of 30% affordable housing on-site;
- Support local services; and
- Provide local employment opportunities.

The applicant has indicated that taking into consideration the outline nature of the application, whereby the scale, appearance and layout of the proposed development is unknown, it is considered from the information submitted that the site is sufficiently large to allow the provision of 14 dwellings with sufficient space for landscaping and open spaces to minimise the impact on the setting of the adjacent conservation area. The scale, layout and appearance of the proposed dwellings would be fully assessed as part of any subsequent reserved matters application in terms of its impact on heritage assets.

Taking into consideration the impact of the scheme on the Conservation Area, by virtue of its location, potential layout, design and scale, the 'less than substantial harm' to the significance of the Worcester and Birmingham Canal Conservation Area is considered to be outweighed by the significant public benefits identified, in particular the provision of on-site affordable housing.

Sustainable Development

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 majority of local services, which include a Local Shop, Post Office, butchers and hairdressers are located on Ryefields Road approximately 800 metres to the north of the subject site via Shaw Lane (which forms the major road running south to north through the settlement). There is also a local primary school known as Stoke Prior First School and a Doctor's Surgery on Ryefields Road. The site is close to public transport links and is within an area that is currently being redeveloped through the provision of new housing. The scheme would comply with this policy, as well as core planning principles set out in the NPPF.

Loss of Employment Land

As stated previously the site falls within designated employment land. Policy BDP14.3 seeks to safeguard employment areas that:

- a) Are well located and linked to the main road and public transport network; and
- b) Provide, or are physically and viably capable of providing through development, good quality modern accommodation attractive to the market; and
- c) Are capable of meeting a range of employment uses to support the local economy.

Policy BDP14.4 of the Bromsgrove District Plan sets out criteria that should be met before non-employment uses are permitted on designated employment sites. This includes that the new use would result in a significant improvements to the environment, to access and highway arrangements which outweighs the loss of employment land and that the site is not viable for an employment use.

18/00119/OUT

The LPA have consulted Blackswan Property Limited to provide market commentary regarding the use of the site for employment and compliance with BDP14. This concluded that the site is not viable as an employment scheme, based upon comparable evidence in the area, it is highly unlikely for a commercial scheme to work on the site and that the improvements to the environment will outweigh the loss of this small employment site.

BDP14.5 advises that, planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It goes on to say that, where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support local communities.

The site has been allocated for employment use for at least 14 years. Despite this length of time, employment use for the site has not been delivered. The applicant acquired the site in 2004 and was subject to an existing residential tenancy, the tenancy came to an end in 2015.

The most recent District Employment Land Supply from April 2017 is outlined below. This indicates that even without the 0.52ha (within the outstanding capacity on previously allocated local plan sites), there is a substantial supply of employment land in the district.

Bromsgrove District Employment Land Supply, April 2017

Category	Land Supply (hectares)
Sites with planning permission (including windfalls)	13.1
Outstanding capacity on previously allocated local plan sites	12.27
Newly allocated sites (BDP, Jan 2017)	5
Total Commitments/Allocations	30.37
Completions (2011-2017)	5.01
Total Employment Land Supply 2011-2030	35.38

When taking into account that this is not an actively used employment site, which provides no jobs and the benefits of the proposal. The loss of the designated employment site would not be contrary Policy BDP14 and would not hinder economic growth.

Provision of housing including affordable housing

The principal social benefit of the proposed development would be the provision of additional housing, including 5 of the 14 of the dwellings being affordable. 3 will be social rented and 2 shared ownership which is the most accessible forms of affordable housing support by Housing Strategy. Given the NPPF priority to significantly boost the supply of housing the additional dwellings to be provided must carry significant weight in this balance. In April 2016, 10.5% of the dwellings in the District were affordable housing stock. This is lower than both the affordable housing provision in Worcestershire (15%) and England (17.3%).

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development.

18/00119/OUT

Once the dwellings were occupied there would be an increase in the level of disposable income from the occupants which would be likely to be spent in the local area with some increase in the demand for local goods and services.

Wider Impact on Stoke Prior

The Parish Council consider that the proposal alongside the existing Barratt Development will put even more strain on the village. Their comments imply that sufficient housing has already been provided in Stoke Prior.

The NPPF does not suggest development should be prevented on grounds of adding dwellings to a settlement; it seeks to boost significantly the supply of housing (paragraph 59 of the NPPF).

The concerns of the Parish Council in regard to expansion of the village are recognised and it is acknowledged that the village has been subject to a number of planning applications for housing as mentioned above. In the absence of a 5-year land supply and considering advice in the NPPF it would not be prudent to refuse permission on the grounds of further housing being added to the village.

There will be a small increased pressure on infrastructure. However, none of the technical consultees object, subject to planning conditions being imposed or provided financial contributions are obtained for infrastructure improvements.

Residential Amenity

Members will be aware that detailed matters of layout and scale are reserved for future consideration. Without full details of the proposed buildings, it is difficult to fully assess the impact of the development on the amenities of adjoining residential properties, However, the illustrative layout suggests no significant problems in this respect. It is considered in theory that the site could accommodate 14 dwellings without detrimentally affecting amenities of occupiers of adjacent dwellings or those occupying the proposed dwellings on the Barratts site. Any overlooking issues can be controlled through a subsequent Reserved Matters application and the imposition of suitable conditions.

Ecology

The applicant has undertaken surveys to ascertain the presence of protected species on the site, the habitats which are likely to support such species and the presence of any other ecological features. This includes a Preliminary Ecological Appraisal and Ecological Appraisal detailed Phase 2 Surveys relating to reptiles.

The assessment makes a number of recommendations in relation to the redevelopment of the site. The recommendations are matters that can be reasonably controlled by condition. Whilst the habitats on site are not a constraint to development, there is good potential to enhance the habitats on site and create a net gain in ecological value.

Landscape and Trees

A Tree Survey and Arboricultural Impact Assessment have been submitted in support of the application together with a tree protection plan. The site is covered by mixed species of tree stock Ash, Birch, Lawson cypress and Goat willow most are in poor health and have some root damage. The tree officer recommends that there are 2 trees (Ash and silver Birch) that should be retained as described in the tree survey done by Westside Forestry Ltd. On this basis, no objection is raised to the proposed development in terms of its impact on trees, subject to a condition protecting those trees.

Any reserved matters application for the proposed development would need to provide a robust landscape planting scheme to soften the impact of the development and include replacement tree planting within the site.

Flood Risk and Drainage

The site is located in Flood Zone 1 and is at low risk of flooding, despite being within close proximity to the Birmingham to Worcester Canal. A site drainage strategy would be required by condition.

Street Scene & Character Impact

Members will be aware that the application is submitted in outline, with access, layout, scale, appearance and landscaping reserved for subsequent approval. In this respect, the finished design of the development is not set at this outline stage. The application has been accompanied by an Illustrative Site layout Plan, illustrative house types, a Design and Access Statement and a heritage statement.

Limited information has been provided about the intended appearance although the Design and Access Statement does indicate that the proposed development would be low density, with a row of built form running both west and east of the pre-existing access. The dwellings themselves are all two storeys and it is proposed they would be finished in brickwork to match the existing style and vernacular of the area. The properties will all have consistent detailing.

It is important to consider whether 14 dwellings could in theory be accommodated on site without undue impact on the character of the area. The site area is 0.52ha and would result in a density of approximately 27 dwellings per hectare. This is a fairly high density in this location and makes an efficient use of land in accordance with BDP7.

Access, Highways & Parking

The existing site vehicular access point onto Westonhall Road will remain in place with a new internal access road being laid to give access with car parking for two cars next to each residential dwelling. A number of the dwellings are shown to also have garages.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained.

18/00119/OUT

The Highway Authority therefore submits a response of no objection subject to conditions.

As this is an outline application the access and internal layout will be reviewed at the reserved matters stage. It should, however, be noted that the internal layout of the development will require further detailed plans demonstrating highways arrangements and that it is to an agreed adoptable standard. There is sufficient space within the site to provide a detailed scheme to meet the relevant standards.

Adequate parking provision will be conditioned (3 spaces for every 4 bed dwelling and 2 spaces for every 2 and 3 bed dwelling) and the Highway Authority would be consulted on any subsequent reserved matters application.

WCC Transport Operations have requested a contribution towards Community Transport. They consider that there will be impact from this development on Community Transport, in particular the Concessionary Fares Scheme which offers eligible elderly and disabled people free travel on off peak local bus services anywhere in England. Based on data from the 2011 census and the Worcestershire Concessionary Travel Scheme, WCC Transport Operations have estimated that 4 residents will fall in this category. Using trip rates supplied by Community Transport and an average trip length of 4 miles this would add £302.40 to Community Transport operating costs using HMRC approved reimbursement rates. On this basis WCC Transport Operations have requested a contribution of £1500 for Community Transport. However, this request is not considered to be fairly and reasonably related in scale and kind to the development proposed. This request does not meet the tests set out in the CIL regulations and consequently is not necessary to make the development acceptable in planning terms.

Planning Contributions

In accordance with paragraph 56 of the NPPF and section 122 of the CIL planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved. Whilst the affordable housing and wheelie bins have been agreed, the other matter regarding open space is still under discussion with Leisure Service and an update will be provided.

The Planning Balance and Conclusion

The application seeks outline planning permission, i.e. to establish the principle of whether the development of the site for 14 dwellings, is acceptable. All matters are reserved. Whilst the indicative plan simply demonstrates how housing, landscaping, parking could be accommodated upon the land, all these details will be subject to a separate Reserved Matters application(s) to be considered on its merits.

It is considered that, in the absence of the Council being able to demonstrate a five year housing supply, the policies within the Development Plan with regards to housing have to be seen as out of date. In such circumstances the NPPF sets out that the issue to consider is whether the proposal represents sustainable development and if it does there is a presumption in favour of the scheme.

For the reasons as set out in the report, it is considered that the proposal does satisfy the

18/00119/OUT

three dimensions of sustainable development. Given the view taken that the development is sustainable the question to be considered is whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF as a whole.

No overriding technical objections have been raised and the impacts of the development have been assessed. There are no adverse impacts that would outweigh the benefits of the scheme. Overall, it is considered that the benefits of the proposed development significantly and demonstrably outweigh the impacts identified in this report.

Therefore, in conclusion, the application is recommended for approval, subject to conditions and a Section 106 agreement.

RECOMMENDATION:

- (a) Minded to **APPROVE OUTLINE PLANNING PERMISSION**
- (b) That **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:
 - (i) The provision of 5 affordable housing units
 - (ii) The provision of a financial contribution towards the Play area and Open Space to the west of the development at Shaw Lane
 - (iii) A contribution of £50.98 per dwelling for the provision of wheelie bins

Conditions

- 1) 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. 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) Approval of the details of the design and external appearance of the development, access arrangements, layout, scale, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

18/00119/OUT

- 3) This permission shall relate to the submitted application forms and supporting information, and the following plan:

Site Plan 1802/P01

To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 4) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 5) No development above ground floor slab level shall take place until full details of all timber door and windows and their reveals and cills including 1:20 scale elevational drawings and 1:5 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development.

- 6) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

- 7) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of the dwelling for the following:

- 3 car parking spaces per 4 bed dwelling
- 2 car parking spaces per 2 & 3 bed dwelling

All at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

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

- 8) The development hereby permitted shall not be occupied until an electric vehicle charging point to serve each dwelling has been provided. Such apparatus shall be retained and maintained in perpetuity.

Reason: To encourage sustainable travel and healthy communities.

18/00119/OUT

- 9) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

- 10) Existing visibility splays to be retained as minimum visibility splays to be retained to provide from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

- 11) The Development hereby approved shall not be occupied until the access, turning area and parking facilities with the changes requested have been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

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

- 12) 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 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

3. 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"

4. 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.

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

6. 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.

7. 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

- 13) No works or development shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hard-standing areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

- 14) No development shall take place until an Ecological Construction Method Statement has been submitted to, and agreed in writing by the Local Planning Authority. This statement shall be informed by recommendations made in the submitted Ecological Appraisal by ED, in particular section 5.3 and 5.4.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for new native shrub planting and diverse grassland seeding in the green space on site, the maintenance and provision of the new reptile hibernacula and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: To minimize impact of the development on the biodiversity.

- 15) The applicant shall provide a hard and soft landscaping plan for approval. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason: In the interests of the visual amenity of the area.

- 16) No development within a relevant phase shall be occupied until details of the external lighting to be used have been submitted to and approved in writing by the Local Planning Authority. Such plans shall include scaled plans and drawings illustrating the design of the light units and columns. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved details and shall be maintained as approved.

Reason: To ensure the satisfactory appearance of the development in the interests of safeguarding and enhancing the character and appearance of the area.

- 17) Prior to the commencement of development, details of the proposed boundary treatments including wall repairs, new fencing and access to the canal towpath shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details.

Reason: To comply with the requirements of the NPPF and in order to ensure that the integrity of the waterway infrastructure is not compromised, future maintenance has been identified and agreed and the proposed materials and appearance of

18/00119/OUT

these features does not have a detrimental impact on the appearance of the waterway corridor.

- 18) No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the protective fencing is erected as required by the AMS.

Reason: To ensure adequate protection to trees in the interests of the visual amenities of the area.

Case Officer: Mr Paul Lester Tel: 01527 881323
Email: paul.lester@bromsgroveandredditch.gov.uk

This page is intentionally left blank

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Gavin Warr	Conversion of existing outbuildings to form 2 no. 1 bedroom dwellings and a home office for one of the proposed dwellings and the demolition of existing garage and construction of a new car port/ garage Land Rear Of 37 Nash Lane, Nash Lane, Belbroughton, Worcestershire,	17.04.2018	18/00185/FUL and 18/00186/LBC

Councillor Sherry has requested that this application be considered by Planning Committee rather than being determined under Delegated Powers.

RECOMMENDATION:

- (a) With respect to **18/00185/FUL**, that **full planning permission** be **Granted**
- (b) With respect to **18/00186/LBC**, that **Listed Building Consent** be **Granted**

Consultations

Worcestershire Archive and Archaeological Service Consulted 23.05.2018 and No objection, but due to the historic nature of the site and the buildings, recommend that a programme of archaeological works should be secured and implemented by means of a suitably worded condition attached to any grant of planning permission.

Belbroughton and Fairfield Parish Council Consulted 08.03.2018 and 23.05.2018
The Parish Council objects to the application:

1. The proposed development is felt inappropriate in what is part of the Belbroughton Conservation Area.
2. There is inadequate thought given to the provision of car parking at the proposed site.
3. The adopted highway Nash Lane is we feel not able to cope with further traffic and in addition turning ability in the road for existing residents would be compromised.
4. We understand that there is a question over permitted usage of the access from the site onto Nash Lane.

Highways - Bromsgrove Consulted 08.03.2018 and 23.05.2018

No objection subject to the following conditions:

- Vehicular access,
- Residential Parking Provision,
- Electric vehicle charging point,
- Cycle parking,
- Conformity with Submitted Details,
- Access, turning and parking

Conservation Officer Consulted 08.03.2018 and 23.05.2018

I have no conservation objection, subject to conditions relating to:

- Joinery,
- materials,

Plan reference

- underpinning.

Severn Trent Water Ltd Consulted 08.03.2018

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Drainage Engineers Internal Planning Consultation Consulted 08.03.2018

I believe that the discharge of surface water will be adequately dealt with in a future Building Control and/or Severn Trent application and therefore I don't deem it necessary for this application to recommend attaching a drainage condition.

Building Control PP Consulted 08.03.2018

I confirm the buildings in question are capable of conversion.

Arboricultural Officer Consulted 08.03.2018 and 23.05.2018

No objection subject to conditions relating to:

- Arboricultural Method Statement

WRS - Contaminated Land Consulted 08.03.2018

Further to your consultation dated 8th March 2018 I have reviewed the above planning application for potential contaminated land issues of which none have been identified. Structural Appraisal of Existing Ancillary Outbuildings to rear of 3 High Street Belbroughton DY9 9SY (Land Rear Of 37 Nash Lane Belbroughton Worcestershire) have not identified any issues related to asbestos. WRS therefore have no adverse comments to make in relation to contaminated land.

WRS - Noise Consulted 08.03.2018 and

No objection to the application in terms of noise / nuisance impacting on future residents. However in order to minimise any nuisance, during the demolition / construction phase, to nearby sensitive receptor(s) the applicant should refer to the WRS Demolition and Construction Guidance (attached) and ensure its recommendations are complied with.

Publicity

Neighbour Notification letters sent 08/03/2018 expired 29/03/2018

Amendment Neighbour Notification Letters sent 23/05/2018 expired 06/06/2018

Site notice posted 9/03/2018 expired 30/03/2018

Press Notice published 16/03/2018 expired 30/03/2018

71 objections received in regards to the Full Planning Application and 69 in regards to the listed building application.

1 letter of support (from the owner of part of the site) received in regards to the Full Planning Application.

Reasons for objection include:

- Highway safety
- Parking and traffic problems.
- Access driveway being unsuitable for extra traffic- it has only ever been used by one resident and their family.

- Lack of space to manoeuvre cars within the site- more information should be required to demonstrate clearly that there is adequate provision for parking, manoeuvring, loading and unloading to fulfil the operation requirements of the proposed development, which now includes both business and residential use.
- Over intensification of development and lack of parking causes social and neighbour problems.
- Although it is an indifferent structure, the garage is located within the conservation area and on the site of a Grade II listing building. Surely there is a case that if the benefit of the parking spaces in the garage no longer goes to No.3 High Street, then the original planning justification for the garage no longer existing, and the footprint should be restored to garden land at the owners expense.
- Application is unsuitable in the site of a grade 2 listed building in the conservations area and should be refused.
- Uncharacteristic outlook from buildings onto parking areas and yards.
- Proposal does not enhance Belbroughton's characteristic dwellings.
- Proposal will be uncharacteristic of the village.
- The buildings are too small to be made into residential units of even reasonable quality
- We know the application site well and would hate to see it carved up in this manner. We have major concerns about the conversion of the butchers shop outbuildings into minuscule dwellings.
- Structural integrity and stability of the buildings and inadequate structural appraisal; of building undertaken
- Stability of the ground in this area of Belbroughton.
- Effect of proposal on adjacent garage and garden walls- there is a very real danger that parts of the historic walls which form the boundary between the outbuildings of the application site and No1 High Street may suffer collapse
- Having two converted properties crammed into a site just over our boundary wall is likely to generate more noise than we have experienced to date.
- Overlooking concerns.
- Whilst the present application does not have windows facing into the garden, we are likely to face subsequent applications to insert them.
- A poor planning decision in the past has contributed to the present ill-considered application (and its predecessor in 2016). Let's try to avoid making matters worse.
- Poor planning decisions lights lives and haunts local residential for decades.
- Belbroughton is fast losing its status as a village, but now become a through road for traffic taking a short cut.
- Belbroughton has reached saturation point as far as building is concerned.

Other non-material planning considerations have also been raised within some of the objections that were received.

Reasons for support include:

- The use of the access was used in connection with the former butchers shop.

Councillor Margaret Sherry

Overdevelopment of site and the effect of the development on London House due to the stability of the land in the area.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
 BDP2 Settlement Hierarchy
 BDP4 Green Belt
 BDP7 Housing Mix and Density
 BDP12 Sustainable Communities
 BDP16 Sustainable Transport
 BDP19 High Quality Design
 BDP20 Managing the Historic Environment
 BDP21 Natural Environment
 BDP23 Water Management

Others

SPG1 Residential Design Guide
 NPPF National Planning Policy Framework (July 2018)
 NPPG National Planning Practice Guidance

Relevant Planning History

17/00614/FUL	Change of use from a butchers shop to a health and beauty clinic that carries out private holistic treatments including non-surgical treatments.	Approved	24.11.2017
16/0287	The conversion of existing outbuildings to form 2no. 1 bedroom dwellings and the construction of a new 3 bedroom dwelling incorporating an existing outbuilding	Refused Dismissed at Appeal	15.07.2016 28.04.2017
16/0288	The conversion of existing outbuildings to form 2no. 1 bedroom dwellings and the construction of a new 3 bedroom dwelling incorporating an existing outbuilding	Refused Dismissed at Appeal	15.07.2016 28.04.2017

Assessment of Proposal

Although the site has been described as to the rear of 37 Nash Close, the site and the outbuildings within it did until recently relate to the outbuildings to 3 High Street. 3 High Street Belbroughton is a grade II listed building which comprises an end of terrace property of brick and tile construction, dating from the 18th century. The outbuildings were used as ancillary accommodation to the butchers and 3 High Street for a long period of time.

Adjacent to the site is 5 High Street, also a Grade II listed building, which is now used as the Belbroughton Working Men's Club. This has a similar sized garden to 3 High Street.

This application is for the conversion of three of the existing outbuildings to form 2no. 1 bedroom dwellings and demolition of the existing prefabricated garage and the erection of a new carport in its place.

As well as being within the curtilage of a listed building, the application site is also situated within the Green Belt, the Belbroughton village envelope and part of the site is situated within Belbroughton Conservation Area.

Green Belt

Local and national Green Belt policy aims to prevent urban sprawl and preserve the openness of the Green Belt. It does this by preventing inappropriate forms of development which fail to maintain the openness of the Green Belt and conflict with its purposes.

In respect of the conversion works to the outbuildings, Green Belt policy supports the re-use of buildings provided that the buildings are of permanent and substantial construction. The policy also states that any re-use of buildings must also preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

A structural appraisal has been submitted with the application. This was produced by Structural Design Partnership, who are structural and civil engineers. They have inspected and assessed the buildings stability and suitability for conversion into residential units. They have set out in their appraisal that strengthening works would be required to the buildings which would include: the reconstruction of the front corner of building 3; replacement of defective timber lintels; remedial defective brickwork being repointed; and, spalled bricks being replaced. However, overall they do consider that the existing buildings are structurally stable and with the requisite remedial strengthening are suitable for conversion. As such the existing outbuildings that are to be converted are considered to be of permanent and substantial construction.

Given the previous use of the site and the existing layout, it is not considered that the proposed conversion of the outbuildings into two residential dwellings would result in an unacceptable level of harm to the openness of the green Belt or conflict with the purposes of including land within it. As such, it is considered that the conversion of the buildings would be appropriate development in the Green Belt.

The proposed conversion of the existing outbuildings does incorporate a small extension to increase the pitch and height of the existing single storey lean-to roof of Building 1. It is considered that this alteration to the existing roof slope would be a proportionate addition to the original building, and would therefore fall within one of the exceptions for new buildings in the Green Belt that are set out in paragraph 145 of the NPPF.

In respect of the replacement garage building, Green Belt policy supports the replacement of a building, provided the new building is in the same use and is not materially larger than the one it replaces. As the existing garage is a residential garage and the proposal is a car port for use by the proposed dwellings it is considered that the use would be the same.

The proposal is to demolish the existing garage on the site and replace it with a detached car port structure to be used by the two proposed dwellings. The existing garage structure has a floor area of approximately 31.5sqm and a volume of 91 cubic metres; whereas the proposed replacement car port would have a floor area of 32sqm and a volume of 98 cubic metres. The proposal would therefore increase the floor area of the existing building by approximately 4.5% and the volume by approximately 7.9%.

Although these figures show that the proposed car port would be larger than the existing garage, the level of enlargement in terms of floor area or volume are not considered to be material. The proposed replacement building is therefore considered to be appropriate development in the Green Belt.

Historic Environment and Character of area

The Conservation Officer set out in her comments that these buildings have been vacant for some time, and she would welcome their re-use. She would not therefore object to the principle of their conversion to residential accommodation.

The Conservation Officer did raise concerns initially about some elements of the proposal and the level of detail provided with the application. However, following the submission of amended plans and revised schedule of works, she considers that the queries raised in her earlier comments have been addressed and has confirmed that he has no conservation objection. As overall it is considered that the proposal would preserve and enhance the listed buildings and their setting and the character and appearance of the conservation area.

The Conservation Officer has recommended that several conditions should be appended to any permission that is granted, which should include: joinery details, details of materials to be used throughout the development to be submitted, a survey report and method statement to be submitted regarding the underpinning works on building 3; and, that all works should be carried out in accordance with the latest submitted method statement.

Policy BDP7 sets out that Household needs within Bromsgrove District are varied and include requirements for a mixture of people and circumstances including: singles, couples and families. Therefore although the proposed units are small; these types of units are considered to be necessary to help provide the smaller units of accommodation that are required within the district.

The proposed dwellings would only have small amenity areas. However, given the size of the proposed dwellings it is considered that the proposed level of amenity space is sufficient. The proposed dwellings would also have limited openings and as such there views would be restricted. A landscaping scheme should therefore be conditioned to soften the site and improve the vistas of the future occupiers of the proposed dwellings.

Highways and parking

A large amount of objections have been received from residents and the parish Council in regards to the impact the proposed development would have on highway safety in the village of Belbroughton.

Worcestershire County Council acting in its role as the Highway Authority has undertaken a full assessment of the proposal, and has confirmed that they are aware of the development at 3 High Street and that some of the parking spaces proposed on this site would be used by No. 3 High Street.

Overall though based on their analysis of the information submitted and consultation responses from third parties they have confirmed that they do not consider that the proposal would have a severe impact on highway safety and so have raised no objection subject to the conditions that the development is carried out in accordance with the submitted plans, parking provision, electrical vehicle charging points and cycle parking provision. Given the proposed car port could accommodate cycle parking, it is not considered necessary to condition the provision of cycle parking separately within the site.

Comments have been received from residents regarding the ownership of the access driveway into the site. Although the correct notices were not served on the owners of the access driveway when the application was originally submitted, it is believed that this was rectified throughout the application.

Comments have been received from residents regarding the ownership of the access driveway into the site; rights of access over this section of the site; and, the effect that proposal would have on an existing right of way through the site to the garage adjacent to building 2, that is owned by No. 4 Queens Hill. Disputes regarding matters such as these are not material planning considerations, and as such cannot be taken into consideration as part of the planning process.

Amenity

The proposed conversion would result in new windows being inserted into some of the existing openings within the buildings that are proposed to be converted. Building 1 would be the only building to have habitable accommodation and windows at first floor.

The proposal is to have three windows within the first floor of building 1, two of which would be high level windows and the other would be a bathroom window, which would be obscure glazed. It is not considered that these windows would therefore affect the existing amenities enjoyed by the occupiers of the adjoining residential properties.

Building 3 would serve as an ancillary building connected to the main dwellinghouse contained within building 2. Objections have been received regarding the proposed windows in the northern elevation of this building. These objections relate to the loss of privacy and overlooking that these windows would cause to No. 37 Nash Lane. The windows that are to be inserted into the northern elevation of building 3 would be ground floor windows. Although the ground levels do change between the site and No. 37; with No. 37 being at a lower level than the site, it is considered that any views into No. 37 from the proposed windows in the northern elevation of building 3, would be partly screened by the existing fence that divides the site from No. 37. It is also noted that the proposed windows would not directly face the existing windows within the rear elevation of No. 37. Overall therefore it is considered that the windows that are proposed in the northern

elevation of building No. 3 would not have an adverse impact on the amenities currently enjoyed by the occupiers of No. 37 or any of the other adjoining residential properties.

Objections have been received regarding future occupiers wanting to insert new openings and windows into the buildings if planning permission is granted for them to be converted. As the buildings are listed, any new openings would require listed building consent, which would have to look at the impact of the new windows on the historic fabric and character of the listed buildings. So that the amenities of the neighbouring occupiers can also be taken into consideration in any future changes it is also considered necessary to remove permitted development rights to alter and extend the existing buildings, which would include the insertion of any new windows. This would mean that any new window or new opening would need to be applied for and formally assessed as part of a planning application before it can be lawfully inserted.

Worcestershire Regulatory Services (WRS) have raised no objection to the application in terms of noise impacting on residents. However, in order to minimise any nuisance, during the demolition and construction phase, to nearby sensitive receptors they have suggested that the applicant refer to the WRS Demolition and Construction Guidance and ensure its recommendations are complied with.

Drainage

North Worcestershire water Management and Severn Trent Water have not raised any objection to the proposal subject to conditions.

Ecology

A bat survey has been submitted with the proposed application. This survey sets out that although there are bats around the site, no bats were found to be roosting within any of the buildings. Worcestershire Wildlife trusts were consulted on the Bat survey, and have confirmed that it appears satisfactory and that the recommendations that are contained within the report appear sensible. These recommendations have been included as conditions.

Stability of land

Concerns have been raised regarding the stability of the land in the area and the effect of the development on the existing boundary walls that surround the site. The boundary walls do form part of some of the buildings that are proposed to be converted and form an important feature that adds to the historic character and appearance of the listed buildings and Conservation area.

Residents have raised concern due to the history of other walls collapsing within the village and soil creep which is taking place within the village near to the site. I am not however aware of any land instability within this particular site. The structural assessment that has been submitted does not raise any concerns regarding land stability or the stability of the boundary walls that form part of the existing outbuildings.

It is however recommended that a condition be appended to any permission that is granted, which asks that any damage to the existing boundary walls caused by the development works is rectified.

Community facilities

Access to community facilities and services, such as shops are considered an essential element of sustainable and inclusive communities. This proposal is for the redevelopment of outbuildings which were connected to the former butchers shop at 3 High Street. 3 High Street has now been subdivided from the site and is now owned by a different owner to that of the site. Therefore it is considered that the current proposal would not result in the loss of a community facility.

Conclusion

It is considered that the proposed development would be appropriate development in the Greenbelt, which would preserve and enhance the character and appearance of the conservation area and see three disused curtilage listed buildings put back into use in a sympathetic manner. It is not considered that the proposal would have a severe impact on highway safety or adversely affect the amenities currently enjoyed by the adjoining residential occupiers. Overall therefore it is considered that the proposal accords with the policies in the local plan and the NPPF.

RECOMMENDATION:

- (c) With respect to **18/00185/FUL**, that **full planning permission** be **Granted**
- (d) With respect to **18/00186/LBC**, that **Listed Building Consent** be **Granted**

Conditions:

Planning Application 18/00185/FUL

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 approved shall be carried out in accordance with the following plans and drawings:

Drawing No. 220-LP-1 Location Plan

Drawing No. 220-P-10 Rev. A Ground Floor Plans and site Layout

Drawing No. 220-P-02 Rev. C Outbuildings proposed elevations

Drawing No. 220-P3-01 Rev. C First Floor Plans

Drawing No. 220-3-03 Rev. B Proposed car port plan and elevations

Drawing No. 220-3-02 Rev. A- Building 3- Proposed Plan and Elevations

Amended Schedule of Works to listed building dated may 2018 Received
01.07.2018

Drawing No. 220-ST-1 Drawing Ground Floor Plans- Location of Galv. Wall plate

and straps, lintols and structural ridge

Drawing No. 220-ST-2 First Floor Plans- Location of Galv. Wall plate and straps, lintols and structural ridge

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. Prior to the commencement of the development hereby approved a survey report and method statement setting out the requirements for any underpinning works that are to be undertaken within building 3, has been submitted to and approved in writing by the Local Planning Authority. The underpinning works shall then be carried out and completed fully in accordance with the approved method statement.

Reason: This is a pre commencement condition as it is necessary to establish the extent of the works required on building 3 prior to any works being carried out on site in order to safeguard and maintain the character and appearance of the curtilage listed buildings.

4. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, an Arboricultural Method Statement or similar detailed schedule of works to protect the hedges & trees on and adjacent to the site in accordance with British Standard BS5837:2012 shall be submitted to and approved by the Local Planning Authority.

Reason: This is a pre commencement condition as it is necessary to protect the trees, hedges & landscape features which form an important part of the amenity of the site and adjacent properties from all forms of development. This is in accordance with policies BDP1, BDP19, BDP22, BDP21 & BDP22 of the Bromsgrove District Plan 2011 - 2030 and the National Planning Policy Framework.

5. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the trees or hedgerows on and adjacent to the application site shall be protected or works within Root Protection Areas carried out only in accordance with the methods detailed in the approved Arboricultural Method Statement. These measures shall be maintained as approved until all development subject of this permission has been completed.

Reason: This is a pre commencement condition as it is necessary to protect the trees, hedges & landscape features which form an important part of the amenity of the site and adjacent properties from all forms of development. This is in accordance with policies BDP1, BDP19, BDP22, BDP21 & BDP22 of the Bromsgrove District Plan 2011 - 2030 and the National Planning Policy Framework.

6. No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 - a) The programme and methodology of site investigation and recording.
 - b) The programme for post investigation assessment.
 - c) Provision to be made for analysis of the site investigation and recording.
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: This is a pre commencement condition so that a site investigation and recording of the site can take place in accordance with the requirements of paragraph 199 of the National Planning Policy Framework.

7. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (6) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 199 of the National Planning Policy Framework.

8. Prior to their first installation samples and details of the form, colour and finish of the materials to be used externally on the walls and roofs of the buildings, boundary walls and all areas of hard surfacing within the site (driveway, parking and patio areas) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to preserve the integrity and character of the building, and its materials.

9. Prior to installation details of the colour of the mortar to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to its use and the mortar shall thereafter be applied to the building.

Reason: In the interests of visual amenity and to preserve the integrity and character of the building, and its materials.

10. If during any of the demolition or construction works of the development hereby approved the any of the existing walls that form the boundary of the application

site are damaged, works shall cease on the site immediately and the Local Planning Authority shall be contacted. A survey report and method statement setting out the details of the repair works (including materials to be used) shall then be submitted to and approved in writing by the Local Planning Authority. The repair works shall then be carried out and completed fully in accordance with the approved method statement.

Reason: To safeguard and maintain the character and appearance of the listed buildings and the conservation area.

11. Prior to their construction, plans and details of all of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to maintain the character and appearance of the listed buildings and the Conservation area.

12. Prior to installation, details of all joinery shall be submitted at a scale of 1:5 to the local planning authority and approved in writing. The development shall then be carried out in accordance with the approved details.

Reason: To maintain the character and appearance of the listed buildings.

13. Prior to the first occupation of the development hereby approved, details of a landscaping scheme including a planting schedule, showing details of retained and new landscape planting have been submitted to and approved in writing by the Local Planning Authority. The planting scheme shall include native species of trees, flowering shrubs and herbs.

Such approved planting shall be completed prior to the first occupation of the development or such other time as is agreed as part of the details to be submitted. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enhance the character and appearance of the area and enhance the habitat of bats and birds which are protected species under the Wildlife and Countryside Act 1981 and in accordance with paragraph 175 of the NPPF.

14. The ground floor window situated within the Southern Elevation of building 1 (shown on approved drawing No.220-P-02 Rev. C- Outbuilding Proposed elevations) shall be non-opening and obscure glazed to a level equivalent to Pilkington scale of obscurity 4 or 5. The window shall be maintained as such perpetuity.

Reason: To protect the amenities of neighbouring residents

15. The first floor window to be installed in the southern elevation of building 1 (shown on approved drawing No.220-P-02 Rev. C- Outbuilding Proposed elevations) shall be obscure glazed to a level equivalent to Pilkington scale of obscurity 4 or 5 and the opening shall have a right sided (as viewed from outside) casement only i.e. side hinged pane that swings outwards towards the boundary with No. 1 High Street. The window shall be maintained as such in perpetuity.

Reason: To protect the amenities of neighbouring residents

16. Should any bats be discovered within the buildings during the conversion works, then all works on the site must stop immediately and a suitably licensed and qualified bat ecologist must be engaged to advice on the most appropriate way to proceed.

Reason: To protect species under the Wildlife and Countryside Act 1981 and in accordance with paragraph 175 of the NPPF.

17. Prior to the first occupation of the development hereby approved, a bat box should be installed on the Southern elevations of Building 1 and 3. The bat boxes shall be installed at a minimum height of 2.5metres. These shall remain for the lifetime of the development.

Reason: To enhance the habitat of bats which are protected species under the Wildlife and Countryside Act 1981 and in accordance with paragraph 175 of the NPPF.

18. Any lighting that is installed on site shall be low powered (with a lux level of 3 or less), and downward pointing and mounted at a low level to minimise the level of impact from lighting on bats.

Reason: To enhance the habitat of bats which are protected species under the Wildlife and Countryside Act 1981 and in accordance with paragraph 175 of the NPPF.

19. The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

20. The Development hereby permitted shall not be first occupied until all of the parking spaces shown on drawing no. 220-P-10 Rev. A (Ground Floor Plans and site layout) and the car port shown on drawing no.220-P-10 Rev. A and Drawing No. 220-3-03 Rev. B (Propose car port plan and elevations) have been fully laid and constructed. These areas shall thereafter be retained for the purpose of parking vehicles at all times.

Reason: In the interests of highway safety, to ensure the free flow of traffic using the adjoining highway and to avoid unregulated parking within the site.

21. The Development hereby permitted shall not be first occupied until two of the proposed car parking spaces have been fitted with an electric vehicle charging point. Thereafter these charging points shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities.

22. The Development hereby approved shall not be occupied until the access, turning area and parking facilities shown on Drawing 220-P-10 rev. A have been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

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

23. Building 3 shall be used for purposes incidental to the enjoyment of the residential use of Building 2 only, and shall not be let or severed from this property.

Reason: To safeguard the amenities of the area.

24. 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, Classes A, C, D, and F shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the amenities of the neighbouring occupiers, the character and appearance of the area and the openness of the Green Belt.

Listing Building Application 18/00186/LBC

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 approved shall be carried out in accordance with the following plans and drawings:

Drawing No. 220-LP-1 Location Plan

Drawing No. 220-P-10 Rev. A Ground Floor Plans and site Layout

Drawing No. 220-P-02 Rev. C Outbuildings proposed elevations

Drawing No. 220-P3-01 Rev. C First Floor Plans

Drawing No. 220-3-03 Rev. B Proposed car port plan and elevations

Drawing No. 220-3-02 Rev. A- Building 3- Proposed Plan and Elevations

Amended Schedule of Works to listed building dated may 2018 Received 01.07.2018

Drawing No. 220-ST-1 Drawing Ground Floor Plans- Location of Galv. Wall plate and straps, lintols and structural ridge

Drawing No. 220-ST-2 First Floor Plans- Location of Galv. Wall plate and straps, lintols and structural ridge

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. No development shall take place until a survey report and method statement setting out the requirements for any underpinning works that are to be undertaken within building 3, has been submitted to and approved in writing by the Local Planning Authority. The underpinning works shall then be carried out and completed fully in accordance with the approved method statement.

Reason: To safeguard and maintain the character and appearance of the listed buildings.

4. Prior to their first installation samples and details of the form, colour and finish of the materials to be used externally on the walls and roofs of the buildings, boundary walls and all areas of hard surfacing within the site (driveway, parking and patio areas) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to preserve the integrity and character of the buildings, and its materials.

5. Details of the colour of the mortar to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to its use and the mortar shall thereafter be applied to the building.

Reason: In the interests of visual amenity and to preserve the integrity and character of the buildings, and its materials.

6. If during any of the demolition or construction works of the development hereby approved the existing walls that form the boundary of the application site are damaged, works shall cease on the site immediately and the Local Planning Authority shall be contacted. A survey report and method statement setting out the details of the repair works (including materials to be used) shall then be submitted to and approved in writing by the Local Planning Authority. The repair works shall then be carried out and completed fully in accordance with the approved method statement.

Reason: To safeguard and maintain the character and appearance of the listed building.

7. Prior to their construction, plans and details of all of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to maintain the character and appearance of the listed buildings and the Conservation area.

8. Prior to installation, details of all joinery shall be submitted at a scale of 1:5 to the local planning authority and approved in writing. The development shall then be carried out in accordance with the approved details.

Reason: To maintain the character and appearance of the listed buildings.

Informatives

1. This permission refers only to that required under the Town and Country Planning Act 1990 (an amended) and does not include any other consent or approval under any enactments, byelaw, order or regulation. The grant of planning permission does not override any third party rights which may exist over the application site.

Compliance with the building regulations will be required and before commencing works, it is recommended that discussions take place with the Building Control section of this Council. Where a building regulations approval is obtained and this is different from your planning and listed building consent, you should discuss this matter with the Development Management section of the Council.

On addition, the application is also advised that any works affecting party walls or involving excavations for foundations adjacent to a party will be required to serve notice on all adjoining owners before work commences. You are advised to contact the services of a private surveyor to act on your behalf in any formal private procedures and agreements that are now required by the part wall act 1996.

2. This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
3. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.
4. In order to minimise any nuisance, during the demolition and construction phase, to nearby sensitive receptors the applicant should refer to the WRS Demolition and Construction Guidance and ensure its recommendations are complied with.
5. 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: Claire Gilbert Tel: 01527 881655
Email: claire.gilbert@bromsgroveandredditch.gov.uk

This page is intentionally left blank

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ahluwalia	Two storey side extension to form new bedroom suite, ground floor cloakroom and new reception room Chadwich Heights, Sandy Lane, Wildmoor, Bromsgrove, Worcestershire B61 0QW	17.08.2018	18/00423/FUL

This application is for consideration by Planning Committee due to the requirement for a legal agreement.

RECOMMENDATION:

(1) Minded to **APPROVE FULL PLANNING PERMISSION**

(2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:

(i) The applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015.

Consultations

Belbroughton and Fairfield Parish Council

No Comments Received To Date

Highways - Bromsgrove

I have no highway objections, the highway is not affected and the applicant has relocated the existing parking which is acceptable.

Public Notifications

One neighbour letter sent 27.06.2018 and expired on 21.07.2018.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SPG1 Residential Design Guide

Relevant Planning History

B/1998/1030	Extensions to form conservatory and utility room	Approved	09.02.1999
BR477/65	Alterations and Extensions	Approved	27.07.1965
44/62	Construction of new vehicular access conversion of basement to garage	Approved	13.03.1962

Assessment of Proposal

The Site and its Surroundings

The property is a detached rendered/brick built dwelling, with a basement garage. The dwelling is located in an elevated position accessed via Sandy Lane (A491) along a private drive. The significant levels of hedgerow and tree screening, particularly on the southern boundary of the site mean that long distance views are limited. The application proposes a two storey side extension to form a new reception room and bedroom at first floor level. The application plan also indicate a new parking area adjacent to the house, however this work can be undertaken as permitted development under Class F of the GDPO.

Green Belt and Very Special Circumstances

The existing dwelling has already benefitted from significant additions since 1948 such that the original dwelling has been disproportionately extended having regard to paragraph 145 of the NPPF. Policy BDP4.4c of the Bromsgrove District Plan states that an extension of up to a 40% increase of the original dwelling may be appropriate provided it has no adverse impact on the openness of the Green Belt. In this case the property has already been extended above the 40% threshold by way of the previous extensions outlined in the history section. Any further extensions to the property would therefore amount to inappropriate development within the Green Belt. In accordance with the NPPF, inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances.

In this case the dwelling has the benefit of permitted development rights to extend the original dwelling. Given the layout of the site and the way in which the dwelling has previously been extended this could allow for two substantial single storeys extension without the need for full planning permission. The application proposes additional accommodation at first floor level over an area that could be extended as permitted development in order to provide further bedroom and bathroom accommodation. In order to consider whether very special circumstances exist to allow the proposed inappropriate development a comparison between the permitted development extensions and the proposed development needs to take place.

In favour of the proposal, the permitted development extensions possible at the site could provide a greater floorspace than that proposed under this current application (82.8 sq m vs 66.75 sq m). Whilst this would be at ground floor level, an extension up to a maximum

height of 4 metres is possible. It is considered that the potential for carrying out extensions under permitted development as an alternative to the development proposed is a reasonable prospect and should therefore be given weight in the determination of this application. In addition, the rear permitted development extensions has the potential to extend significantly from the existing dwelling thus having a significant impact to the openness of the Green Belt, the absence of any built form in this area.

The proposed extension will provide first floor accommodation. It would not increase the overall height of the roof and would be set back and located in the area between the lounge and dining room. It is considered that in this location it has far less impact on the openness of the green belt as it is screened by the existing lounge and garage. Taking all these matters in to account, it is considered that the ability for the dwelling to be extended substantially under permitted development represents a very special circumstance which is sufficient to outweigh the harm to the green belt through inappropriateness.

To ensure that the permitted development fall back cannot also be implemented the applicants are prepared to enter into a unilateral undertaking to relinquish their permitted development rights for further extensions to the dwelling.

Amenity and Design

The dwelling is some 126m from the nearest property and it is not considered that there would be any detrimental impact on the amenity of this property.

The development is considered to be of good quality design, that will not dominate the property and that will enhance the character and distinctiveness of the local area. In view of this the proposal would meet the requirements of Policy BDP19 and the provisions of Supplementary Planning Guidance note 1 - Residential Design Guide (SPG1).

RECOMMENDATION: That planning permission be

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:
 - (i) The applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015.

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 11 of the application form and the Approved Plans/Drawings listed in this notice:

Existing & Proposed Site & Location Plans - Drawing No P-02 C1718-51
Existing & Proposed Plans & Elevations -Drawing No P-01 C1718-51 Rev C

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

Case Officer: Mr Paul Lester Tel: 01527 881323
Email: paul.lester@bromsgroveandredditch.gov.uk

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mrs L. Tillotson	Retention and rebuilding of ancillary building 36 Fairfield Road, Bournheath, Bromsgrove, Worcestershire, B61 9JN	09.08.2018	18/00458/FUL

RECOMMENDATION:

- (1) Minded to APPROVE FULL PLANNING PERMISSION
- (2) That DELEGATED POWERS be granted to the Head of Planning and Regeneration Services to determine the planning application following:
 - (i) The applicant entering into a suitable unilateral agreement to revoke the single garage approved under planning application 2002/1252

Consultations

Bournheath Parish Council Consulted 27.06.2018
No Comments Received To Date

Publicity

Neighbours notified 27.06.2018 and site notice displayed 04.07.2018
No Representations Received To Date

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (July 2018)
NPPG National Planning Practice Guidance
SPG1 Residential Guidelines

Relevant Planning History

17/01353/FUL	Alterations and reconstruction of ancillary building.	Refused	01.03.2018
B/2002/1252	Demolition of integral garage and outbuilding and erection of two storey side extension, first floor side extension, and detached garage.	Approved	18.12.2002

Assessment of Proposal

The application is to rebuild an outbuilding at the rear of a cottage, lowering its height and adding a small increase in footprint, to create an annex for a relative. The floor level would be lowered to accommodate wheelchair access.

The site is within the settlement of Bournheath but within the Green Belt. The cottage is set back from the road and slightly elevated. The land to the rear is higher than the dwelling and a brick outbuilding is located between the boundary and rear of the house. There is no rear garden but the residential curtilage extends to the right (south), bounded by a substantial boundary hedge.

The planning history confirms that there have been previous extensions to the property, that amount to an increase in the original floor area of 44%, albeit under a previous policy regime and prior to the adoption of the current local plan. The 2002 permission also included a condition requiring the removal of the current outbuilding, located within 1 metre of the rear of the house. Such demolition has not been carried out although a detached garage of 21.6 sqm included on that permission has not been built.

Under application reference 17/01353/FUL, permission to demolish and rebuild the outbuilding as a granny annex was refused as the development was considered a disproportionate addition to the original dwelling and constituted inappropriate development which, by definition is harmful to the Green belt. When taken together with previous extensions the development would unacceptably harm the openness of the Green Belt. No very special circumstances to outweigh the harm were identified. The proposal was therefore considered contrary to the provisions of Policy BDP4 of the Bromsgrove District Plan 2017, and the provisions of NPPF.

However, in order to rectify the situation the applicant has entered into a unilateral undertaking to revoke part of the original permission for extensions that included an unbuilt detached garage. Overall the rebuilding of the outbuilding, less the unbuilt garage, would result in an increase of 42% above the original dwelling.

Planning approval to extend this cottage was obtained in 2002 (B/2002/1252) and the work was completed on site in 2003. The original approval was for various extensions and allowed for the construction of a detached garage in the front garden and the demolition of an ancillary building to the rear of the property. All the works covered by the approval were completed with the exception of the front garage and the required demolition of the ancillary building to the rear. At the time it was considered that the front garage was too close to the roadside and therefore it was not constructed. The rear ancillary building was left in place.

This application seeks to revoke the consent for the detached garage and to allow the rear ancillary building to be partially demolished and reconstructed on the same foot print to a lower level than the existing building in order to make it easily accessible (for an elderly relative) from the rear of the dwelling. There is at present a level difference of 550mm with three steps up into the outbuilding.

Considerations

The main considerations for this application are whether the proposal would constitute inappropriate development within the Green Belt, whether there would be an adverse impact to the openness of the Green Belt, the impact of the proposal on the character of the dwelling and the local area, neighbouring amenity, and whether Very Special Circumstances exist that would outweigh the harm arising by reason of inappropriateness and any other harm.

Green Belt

There is a presumption against development within the Green Belt; however paragraph 145 of the National Planning Policy Framework (NPPF) lists a number of exceptions that may not be inappropriate within the Green Belt, which includes a proportionate addition to an original building.

Policy BDP4.4 of the Bromsgrove District Plan (BDP) (2017) states that development of new buildings in the Green Belt is considered to be inappropriate unless specific circumstances apply. Criterion (c) allows extensions to existing residential dwellings up to a maximum of 40% increase of the original dwelling or increases up to a maximum total floor space of 140m² (original dwelling plus extensions) provided that the scale of development has no adverse impact on the openness of the Green Belt.

In this case the property benefits from planning permission for extensions, which have in part been constructed, except for a detached garage to the front of the house. A condition of the original permission in 2002 was that the outbuilding, now subject to this application, be removed, but in fact it remains in situ. In effect this is now a lawful building and could be retained. The proposed replacement outbuilding and previous extensions, would amount to a 42% increase in floor space above the original, and the permitted garage would amount to a further 11.2%. Taken together, extensions would total 53.2%, which would constitute disproportionate additions and thus inappropriate development.

In accordance with the NPPF inappropriate development is harmful by definition and should not be approved except in Very Special Circumstances. Whilst the previous permission has been implemented for extensions, the applicants propose to revoke the previous permission in respect of the unimplemented detached garage.

In this case the scale of the single storey outbuilding is similar to the approved garage, but the garage was shown in a prominent position at the road side frontage. The outbuilding would replace an existing building. It is also located to the rear of the dwelling behind a 2 storey extension, against an embankment and reduced in height from the existing and not seen from the street such that there would be a lesser impact to the visual openness of the Green Belt and character of the street.

Given the approved garage would be more harmful than the proposal scheme for the reasons above, it is considered that Very Special Circumstances exist that would outweigh the harm arising through inappropriateness, where a 40% increase would normally be accepted. It is therefore considered that the proposal is acceptable subject to the removal of Class 'A' Permitted Development Rights, which would ensure that further extensions could not also be implemented.

Impact on the Character of the Dwelling and Local Area

Policy BDP19 of the Bromsgrove District Plan requires development to be of a high quality design that will enhance the character and distinctiveness of the local area. The proposal scheme is not considered to dominate the original dwelling in terms of its scale and retains the appearance of an outbuilding, which forms an important part of the character of the dwelling. In this case the scale of the single storey outbuilding is similar to the approved garage, but the garage was shown in a prominent position at the road side frontage. The outbuilding would replace an existing building. It is also located to the rear of the dwelling behind a 2 storey extension, against an embankment and reduced in height from the existing and not seen from the street such that there would be a lesser impact to the visual openness of the Green Belt and character of the street. It is also noted that the approved scheme would be far more prominent from views of the street scene.

Overall it is considered that the approved scheme would have a greater detrimental impact to the character of the original dwelling and the local area.

Neighbouring amenity

At single storey and set at a lower ground level than the existing, the proposal would not impact on the amenities of neighbouring residents.

Given the siting of the proposal in relation to the adjoining neighbour, no harm arises to the amenities of the neighbouring occupiers, and thus the proposal complies with policy BDP1 of the Bromsgrove District Plan.

Conclusion

The proposed development would constitute disproportionate additions that amount to 42%, which would be inappropriate development within the Green Belt as a maximum of only 40% is allowed. Inappropriate development is harmful by definition and should only be approved if Very Special Circumstances exist that would outweigh the harm arising through inappropriateness. In this case a permitted scheme exists which would provide additional floor space in the form of a prominent front garage that would have a greater impact to the visual openness of the Green Belt. The approved scheme would also have a greater detrimental impact to the character of the dwelling and the street scene.

Given the permitted scheme would be more harmful than the proposed scheme for the reasons above, it is considered that Very Special Circumstances exist that would outweigh the harm arising through inappropriateness. It is therefore considered that the proposal is acceptable, subject to the removal of Class A Permitted Development Rights, which would ensure that further extensions could not also be implemented.

A Legal Officer was consulted as part of the process and considered that a Unilateral Agreement was the most suitable mechanism to revoke the garage permission in this particular case.

RECOMMENDATION:

(1) Minded to APPROVE FULL PLANNING PERMISSION

(2) That DELEGATED POWERS be granted to the Head of Planning and Regeneration Services to determine the planning application following:

(i) The applicant entering into a suitable unilateral agreement to revoke the single garage approved under planning application 2002/1252

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.

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 garage hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and not as separate habitable accommodation or for the carrying out of any trades or business.

Reason: To protect the amenities of neighbouring residents

- 4) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Dwg. 17:21:00 Original Survey
Dwg. 17:21:02 Site Plan
Dwg. 17:21:03 Proposed Elevations
Dwg. 17:21:04 Proposed Plans
Dwg. 17:21:05 Site Plan

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 5) 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, Classes A to D (inclusive) shall be carried out without the prior approval of the Local Planning Authority to an application in that behalf.

Reason: Further additions have the potential to be disproportionate, and consequently would not preserve the openness of the Green Belt. These rights are

Plan reference

removed in order to bring such development within the scope of control of the Local Planning Authority.

Informatives

- 1) An agreement under S106 of the Town and Country Planning Act applies to this decision.

Case Officer: Sally Price Tel: 01527 881683
Email: sally.price@bromsgroveandredditch.gov.uk

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Eamon Thompson	Construction of 2 no. 2 bedroom 4 person and 3 no. 1 bedroom 2 person affordable houses together with external works, car parking and landscaping Land To The Rear Of No.15 York Avenue, Bromsgrove, Worcestershire, B61 8SA,	14.06.2018	18/00463/FUL

RECOMMENDATION: That planning permission be **Granted**

Consultations

Highways - Bromsgrove Consulted 17.05.2018

No objection subject to conditions.

Hereford & Worcester Fire and Rescue Consulted 17.05.2018

No comments received

Mr Dave Rieschmiller - Designing Out Crime Officer Consulted 17.05.2018

I am broadly supportive of the application given it provides smaller social housing units on a problematic open site where existing lock-up garages have been subject of Anti-Social Behaviour. The site is small and as such I understand that it presents challenges around its layout.

As a minimum I would recommend that the fencing of units 1, 3, 4 and 5 where it borders the alleyway is increased by trellising to at least 2.1 metres.

Crime Risk Manager- West Mercia Police Consulted 17.05.2018

No objections to the above application.

Bromsgrove Strategic Planning and Conservation Consulted 17.05.2018

No comments received

Leisure Services Manager Consulted 17.05.2018

Although there is a loss of a small parcel of Public Open Space, there is limited value to the space given its size. Therefore we would not seek off site sums.

WRS - Contaminated Land Consulted 17.05.2018

No objections subject to conditions.

The ground investigation identified a marginal exceedance of lead and gas monitoring has also identified some elevated levels of carbon dioxide. The site has been classified as Characteristic Situation 2 and therefore requires appropriate gas protection measures to be incorporated within the properties to protect against the identified risk.

Plan reference

A scheme for remediation should be prepared to deal with the issues identified above in line with the recommendations of the report.

Drainage Engineers Internal Planning Consultation Consulted 17.05.2018

No objection subject to securing on-site attenuation system.

Arboricultural Officer Consulted 31.05.2018

I would have no objection to the loss of the hedges H1 or H2 as long as they are removed with the appropriate consents and permissions in place.

If it was agreed with all relevant parties that the hedges can go then there would be no need for any tree conditions on this site.

Housing Strategy Consulted 25.07.2018

No objections

Public notifications

Two site notices were posted 01.06.2018 and expired 25.06.2018

41 neighbour letters sent 17.05.2018 and expired 07.06.2018

One representation has been received raising the following concerns:

- Overlooking into the rear garden and kitchen/dining area of house from the windows of plot numbers 1 and 2.
- Noise and dust created during the construction of the development.
- Obstruction of access road and access to garage whilst work is taking place.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP7 Housing Mix and Density

BDP19 High Quality Design

BDP21 Natural Environment

BDP23 Water Management

BDP25 Health and Well Being

Others

NPPF National Planning Policy Framework (July 2018)

NPPG National Planning Practice Guidance

SPG1 Residential Design Guide

Relevant Planning History

No planning history

Assessment of Proposal

Principle of Development

The application site lies to the south of York Avenue and is accessed off a private road. The site is currently occupied by six lock up garages, and to the rear of the garages, the

area of open space. The garages are reportedly unused and generally appear in poor condition.

The site lies within the residential area as defined in Policy BDP2 of the Bromsgrove District Plan (BDP) and therefore has been considered having regard to the presumption in favour of sustainable development, as outlined in Policy BDP1 of the BDP and paragraph 11 of the National Planning Policy Framework July 2018 (NPPF 2018).

The proposal would provide two two-bedroom and three one-bedroom affordable dwellings, which would make a valuable contribution to the local housing stock whilst making efficient use of the land available, in line with Policy BDP7 of the Bromsgrove District Plan.

Loss of Open Space

The majority of the site is currently non designated public open space. Policy BDP25.3 resists the loss of open space unless it can be demonstrated that there is: a) a surplus provision and it is no longer required b) the benefit of the development to the community outweighs the loss of the facility or; c) an alternative facility of equal quality, quantity and convenience can be provided.

In this case the site lies within a reasonable walking distance to two other existing areas of open space. The Open Space statement provided with the application identifies these to be Laurel Grove amenity greenspace and King George V Playing Field, which are both assessed as being of high quality. These two facilities are within a 5 minute walking distance and so provide a high quality, convenient alternative, meeting point c) of the above.

In addition to this, the statement contends that the provision of affordable housing is required within the district and this should carry significant weight. Given there are other suitable facilities in the area, the benefit of affordable houses to the community would outweigh the loss of this small area of open space, and therefore point b) of the above would also be satisfied.

Leisure Services have been consulted on the application and, in view of the size and quality of the existing open space, they do not object to its loss. Furthermore, although Policy BDP25.4 would usually require compensatory measures where there is a loss, given the limited value of the open space, it is not considered reasonable.

Design/Layout

Policy BDP19 requires development to be of a high quality design that will enhance the character and distinctiveness of the local area.

In view of the proposed development, it is considered that it would not conflict with the established pattern of development in the area, in terms of density or layout.

The property types in the immediate area consist of two storey semi-detached dwellings and two storey maisonettes; either with hipped or gabled roofs. The houses also vary in terms of their materials and finish. The maisonettes are constructed of buff brick with brown roof tiles and the dwellings are constructed of red brick, some with render panelling, and either red, brown or grey interlocking roof tiles.

The proposed dwellings consist of a pair of two bedroom semi-detached properties and three one-bedroom terraces. All properties would be of the same design and finish, comprising forward projecting gables, and would be finished in red brick and render, with grey roof tiles and grey windows and doors. This would result in an attractive and contemporary appearance which, given the mixture of property types within the area, would complement the existing housing stock. In view of the poor state of the existing garages that would be demolished for the new houses, it is considered that the scheme would lead to an enhancement of the local area, in line with the requirements of Policy BDP19.

Crime/Safety

Although broadly in support of the scheme, the Designing out Crime Officer has raised concerns with the alleyway that would be situated behind plot 3-5. It is noted that the scheme would result in the extension of the existing alleyway which would create blind dogleg corners.

In view of these comments, a number of alternatives have been considered to try and resolve this issue. Unfortunately because of the legal status of the pathway, on which several properties have a right of way over, the pathway cannot be closed off or incorporated into the development site. However following the comments from the Crime Officer, the proposal has been amended to include a 300mm trellis on top of the fence of plots 3-5, which is in line with the minimum requirements of the Crime Officer.

Residential Amenity

In accordance with Policy BDP1.4(e) and the provisions of Supplementary Planning Guidance "Residential Design Guide" (SPG1), consideration is given to the impact of the proposal on residential amenity. SPG1 advises that there should be a minimum separation distance of 21 metres between the main windows of two storey dwellings and that main windows overlooking existing private amenity space should maintain a distance of 5 metres per storey. In view of this it is noted that the proposal achieves the minimum standards for separation distances between main windows; however the first floor rear windows of the three terraced properties would be a distance of 9 metres from the rear gardens of 2-8 Lincoln Road. Although this would slightly fall short of the minimum standards, it is noted that the dwellings along Lincoln Road benefit from long gardens and therefore there would not be an unacceptable impact to privacy. There would be a small first floor window on the side elevation on the dwelling of plot one which would be positioned closely to the boundary of 13 and 15 York Avenue, however this would serve a bathroom and therefore can be conditioned to be obscure glazed.

SPG1 states that it is usual to have a minimum garden depth of 10.5 metres and a minimum garden area of 70 metres for family dwellings. The two bedroom dwellings on plots one and two would have a garden length of 10.5 metres, however would have an area of approximately 50 square metres. The one bedroom dwellings on plots 3-5 would have garden length of 7.5 metres and would have a garden area of between 48 and 68 square metres. Although this would fall slightly short of the minimum standards contained within SPG1, the document recognises that small house types do not have the same functional need for private amenity space, and thus amenity space provision is considered to be sufficient in this instance.

Highways

It is recognised that the site lies within a sustainable location, close to the local centre in Sidemoor, with good access to public transport. The development would utilise the existing access off York Avenue. The scheme includes 7 parking spaces, 2 each for the two-bedroom dwellings and 1 each for the one-bedroom dwellings.

Worcestershire County Council have raised no objection to the proposal subject to conditions, and it is acknowledged that parking provision would meet current standards.

Trees/Boundary Treatment

A Tree survey has been provided with the application, which identified a number of trees and hedges on site, all of which were considered to be of low quality and value. The survey concludes that the impact of the development would result in the removal of a Leyland Cypress and Privet Hedge which lie on the northern and eastern boundaries, respectively. Given the separation distances and proposed boundary treatments between the proposed dwellings and the existing dwellings surrounding the site, there would be no detrimental impact to the privacy of neighbouring occupiers.

The Tree Officer has not objected to the removal of the trees on the basis that they provide limited value beyond screening.

Ecology

An Extended Phase 1 Ecology Survey has been carried out on the site and found that the area to be developed is of low ecological value, and the development would unlikely to create a loss of significant habitat. However in line with the requirements of the Framework, proposals should demonstrate a net gain in biodiversity. On the basis of this a condition has been attached to the permission to provide enhancement measures in line with those recommended within the report.

Drainage

The Drainage Officer has commented on the proposal and has not objected on the basis that the site falls within flood zone 1 and is not at risk for surface water flooding. The Officer has further supported the proposed drainage strategy which incorporates the use of on-site attenuation in order to reduce runoff rate from the site. As Building Regulations require adequate provision to be made for rainwater to be carried from the roof of the building, no further conditions, other than the implementation of the submitted drainage strategy, have been recommended.

Contaminated Land

A Phase 1 and 2 Ground Investigation Report has been provided in relation to the site which identified a marginal exceedance of lead, and elevated levels of carbon dioxide. Worcestershire Regulatory Services have no objected to the scheme, however to ensure that the site is suitable for its proposed use, a condition has been recommended to provide adequate remediation or mitigation of the contamination that has been detected.

Representations

One neighbour letter has been received from number 77 King George Close, which raised concerns in relation to overlooking of their rear garden and kitchen and dining area. Plot 1 would be positioned closest to their dwelling, and the main windows of this dwelling would be a distance of 9.5m from the rear portion of their garden. Although

advisory standards contained in SPG 1 would suggest first floor windows to be 10 metres from private amenity space, in this case number 77 benefits from a long garden and only a small part of this would be affected. In terms of distances between plot 1 and the rear kitchen/diner windows of number 77, there would be a distance of 23 metres, which would exceed the standard of 21 metres set out in SPG1.

The representation also raised concerns with the potential noise and dust that would be created during the construction process. It is noted however that separate legislation exists relating to environmental protection to control noise and dust nuisances.

Matters raised in relation to the obstruction of property access during the construction process are a civil matter rather than a planning consideration.

Conditions

Worcestershire County Highways recommended a number of conditions if the application were to be approved. Having regard to paragraph 55 of the NPPF (2018), it was considered that it was not necessary to include all recommended conditions as a number of these relating to the access and parking could be consolidated.

RECOMMENDATION: That planning permission be **Granted**

Conditions:

- 1) The proposal must be started within 3 years from the date of this notice.

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 listed in this notice:

Site Location Plan - Drawing no. 06A

Site Plan - Drawing no. 07D

1B2P Single Aspect House - Drawing no. 08

1B2P House Elevations - Drawing no. 09

2B4P House Plans - Drawing no. 10

2B4P House Elevations - Drawing no. 11

Landscaping - Drawing no. ADL217 rev A

Drainage Strategy - Drawing no. 700 rev P0

Pre-development Tree Survey BS5837:2012 for Land at York Avenue, Bromsgrove - dated March 2018

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

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 4) The first floor window to be installed on the north side elevation of plot 1 as shown on the approved Site Plan no. 07D and Floor Plan no. 10 shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the privacy of the occupiers of neighbouring properties 13-15 York Avenue.

- 5) The proposed drainage strategy as detailed on drawing no. 700 rev P0D shall be installed in its entirety prior to first occupation and shall remain in situ in perpetuity and maintained thereafter.

Reason: To ensure that the development is provided with a satisfactory means of drainage

- 6) The Development hereby approved shall not be occupied until pedestrian visibility splay of 2m x 2m measured perpendicularly back from the edge of carriageway of the access road and shall be provided on the right hand side of the new access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

- 7) Development shall not begin until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.0 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 12 metres to the right measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

- 8) The Development hereby approved shall not be occupied until the access, turning area and parking for 7 cars has been provided in accordance with drawing no. 07D. The first 5 metres of the access, measured from the edge of the carriageway shall be surfaced in a bound material, and the gradient of the parking area shall not exceed 1 in 8. These areas shall thereafter be retained for their respective approved uses at all times.

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

- 9) The Development hereby permitted shall not be first occupied until one of the proposed car parking spaces per dwelling has been provided with an electric

vehicle charging point. The charging point shall be kept available for the charging of electric vehicles thereafter.

Reason: To encourage sustainable travel and healthy communities.

- 10) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking for 2 cycles has been provided as shown on drawing no. 07D. The cycle parking facility shall be kept available thereafter for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

- 11) Development, other than that to be carried out as part of the approved scheme, shall not commence until the following have been complied with:

1. 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.

2. 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.

3. 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.

4. 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.

- 12) Prior to occupation of the development hereby approved, full details of the ecological enhancements to be provided on site, in line with the recommendations

Plan reference

set out within paragraph 5.3.1 of the Extended Phase 1 Habitat Survey dated: March 2018, shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented prior to first occupation and retained in perpetuity.

Reason: To ensure there is a net gain to biodiversity in accordance with paragraphs 9 and 109 of the NPPF.

Case Officer: Charlotte Wood Tel: 01527 64252 Ext 3412
Email: Charlotte.Wood@bromsgroveandredditch.gov.uk

This page is intentionally left blank

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Eamon Thompson	Construction of 4 no. 1 bedroom affordable flats together with external works, car parking and landscaping. Land Off, Lingfield Walk, Catshill, Bromsgrove, Worcestershire B61 0LJ	02.07.2018	18/00569/FUL

RECOMMENDATION: That planning permission be Granted

Consultations

Catshill And North Marlbrook Parish Council - Object on the grounds of loss of parking provision for local residents and over intensive use of the site.

Highways Officer – No objections subject to conditions and informatives

Drainage Engineers - No objections subject to condition

WRS - Contaminated Land – No objections subject to condition

Housing Strategy - Supports the scheme

Hereford & Worcester Fire And Rescue - Waiting for comments

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2018)
SPG1 Residential Design Guide

Relevant Planning History

None

Assessment of Proposal

The proposed development site lies to the north-east of Catshill off Lingfield Walk. It currently accommodates 12 no. lock up garages and also provides access to the garage owned by no. 3 Lingfield Walk, which is located at the south western corner. To east of the site lies a Scout Hut which is bounded by metal security fencing.

The proposal is to create a high-quality contemporary designed two storey residential development which would deliver four one bedroomed affordable flats. This would make a valuable contribution to the local housing stock whilst making efficient use of the land available, in line with Policy BDP7 and 8 of the Bromsgrove District Plan.

Policy BDP19 of the Bromsgrove District Plan requires development to be of a high quality design that will enhance the character and distinctiveness of the local area. The existing dwellings that surround the site on both Lingfield Walk and Aintree Close were built in the 1970's as part of the upper Catshill estate and are typical on the municipal vernacular that was being built at that time. They are a mix of two storey semi-detached houses and short terraces of 8 maisonettes.

The new flats are designed with a very contemporary and modern aesthetic. The proposed building is 2 storeys, with a scale and proportion that is sensitive to the existing properties that surround the site. This contemporary high quality design will enhance the existing area and create a vibrant intervention on the site.

The proposed first floor flat on the western elevation is designed to have a bedroom window which look directly onto the top end of the garden of 26 Aintree Close. Therefore the matter of overlooking to the occupiers of this dwelling should be considered. This window would be approximately 8.5 metres from the garden of 26 Aintree Close and have a view of the top end of the garden area. SPG 1 suggests a separation distance of 10 metres to the boundary. Whilst I note this shortfall, taking account of the length of the garden, the occupiers will benefit from an amenity area directly outside of the dwelling which will not be directly overlooked by this window. This will provide them with some private amenity space and therefore this relationship is considered to be acceptable.

Taking all the above into account, and the distances achieved to all other surrounding properties the proposed development would not result in an overbearing, overlooking or loss of light impact on any of surrounding dwellings.

There are 12 lock up garages located on the site at present out of which four are empty and eight are let to private tenants or owner occupiers. Of these 8 garages, Bromsgrove District Housing Trust (BDHT) has advised that unfortunately at this stage, due to the lack of alternative vacant lock up garages within the vicinity of the site, they are unable to offer an alternative. Whilst BDHT acknowledge the loss of these garages they consider the provision of 4 much need affordable housing units, outweighs the loss of these garages. They have confirmed however, if any garages in the vicinity of the site do become vacant during the development process, they will be offered to the current garage tenants on an assessed parking needs basis first, prior to general advertisement.

The applicants have provided four spaces on site - one per flat and four cycle spaces.

The County's Highway's Officer has been consulted and he is satisfied with the scheme, has raised no objections and has recommended conditions.

The Drainage Officer is satisfied with the scheme and has raised no objections subject to a condition.

The Parish Council has objected to the scheme on grounds of over-intensive development. Having assessed the scheme is deemed to be acceptable and there would be no justifiable reason to refuse it.

With regard to land contamination, a Phase 1 and 2 Ground Investigation Report has been provided. Worcestershire Regulatory Services have raised no objections subject to conditions.

No comment or objections have been received from the neighbouring properties.

RECOMMENDATION: That planning permission be **granted** subject to the following conditions and informatives

- 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 approved shall be carried out in accordance with the following plans and drawings:

Job No: 201755

Site Location Plan - Drawing No: 01

Proposed Site Plan - Drawing No: 04B

Proposed Elevations, Layouts and Roof Plan - Drawing No: 06A

Drainage Plans - Drawing Nos: 7209 - 300 and 301

Supporting Statement - Dated: May 2018 - Project No: 201754

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) The development hereby permitted shall not be brought into use until each of the car parking spaces have been equipped with an electric vehicle charging point and once provided it shall be retained and maintained as such at all times.

Reason: In the interests of sustainability

- 4) All remediation works detailed in the method statement shall be undertaken and a report submitted to the LPA providing verification that the works have been carried out in accordance with the approved details.

Reason: To protect controlled waters by ensuring that the remediated site has been claimed to an appropriate standard and in accordance with National Planning Policy Framework.

- 5) Details of an updated drainage strategy to be submitted and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: In order to ensure that the development is carried out in a sustainable manner

Informatives

- 1) This permission does not authorise the applicant to carry out works within the publicly maintained highway.

Dropped kerbs to enable access onto properties for vehicles must only be constructed by Ringway Infrastructure Services, Worcestershire County Councils approved contractor. The applicant is solely responsible for all costs associated with construction of the access. For further information, please contact Ringway direct on 01905 751651 or email: worcestershirevehicle.crossing@ringway.co.uk

- 2) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway. No drainage or effluent from the proposed development shall be allowed to discharge into any Highway drain or over any part of the Public Highway.

Case Officer: Nina Chana Tel: 01527 548241 Ext 3207
Email: nina.chana@bromsgroveandredditch.gov.uk