



## **BROMSGROVE DISTRICT COUNCIL**

### **VIRTUAL MEETING OF THE PLANNING COMMITTEE**

**MONDAY 7TH SEPTEMBER 2020**  
**AT 6.00 P.M.**

**MEMBERS:** Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), S. J. Baxter, A. J. B. Beaumont, S. P. Douglas, A. B. L. English, M. Glass, S. G. Hession, J. E. King, P. M. McDonald and P.L. Thomas

### **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. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting).
4. Tree Preservation Order (No.6) 2020 - Tree/s on land at White Lodge, Woodcote Green, B61 9ED (Pages 1 - 36).
5. 19/01152/FUL - Full planning permission for residential development consisting of 18 dwellings (phase 3a) together with access, parking, landscaping and associated works - Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett - St. Modwen Homes Limited (Pages 37 - 52)
6. 19/01153/REM - Application for the approval of Reserved Matters (appearance, landscaping, layout and scale) pursuant to outline permission

ref. 16/1085 for residential development consisting of 150 dwellings together with access, parking, landscaping and associated works (Phase 3) - Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett - St. Modwen Homes Limited (Pages 53 - 78)

7. 20/00483/FUL - Demolition of nos. 163 and 165 Birmingham Road and construction of five detached dwellings - 163 - 165 Birmingham Road, Bromsgrove, Worcestershire, B61 0DJ - William & Jane and Roy & Susan Thorn and Hughes (Pages 79 - 120)
8. 20/00824/FUL - Extension to rear of existing garage - 52 Hartle Lane, Belbroughton, Stourbridge, Worcestershire, DY9 9TJ - Mr. S. Plant (Pages 121 - 132)
9. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

27th August 2020

**If you have any queries on this Agenda, please contact**

**Pauline Ross**

**Parkside, Market Street, Bromsgrove, Worcestershire, B61 8DA**

**Tel: 01527 881406**

**email: [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk)**

## **BROMSGROVE DISTRICT COUNCIL**

### **PLANNING COMMITTEE**

# **GUIDANCE ON VIRTUAL MEETINGS** **AND PUBLIC SPEAKING**

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Due to the current Covid-19 pandemic Bromsgrove District Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority. For more information please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police Crime Panels meetings) (England and Wales) Regulations 2020.

The meeting is open to the public except for any exempt/confidential items. Where a meeting is held remotely, “open” means available for live viewing. Members of the public will be able to see and hear the meetings via a live stream on the Council’s YouTube channel, which can be accessed using the link below:

[Live Streaming of Planning Committee](#)

Members of the Committee, officers and public speakers will participate in the meeting using Skype, and details of any access codes/passwords will be made available separately.

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named below.

#### **PUBLIC SPEAKING**

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments for the smooth running of virtual meetings. For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council’s website at [Planning Committee Procedure Rules](#).

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair), as summarised below:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 3) Public Speaking - in the following order:-
  - a. objector (or agent/ spokesperson on behalf of objectors);
  - b. applicant, or their agent (or supporter);



- c. Parish Council representative (if applicable);
- d. Ward Councillor

Each party will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team and invited to unmute their microphone and address the committee via Skype.

- 4) Members' questions to the Officers and formal debate / determination.

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**Notes:**

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 881406 or by email at [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk) before 12 noon on Thursday 3<sup>rd</sup> September 2020.
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate via a Skype invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by Skype, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Thursday 3<sup>rd</sup> September 2020.
- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation 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 Council's website [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)
- 4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.

- 5) **Although this is a public meeting, there are circumstances when the committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.**

### PLANNING COMMITTEE

7th September 2020

#### TREE PRESERVATION ORDER (NO. 6 ) 2020 – Tree/s on land at White Lodge, Woodcote Green B61 9ED.

Relevant Portfolio Holder	Cllr M. A. Sherrey
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Perryfields Ward
Ward Councillor(s) Consulted	No
Non-Key Decision	

#### 1. SUMMARY OF PROPOSALS

- 1.1 The Committee is asked to consider the confirmation without modification of Tree Preservation Order (No.6) 2020 relating to Tree/s on land at White Lodge, Woodcote Green B61 9ED.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that provisional Tree Preservation Order (No.6) 2020 relating to trees on land at White Lodge, Woodcote Green B61 9ED is confirmed without modification as in the provisional order as raised and shown in appendix (1).

#### 3. KEY ISSUES

##### Financial Implications

- 3.1 There are no financial implications relating to the confirmation of the TPO.

##### Legal Implications

- 3.3 Town and Country Planning (Trees) Regulations 2012 covers this procedure.

##### Service / Operational Implications

##### Background:

- 3.4 The provisional order was raised on 17<sup>th</sup> March 2020 after a phone call was received from a neighbouring resident regarding the recent removal of two large trees along the boundary of their property and right of way, by a neighbour to improve a view. The two trees in question were and mature Oak and a mature Ash that would have been part of an old boundary hedge and were situated along the southern boundary of White Lodge and Woodcote

### PLANNING COMMITTEE

7th September 2020

Cottage. The two trees would have been very prominent along the adjacent right of way and there was no evidence of decay in the remaining stumps. Therefore it was deemed prudent to raise an order on the site due to the potential loss of other quality tree including a small woodland and a number of mature Oak trees.

3.5 The following one objection has been received in respect of the provisional TPO having been raised;

1. Email received from Mr. Jeff Marlow dated 8<sup>th</sup> April 2020 (Appendix 2) on behalf of Mr. Horgan, the owner of the trees included within the order which is support by an Arboricultural report from Marlow Consulting Ltd. shown in (Appendix 3)

My comments in relation to the points raise within the objection and Arboricultural report are as follows:

a. Regarding section 3.1 of the Arb. report concerning the lack of structured assessment of amenity value; TEMPO is used as guidelines for quantifying amenity value in order to advise on the suitability of including a tree within an order. When considering whether it was appropriate to raise a TPO on the site a full TEMPO assessment was undertaken (Appendix 4) to assess whether individuals and groups and / or woodlands should be included in the order. The results of which can be viewed in Appendix 4.

b. The National Planning Policy Framework states in relation to amenity value:

*“‘Amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.*

*Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.”*

c. With regards to section 3.2 surrounding the expediency of making the order; in order to be justified in raising a new TPO on a site it needs to expedient i.e. there need to be a threat of mismanagement levied against tree/s of sufficient quality. In section 1.5.3 of the Arb. report it is shown, labelled as Figure 2, that recent numbers of trees have been removed, during our site visit to asses the trees' quality we could not

### PLANNING COMMITTEE

7th September 2020

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see any legitimate reason for the loss of these trees save for the improvement of a view. Indeed the initiator for the raising of the TPO was that from a neighbour concerned that Mr. Horgan had removed 2 large trees (Appendix 5) on their boundary for the sake of the view to the south west, upon inspection of the stumps there again was not apparent legitimate reason for the loss of these mature trees. The only conclusion was that the trees had been removed without good reason and not stated in the Arb. report: *“with an aim of improving the hedges in which the trees stand.”* On contrary, the loss of what would have been a large mature Ash and Oak trees to my mind significantly lessen the quality of the hedgerows as well as damaging ecosystems that depended on them. Additionally, in verbal discussion with Mr. Horgan and Mr. Marlow it was confirmed that no foul play had occurred in removing trees, and Mr. Horgan was entitled to improve a view, no mention was made of the proposed altruistic nature of undertaking the works.

- d. Once it has been deemed expedient to raise an order on a site it is normal practice to then assess the remaining individuals, groups or woodlands that are situated with the same ownership and undertake a TEMPO assessment to help decide whether any of these remaining trees should be included in the order.
- e. The objection concerning the inclusion of the woodland surrounds the potential interest the Forestry Commission would have in the woodland. The owner of a woodland is entitled to remove up to 5m<sup>3</sup> each calendar ¼ without any additional consent from the Forestry Commission or the LPA. Due to the small size and early-mature nature of the woodland the loss of 5m<sup>3</sup> each calendar ¼ would have a huge detrimental impact on the wood. This twinned with the fact that no management plan has been evidenced within the Arb. report or from Mr. Horgan means there is effectively no control whatsoever on what could be undertaken.
- f. The inclusion of the woodland within the Order is important due to high level of public visibility with a right of way running along its entire northern boundary. The quality of the woodland itself, being one of the highest quality features on the site and the clear intention from the owner to work the wood, which based on the lack sympathy afforded to trees previously removed all show that the inclusion of the woodland is expedient.

## **PLANNING COMMITTEE**

7th September 2020

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- 3.6 Policy Implications- None  
HR Implications- None  
Council Objective 4- Environment, Priority C04 Planning
- 3.7 Climate Change / Carbon/ Biodiversity- The Proposal in relation to confirming the TPO can only be seen as a positive impact on the environment.

### **Customer / Equalities and Diversity Implications**

- 3.8 The customers have been provided with the relevant notification and the responses received are attached in the appendices. The customers will receive notification by post of the decision of the committee.
- 3.9 Equalities and Diversity implications- None

### **4. RISK MANAGEMENT**

- 4.1 There are no significant risks associated with the details included in this report.

### **5. APPENDICES**

List Appendices.

Appendix (1) Plan & Schedule of Provisional Order

Appendix (2) Email of objection from Mr. Jeff Marlow on behalf of Mr. Horgan

Appendix (3) Arboricultural Report from Marlow Consulting Ltd.

Appendix (4) Completed TEMPO sheets undertaken by Tarek Ball and Gavin Boyes

Appendix (5) Photographs of trees subject to the order

### **6. BACKGROUND PAPERS**

None

### **7. KEY**

TPO - Tree Preservation Order

TEMPO – Tree Evaluation Method for Preservation Orders

- 7.1 Conclusion and recommendations:

## **PLANNING COMMITTEE**

**7th September 2020**

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The trees in question are very prominent and provide a high level of amenity value to members of the public using either of the two rights of way that run through the land at White Lodge, additionally the trees included within the order add greatly to the character of the area.

Therefore, I would recommend to the committee that the order is confirmed and made permanent without modification as shown in appendix (1) of this report.

### **AUTHOR OF REPORT**

Name: Tarek Ball

Email: [Tarek.Ball@bromsgroveandredditch.gov.uk](mailto:Tarek.Ball@bromsgroveandredditch.gov.uk)

Tel: (01527 64252 Extension 1340)

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TOWN AND COUNTRY PLANNING ACT 1990  
Town and Country Planning (Tree Preservation) (England) Regulations 2012

**Tree Preservation Order (6) 2020**

**Tree/s on land at White Lodge, Woodcote Green B61 9ED**

Bromsgrove District Council in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

**Citation**

1. This Order may be cited as **Tree Preservation Order (6) 2020**

**Interpretation**

2.— (1) In this Order “the authority” means Bromsgrove District Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

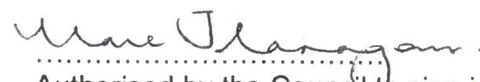
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 17<sup>th</sup> March 2020

Signed on behalf of Bromsgrove District Council



Authorised by the Council to sign in that behalf

**First Schedule**

**Trees specified individually**

(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Oak	391731, 272664	Along the Western boundary of White Lodge B61 9ED
T2	Oak	391715, 272635	Along the Western boundary of White Lodge B61 9ED
T3	Oak	391710, 272614	Along the Western boundary of White Lodge B61 9ED
T4	Oak	391757, 272591	Along the Southern boundary of White Lodge B61 9ED with Woodcote Cottage B61 9ED
T5	Oak	391765, 272588	Along the Southern boundary of White Lodge B61 9ED with Woodcote Cottage B61 9ED
T6	Oak	391776, 272580	Along the Southern boundary of White Lodge B61 9ED with Woodcote Cottage B61 9ED
T7	Oak	391787, 272569	Along the Northern boundary of Woodcote Cottage B61 9ED with White Lodge B61 9ED
T8	Oak	392051, 272613	Within the main body of a field East of White Lodge B61 9ED

T9	Oak	392017, 272579	Within the main body of a field East of White Lodge B61 9ED
T10	Oak	391650, 272573	Along Northern boundary of Woodcote Cottage with shared access

**Trees specified by reference to an area**

(within a dotted black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
NONE			

**Groups of Trees**

(within a broken black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
G1	Oak x 15	391775, 272702	Along the northern boundary of White Lodge B61 9ED
G2	Oak x 8	391742, 272689	Along the North Western boundary of White Lodge B61 9ED
G3	Oak x 2	391716, 272607	At the South Western Corner of White Lodge B61 9ED
G4	Birch x 7	392071, 272652	Along field boundary East of White Lodge B61 9ED

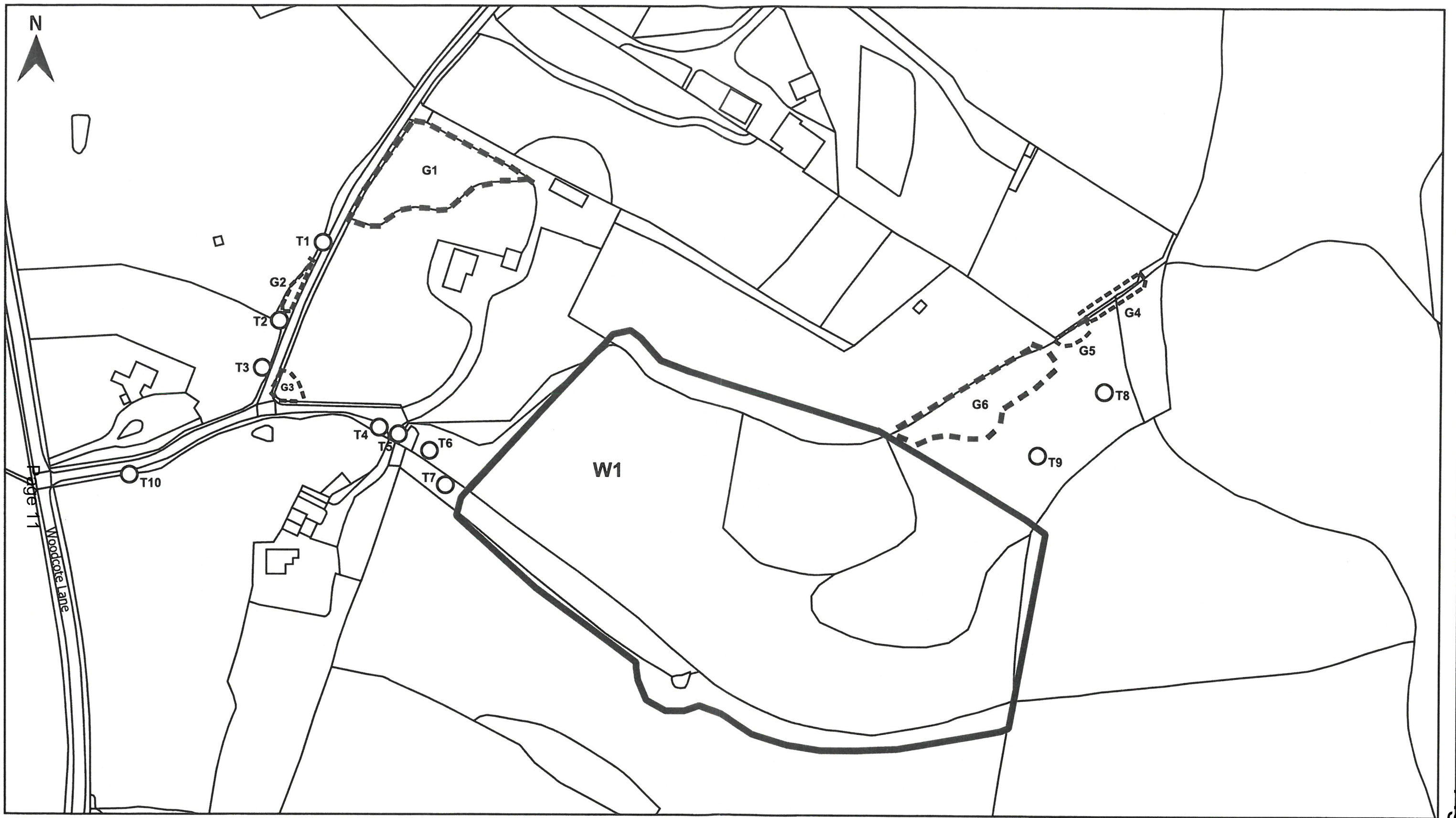
G5	Oak x 1, Birch x 1	392042, 272630	Along field boundary East of White Lodge B61 9ED
G6	Birch x 17	391986, 272594	Along field boundary East of White Lodge B61 9ED

**Woodlands**

(within a continuous black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
W1	Mixed native broadleaved Woodland predominantly consisting of Oak, Ash, Cherry, Hawthorn, Birch, Field Maple, Sycamore, Hazel	391867, 272561	South East of White Lodge B61 9ED





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**Tarek Ball**

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**From:** Jeff Marlow [REDACTED]  
**Sent:** 08 April 2020 09:41  
**To:** Tarek Ball  
**Cc:** John Horgan  
**Subject:** Tree Preservation Order (6) 2020 - White Lodge, Woodcote Green, B61 9ED  
**Attachments:** White Lodge - TPO objection (08.04.20).pdf

**This email originated from outside of the Organisation**  
STOP: Were you expecting this Email? Does it look genuine?  
THINK: Before you CLICK on links or OPEN any attachments.

Tarek,

On behalf of Mr Horgan of White Lodge, please find attached objection to the above TPO. A hard copy of the TPO is also being sent in the post.

Please acknowledge receipt of this email.

Best wishes,

Jeff Marlow  
MSc., Dip. Arb. (R.F.S.), F. Arbor. A., RCarborA  
Arboricultural Consultant  
Arboricultural Association Registered Consultant

Marlow Consulting Ltd.  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Tel [REDACTED]  
Mob [REDACTED]  
[REDACTED]

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# T.E.M.P.O Tree Evaluation Sheet

APPENDIX 4

valuation by: LB/TB Date: 5/13/20 Sheet No. 1 of 2

Address/Site Details: Woodcote Green / White Lodge

Tree Ref	Species	DBH (mm)	Amenity Assessment				Sub	d - other factors	Expediency	Score	TPO Y/N?	Notes
			a - Condition	b - Longevity	c - Visibility							
G1	oak x 15	*800 -200	5	5	34	10	Trees must have accrued 7+ points (& no zeros) to qualify	4	2	20	Y	
T1	oak	*900	3	4	4	11		1	2	14	Y	
G2	oaks x 8	800 -200	3	4	4	11		4	2	17	Y	
T2	oak	*800	5	4	4	13		1	2	16	Y	
T3	oak	*800	4	4	4	12		1	2	15	Y	
F3	oak x 2	*400 300	3	4	4	11		4	2	17	Y	
T4	oak	*1000	5	4	4	13		1	2	16	Y	
T5	oak	*500	3	4	34	10		1	2	18	Y	
T6	oak	*700	5	4	4	13		1	2	16	X	
T7	oak	*1000	5	4	4	13		1	2	16	X	
G4	Birch * 7	*200 150	3	2	4	9		4	2	15	Y	
T8	Gold Birch	*200	3	5	4	12		1	2	15	Y	
T9	oak	*200	5	5	4	14		1	2	17	Y	
G6	Birch x 17	*300 200	3	2	4	9	4	2	15	Y		

**Part 1: Amenity assessment**

- Condition**  
 Good (highly suitable)  
 Fair (suitable)  
 Poor (unlikely)  
 Unsafe  
 Dead
- c) Relative public visibility**  
 5) Very large trees, or large trees that are prominent features (V lge=200sqm+)  
 4) Large trees, or medium trees clearly visible to the public (lge=100-200sqm)  
 3) Medium trees, or larger trees with limited view only (Suitable, med=25-100sqm)  
 2) Small trees, or larger ones visible only with difficulty (Unlikely, small = 5-25sqm)  
 1) Young/v.small or not publicly visible regardless of size (prob unsuitable, <5sqm)
- Longevity**  
 100+  
 40 - 100  
 20 - 40 (suitable)  
 10 - 20 (just suitable)  
 <10 (unsuitable)
- d) Other factors**  
 5) Principal components of arboricultural features, or veteran trees  
 4) Members of groups of trees that are important for their cohesion  
 3) Trees with significant historical or commemorative importance  
 2) Trees of particularly good form, especially if rare or unusual  
 1) Trees with none of the above additional redeeming features

**Part 2: Expediency assessment**

- 5) Known threat to tree  
 3) Foreseeable threat to tree  
 2) Perceived threat to tree  
 1) Precautionary only  
 0) Known as an actionable nuisance

**Part 3: Decision guide**

- Any 0 Do not apply TPO  
 1 - 6 TPO indefensible  
 7 - 11 Does not merit TPO  
 12 - 15 Possibly merits TPO  
 16+ Definitely merits TPO

Agenda Item 4

Address/Site Details: Woodcote Green / White Lodge

Tree Ref	Species	DBH (mm)	Amenity Assessment				Sub	d - other factors	Expediency Assessment	Score	TPO Y/N
			a - Condition	b - Longevity	c - Visibility						
T9	oak	300	5	5	4	16	1	2	17	0	Y
✓	Birch Single	300	4	2	4	10	1	2	13	0	
W1	Oak Birch Hazel Ash Sycamore Hornbeam		5	5	4	0	4	2	20	0	Y
T10	oak	300	3	4	5	12	1	2	15	0	Y
						0				0	
						0				0	
						0				0	
						0				0	
						0				0	
						0				0	
						0				0	
						0				0	
						0				0	

Trees must have accrued 7+ points (& no zeros) to qualify

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<p><b>Part 1: Amenity assessment</b></p> <p><b>a) Condition</b></p> <ul style="list-style-type: none"> <li>5) Good</li> <li>3) Fair</li> <li>1) Poor</li> <li>0) Unsafe</li> <li>0) Dead</li> </ul> <p><b>b) Longevity</b></p> <ul style="list-style-type: none"> <li>5) 100+</li> <li>4) 40 - 100</li> <li>2) 20 - 40</li> <li>1) 10 - 20</li> <li>0) &lt;10</li> </ul>	<p><b>c) Relative public visibility</b></p> <ul style="list-style-type: none"> <li>5) Very large trees, or large trees that are prominent landscape features</li> <li>4) Large trees, or medium trees clearly visible to the public</li> <li>3) Medium trees, or larger trees with limited view only</li> <li>2) Small trees, or larger trees visible only with difficulty</li> <li>1) Young, v.small, or trees not visible to the public, regardless of size</li> </ul> <p><b>d) Other factors</b></p> <ul style="list-style-type: none"> <li>5) Principal components of arboricultural features, or veteran trees</li> <li>4) Members of groups of trees that are important for their cohesion</li> <li>3) Trees with significant historical or commemorative importance</li> <li>2) Trees of particularly good form, especially if rare or unusual</li> <li>1) Trees with none of the above additional redeeming features</li> </ul>	<p><b>Part 2: Expediency assessment</b></p> <ul style="list-style-type: none"> <li>5) Known threat to tree</li> <li>3) Foreseeable threat to tree</li> <li>2) Perceived threat to tree</li> <li>1) Precautionary only</li> <li>0) Tree known to be an actionable nuisance</li> </ul> <p><b>Part 3: Decision guide</b></p> <table border="0"> <tr> <td>Any 0</td> <td>Do not apply TPO</td> </tr> <tr> <td>1 - 6</td> <td>TPO indefensible</td> </tr> <tr> <td>7 - 10</td> <td>Does not merit TPO</td> </tr> <tr> <td>11 - 13</td> <td>Possibly merits TPO</td> </tr> <tr> <td>14+</td> <td>Definitely merits TPO</td> </tr> </table>	Any 0	Do not apply TPO	1 - 6	TPO indefensible	7 - 10	Does not merit TPO	11 - 13	Possibly merits TPO	14+	Definitely merits TPO
Any 0	Do not apply TPO											
1 - 6	TPO indefensible											
7 - 10	Does not merit TPO											
11 - 13	Possibly merits TPO											
14+	Definitely merits TPO											























T4



Removed trees

05/03/2020 11:22



Removed Ash  
tree





Removed Oak tree





G3





T6















W1

05/03/2020 11:30















T8









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Name of Applicant	Proposal	Expiry Date	Plan Ref.
St Modwen Homes Ltd	Full planning permission for residential development consisting of 18 dwellings (phase 3a) together with access, parking, landscaping and associated works  Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett	26.11.2019	19/01152/FUL

**RECOMMENDATION:**

- (a) MINDED to **GRANT** full planning permission
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:-
  - (i) £917.64 as a contribution towards the provision of wheelie bins for the scheme.
  - (ii) £ 6,785 as a contribution towards the extension of New Road Surgery, Rubery and/or Cornhill Surgery, Rubery.
  - (iii) £1,952.00 as a contribution to be paid to the Worcestershire Acute Hospitals NHS Trust (WAHT) to be used to provide services needed by the occupants of the new homes and the community at large. Agreement of a final sum to be Delegated to the Head of Planning and Regeneration Services (subject to verifying any deductions based on services already provided by the WAHT).
  - (iv) The securing of 35% provision (6 units) of on-site affordable housing.
  - (v) Planning Obligation Monitoring Fee: £TBC. Revised Regulations have been issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of Full Council on 25 September 2019.
- (c) And that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the list at the end of this report

**Consultations**

**Cofton Hackett Parish Council**

We are concerned about the new vehicular access onto Groveley Lane as there is a considerable volume of traffic using the lane at busy times. We have associated concerns about traffic management and appropriate infrastructure (surgeries, school places, etc) none of which are allayed by the amended proposal.

**Highways - Bromsgrove**

No objections subject to conditions.



## **Birmingham City Council - Highways**

Birmingham City Council (BCC) have no comment to make on the site as a whole. However, have an interest in dwellings that are accessed from Groveley Lane as BCC is responsible for the maintenance of the public highway which abuts the site frontage. Recommend condition in respect to this aspect of the application.

## **Bromsgrove Strategic Planning And Conservation**

The application is consistent with the Longbridge Area Action Plan (AAP) and therefore is supported. The higher density on this site is a welcomed feature and fully supported. It is appropriate both in terms of the policies of the AAP but also in making up for the lower than envisaged density on previous phases of this site.

## **Housing Strategy**

Happy with the proposals for the affordable housing on this scheme.

## **Waste Management**

Having reviewed these plans I don't see any issues with this application.

## **Sports and Leisure Services Manager**

Leisure would suggest that improvements for parks and open spaces should be aimed at larger parks and community spaces which add value to the local community and the residents within the development location. Cofton Park plays a central and integral role to the green space on this occasion. Birmingham Council officers who would be best placed to make the recommendations on this matter.

## **Birmingham City Council**

Both applications are adjacent to each other within the area allocated as H2 in the Longbridge Area Action Plan on land formerly known as East Works. Both proposals are consistent with the AAP in providing Affordable housing at 35% and are proposed to be built at an average density of 54 dph which is slightly above the recommended density of 40-50 dph. The proposals also offer a range of dwellings also in accordance with the LAAP.

Given the above, Birmingham City Council has therefore no comment to make on either proposal.

Birmingham City Council have not requested any open space contributions on this occasion.

## **Environment Agency**

No objections and recommend conditions.

## **North Worcestershire Water Management**

No objection.

## **Severn Trent Water Ltd**

No objections to the proposals subject to a drainage condition.

## **Node – Urban Design**



Having now reviewed the updated plans and DAS addendum for the above proposed scheme I am pleased to say it is a significantly improvement since the last option that was presented.

The development no longer consists of a cul-de-sac layout with a large number of turning heads and now does provide a good connected street layout with good natural visual surveillance of streets and public spaces. The removal of the tuning head on Road 1 is an improvement as is the setting of car parking for the apartments on Road 1 in a less prominent position

Pedestrian routes are now overlooked and vistas down streets do not result in back gardens and fences onto the street and therefore scheme is now better from a safe and secure perspective.

Turning heads have been removed and made to be part of larger shared surface in other areas.

Still some large runs of continuous parking of some of the roads, however, effort has been made to break up the parking with some at the side of properties.

They have provided a number of three storey buildings at key gateways and around the square in the centre of the site which will help with enclosure and overall legibility.

### **West Mercia Constabulary**

No objection.

### **Community Safety**

No objection but query security of gated access to the railway and areas to the rear of plots backing onto the railway.

### **Education Department At Worcestershire**

For completeness Children's First will not be seeking a planning obligation from the proposed development. It is noted that the re-consultation has reduced the number of dwellings from the original 24 to 22 and now to 18.

### **Network Rail**

No objection

### **Cadent Gas Ltd**

No objection

### **WRS - Contaminated Land**

No objection subject to conditions.

### **WRS – Noise**

No objection subject to conditions.

### **NHS/Medical Infrastructure Consultations**

The proposed development is likely to have an impact on the services of 2 GP practices. The GP practices do not have capacity for the additional growth resulting from this

development. The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. Redditch & Bromsgrove CCG would therefore expect these impacts to be fully assessed and mitigated.

A Healthcare Impact Assessment (HIA) has been prepared by Redditch & Bromsgrove CCG to provide the basis for a developer contribution towards capital funding to increase capacity within the existing GP practices that do not have capacity to accommodate the additional growth resulting from the proposed development. The primary healthcare services directly impacted by the proposed development are Cornhill Surgery and New Road Surgery.

### **NHS Acute Hospitals Worcestershire**

Request a contribution to enable the Trust to provide services needed by the occupants of the new homes and the community at large.

### **Public Consultation**

Site notice erected 10.9.19

Press notice 13.9.19

4 separate sets of public consultation (10.9.19, 20.12.19, 20.3.20 and 27.4.20) have taken place over the processing of the application which is reflected in the number of comments received.

25 letters submitted

23 letters of objections raising concerns summarised as follows:

- Additional housing in the area and limited car parking.
- Provision of open space?
- Overbuilt development.
- Consideration for road junction improvements and traffic calming around Cofton Park.
- Cause disruption at the entrance to the estate.
- Increase density.
- Comments referred to the apartment block, however, the apartment block does not form part of this application.

2 representations

Encourage additional access off Groveley Lane as it would be too much traffic off East Works Drive only.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP3 Future Housing and Employment Development

BDP6 Infrastructure Contributions

BDP7 Housing Mix and Density

BDP12 Sustainable Communities

BDP19 High Quality Design

BDP21 Natural Environment

BDP24 Green Infrastructure

## BDP25 Health and Well Being

### **Others**

Longbridge Area Action Plan  
Bromsgrove High Quality Design SPD  
SPG11 Outdoor Play Space  
NPPF National Planning Policy Framework (2019)  
NPPG National Planning Practice Guidance  
National Design Guide

### **Relevant Planning History**

19/01396/ADV 5no. flags on poles  
Approved 29 January 2020

19/01395/FUL Full planning application for a temporary sales area, including sales cabin and associated car parking, together with advertisement consent for the display of 5 flags on poles  
Approved 29 January 2020

19/01153/REM Application for the approval of Reserved Matters (appearance, landscaping, layout and scale) pursuant to outline permission ref. 16/1085 for residential development consisting of 150 dwellings together with access, parking, landscaping and associated works  
Pending.

16/1087 Erection of 185 dwellings, including details of access, landscaping and open space, drainage and other associated infrastructure.  
Land off East Works Drive, Cofton Hackett  
Approved 27 July 2017

16/1085 Hybrid application: Outline Planning Permission for 150 dwellings with some matters reserved for future consideration (appearance, landscaping, layout and scale)  
Full Planning Permission for a Community Facility including details of access and associated car parking, landscaping, drainage and other associated infrastructure.  
Approved 27 July 2017

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

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

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



11/0882 Re-profiling and re-modelling of site levels, deculverting of part of the River Arrow and associated infrastructure including construction access.  
Approved 12 Nov 2012.

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

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

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

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

## **Proposal Description**

The application is phase 3a of the overall redevelopment of Longbridge East. This scheme provides 18 additional units and comprises of the following mix of development:-

Open market housing  
6 No. 3 bed dwellings  
6 No. 4 bed dwellings

Affordable housing (60% Social Rent and 40% Shared Ownership)  
6 No. 2 bed maisonettes equating to 35% affordable housing.

The proposed layout shows a vehicular access off Groveley Lane but then the dwellings that form part of this application intertwine with the layout of the reserved matters application under reference 19/01153/REM (phase 3) that appears elsewhere on this agenda.

The designs of the dwellings are varied and are similar to those proposed under the Reserved Matters scheme. The units are a mix of 2 and 3 storey and would be in a variety of designs, materials / colours to add interest to the streetscene.

## **Site Description**

The site forms part of the former MG Rover Works known as Powertrain. A considerable amount of remediation work has taken place in this area in order to make the site suitable

for residential development. Mature and substantial tree planting exists along the western and southern boundaries of the site.

## Assessment of Proposal

### Principle

Members will recall that outline planning permission was granted for 150 dwellings on this area of land under a hybrid application ref: 16/1085.

Condition 4 was imposed on the hybrid application which restricted the reserved matters application to a total number of no less than 145 dwellings and no more than 150 dwellings.

Planning application ref 19/01153/RM is to be considered under this agenda and seeks to provide 150 dwellings on most of the land, however, a small area of land adjacent to Groveley Lane has been omitted from the Reserved Matters application and now forms part of this full planning application for an additional 18 dwellings.

As considered under the outline application reference 16/1085, the site is designated for housing in the Longbridge Area Action Plan (LAAP) which is part of the Development Plan for Bromsgrove District and specifically applies to the Longbridge area. Members will be aware that the LAAP is a shared document with Birmingham City Council. It is the starting point for decisions and any development in this area should be determined in accordance with this plan unless material considerations indicate otherwise.

Members will recall that Proposal H2 of the LAAP applies and requires a minimum of 700 dwellings to be provided on the East Works site providing a mix of sizes, types and tenures. Members will recall that when considering the outline aspect of the hybrid application it was accepted that the minimum requirement of 700 units would not be achieved overall in this location based on the numbers currently developed and approved.

### East Works site

Phase 1 scheme	= 229 dwellings	(already built)
Phase 2a scheme	= 41 dwellings	(already built)
Phase 2b scheme	= 185 dwellings	(under construction)
Phase 3 scheme	= 150 dwellings	(reserved matters scheme pending)
Phase 3a scheme	= 18 dwellings	(this application)

Total = 623 dwellings (shortfall 77 dwellings)

However, the provision of this scheme does reduce the overall shortfall to 77 dwellings as opposed to 95 dwellings when the outline application was considered in 2017. As such the proposal would be in accordance with Proposal H2 of the LAAP.

Proposal H2 also requires that an overall density of 40 - 50 dwellings per hectare be achieved. There is an aspiration that the northern part of the East Works site be developed at a higher density enabling the southern part of the site to have been developed at a lower density, where the impact of development would be greater adjacent to rural surroundings. The density of the hybrid scheme at the time of

consideration was based on 52 dwellings per hectare (dph). This proposal combined with the reserved matters application would provide a density of 54 dph overall. The proposal would be in accordance with Proposal H2 of the LAAP. Bromsgrove Strategic Planning and Birmingham City Council support the proposal and additional number of units to this area.

Proposal H2 of the LAAP requires 35% of dwellings to be affordable. The scheme includes this provision with 6 No. 2 bedroom maisonettes (equating to a 35% provision for this scheme). The design of these properties are similar to the other housetypes proposed for the overall scheme. The affordable housing in this application would be located together to the south east corner of the site. Strategic Housing is satisfied with the number of units, the positioning of, and mix of units proposed. Affordable housing provision sought under Proposal H2 of the LAAP is more than what would generally be sought under policy BDP8 of the Bromsgrove District Plan (BDP) (30% on a brownfield site). It is considered that the affordable housing element of the scheme is acceptable and would form part of the S106 Agreement.

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

The overall scheme accords with paragraph 50 of the NPPF that encourages a wide choice of high quality homes, wider opportunities for home ownership and create sustainable, inclusive and mixed communities. The principle of residential development would comply with the NPPF, the LAAP, District Plan and is acceptable.

### **Layout and Scale**

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

The layout generally complies with the spacing requirements set out in the Bromsgrove District Council High Quality Design SPD.

### **Highways and access**

Since the submission of the application, there have been revisions to the scheme resulting in 4 separate consultations with consultees and the public. The main issues related to connectivity to, from and within the site in association with the reserved matters scheme. Following negotiations with officers, Highways, and the Urban Designer, the scheme has been revised to enable a vehicular access from Groveley Lane that links with the reserved matters scheme and its links to East Works Drive as well as the other phases of the overall development of the East Works site. Vehicular/pedestrian routes have improved connectivity to enable improved access for occupiers when using the



open space areas within the East Works development as well as access to the community centre, Cofton Park and beyond.

Objections have been made in respect to the increased number of vehicles as a result of this application. Whilst access arrangements for the East Works site overall have been designed and built with the anticipation that 700 units and communal facilities would be served off East Works Drive, given that there is likely to be a shortfall of 77 units on site means that the access arrangements for the scheme would not be at capacity. The introduction of another vehicular access off Groveley Lane to serve the East Works site, would reduce vehicular traffic using East Works Drive. 1 representation submitted considered the additional vehicular access off Groveley Lane to be an improvement to the development.

Objections have been made in respect to disruption to Groveley Lane and the request for road junction improvements and traffic calming measures around Cofton Park. However, highway improvements have been carried out in the local vicinity as a result of a financial contribution paid under phase 1. Worcestershire Highways are not seeking any further contributions as result of these subsequent phases.

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

Birmingham City Council Highways have been consulted and have no objections to the scheme. Worcestershire Highways consider the proposal to be acceptable and recommend conditions.

### **Noise and contaminated land**

No objections and recommend conditions.

### **Neighbour objections**

As mentioned above there are objections to the scheme. Comments refer to highway matters which have been addressed above. Some comments have referred to the density of the housing/overbuilt development. However, the overall density of this scheme combined with the reserved matters application is only slightly higher than that already approved under the outline application. It is considered that the slight increase in density from 52dph (approved at outline) to 54 dph (reserved matters and full application combined) is unlikely to have a detrimental impact on the area as a whole and would still be in accordance with Proposal H2 of the LAAP.

Objections also refer to the apartment building. However, given the apartment building does not form part of this application, those comments have not been taken into consideration in this application.

## **Planning Obligations**

As mentioned above a Section 106 Agreement is proposed for this development to cover the following matters:-

Affordable Housing Provision. To ensure that 6 units (60% social rent and 40% shared ownership) are provided on site and retained as such in perpetuity.

Under the Worcestershire County's Waste Strategy, a financial contribution will be sought to cover the provision of wheelie bins for each unit.

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

Worcestershire Acute Hospitals NHS Trust has requested a contribution to enable the body to provide services needed by the occupants of the new homes and the community at large. The Trust has made representations in relation to this application. It is considered that the request made by WAHT is compliant with guidance in the NPPG, the three tests in Regulation 122 of Community Infrastructure Levy Regulations and paragraph 56 of the NPPF (2019).

Legal advice is currently being sought having regard to the calculation method and as such the final sum is to be delegated to the head of Planning and Regeneration Services until this matter has been concluded.

Section 106 monitoring fee, as of 1 September 2019, revised Regulations were issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met.

The applicant is agreeable to the Heads of Terms and a Section 106 Agreement is in the process of being drafted.

## **Conclusion**

The principle of residential development is acceptable. The means of access to the site enables improved connectivity for this area of the East Works site. The proposal would not conflict with the Proposals set out in the LAAP, and complies with policies the adopted Bromsgrove District Plan and guidance set out in the Council's High Quality Design SPD. The principle of residential development would also be compliant with the NPPF.

## **RECOMMENDATION:**

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

- (i) £917.64 as a contribution towards the provision of wheelie bins for the scheme.
  - (ii) £ 6,785 as a contribution towards the extension of New Road Surgery, Rubery and/or Cornhill Surgery, Rubery.
  - (iii) £1,952.00 as a contribution to be paid to the Worcestershire Acute Hospitals NHS Trust (WAHT) to be used to provide services needed by the occupants of the new homes and the community at large. Agreement of a final sum to be Delegated to the Head of Planning and Regeneration Services (subject to verifying any deductions based on services already provided by the WAHT).
  - (iv) The securing of 35% provision (6 units) of on-site affordable housing.
  - (v) Planning Obligation Monitoring Fee: £TBC  
Revised Regulations have been issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of Full Council on 25 September 2019.
- (c) And that DELEGATED POWERS be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the list at the end of this report

## **Conditions**

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.  
  
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings/ Documents listed in this notice: (to be finalised).  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3) Details of the form, colour and finish of the materials to be used externally on the walls and roofs of the dwellings approved shall be carried out in accordance with the Materials Plan (Dwg.to be finalised).  
  
Reason: To protect the visual amenity of the area.
- 4) The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.  
  
Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.



- 5) Development shall not begin until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

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

- 6) The Development hereby approved shall not be occupied 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.

- 7) The Development hereby permitted shall not be first occupied until each dwelling have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

REASON: To encourage sustainable travel and healthy communities.

- 8) 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.

- 9) The Development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of occupation.

REASON: To reduce vehicle movements and promote sustainable access.

- 10) The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;

- Details of site operative parking areas, material storage areas and the location of site operative's facilities (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement.
- A highway condition survey, timescale for re-inspections, and details of any reinstatement.
- Proposals to minimise dust from construction
- Construction noise suppression,
- Piling techniques,
- Programme of works (including measures for traffic management and operating hours),
- Provision of boundary hoarding and lighting. The development shall be carried out in accordance with the approved management plan.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

- 11) The landscaping details including proposed fencing, screen walls etc. shown on Dwg. No.s (to be finalised) shall be implemented within 12 months from the date when any of the building(s) hereby permitted are first occupied or in accordance with a phased implementation plan to be agreed in writing with the Local Planning Authority. Any trees/shrubs/hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

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

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

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

- 13) In order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework:-

1. Ground investigation and vapour and gas risk assessment has identified presence of contamination requiring mitigation consisting of vapour and gas protection measures and a clean cover system to be implemented on site. Detailed proposals for these mitigation measures should be provided in a remediation strategy in order that the site be brought to a condition suitable for the intended use by removing unacceptable risks to identified receptors. This 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.

14) A scheme of groundwater monitoring and any further remediation requirement shall be carried out and undertaken in accordance with the PJA Report; "St. Modwen Developments Ltd. East Works, Longbridge Ongoing Monitoring Strategy" dated October 2019. Document Ref: 03787-OUT-0007, including the following component parts:

1. Physical and Chemical monitoring of the aquifer and reporting of the results shall be undertaken in accordance with the PJA Report; "St. Modwen Developments Ltd. East Works, Longbridge Ongoing Monitoring Strategy", dated October 2019. Document Ref: 03787-OUT-0007.

2. If monitoring in 1 identifies a deterioration in groundwater or surface water indicators, then further risk assessment will be undertaken in accordance with the PJA Report; "Technical Note; East Works, Longbridge, Remediation Strategy. St. Modwen Developments Ltd. Version: A". Doc Ref: 03787-OUT-0009, Dated October 2019.

3. If the further assessment of risks in 2 identifies the plume is no longer in a stable condition or if the modelling predicts levels of contaminant migration away from the Site that may put the identified receptors at significant risk then a 'remediation options appraisal' will be undertaken in accordance with the PJA Report; "Technical Note; East Works, Longbridge, Remediation Strategy. St. Modwen Developments Ltd. Version: A". Doc Ref: 03787-OUT-0009, Dated October 2019.
4. (a) The most effective remediation option developed from 3 shall be agreed in writing with the Local Planning Authority (LPA) in consultation with the Environment Agency. Once agreed a detailed remediation strategy (including a 'verification plan') for this option will be submitted to the LPA for approval, in consultation with the Environment Agency.  
(b) Any 'verification plan' shall provide details of the data that will be collected in order to demonstrate that the works set out in (4a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. A verification (validation) report demonstrating completion of the works set out in the approved remediation strategy (part 4). The report shall include results of any sampling and monitoring. It shall also include any plan (a "long-term monitoring and maintenance plan") for any longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

Any changes to these components require the express written consent of the Local Planning Authority, in consultation with the Environment Agency. The scheme shall be implemented as approved.

REASON: To ensure groundwater monitoring and implementation, where necessary, of a remediation strategy to protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).

- 15) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement for remediation. The Method Statement must detail how this unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any sampling and monitoring. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

REASON: To ensure that any unexpected contamination is dealt with and the development complies with approved details in the interests of protection of ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).



- 16) The proposed acoustic fencing as indicated on Dwg. No. (to be finalised) shall be implemented before the development is first brought into use and retained as such in perpetuity.

Reason: In the interests of residential amenities.

- 17) The development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority documentation detailing the proposed implementation of the noise mitigation recommendations of the Hoare Lea Noise Assessment R2 (dated 31/10/2016) with respect to glazing and ventilation for the proposed residential dwellings. These measures shall be implemented as approved.

Reason: In the interests of residential amenities.

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

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

**Case Officer:** Sharron Williams Tel: 01527 534061 Ext 3372  
Email: sharron.williams@bromsgroveandredditch.gov.uk

Name of Applicant	Proposal	Expiry Date	Plan Ref.
St Modwen Homes Ltd	Application for the approval of Reserved Matters (appearance, landscaping, layout and scale) pursuant to outline permission ref. 16/1085 for residential development consisting of 150 dwellings together with access, parking, landscaping and associated works (Phase 3)  Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett		19/01153/REM

**RECOMMENDATION:** That reserved matters be **APPROVED**

### **Consultations**

#### **Cofton Hackett Parish Council**

Object to the scheme. It increases the local population density without addressing the need for improved local infrastructure. The road infrastructure in the area is not sufficient for the increasing volume of traffic. The design of the apartment block is not in keeping with the street scene associated with the local community.

#### **Highways - Bromsgrove**

No objections subject to conditions that are already imposed on the outline planning permission.

#### **Birmingham City Council - Highways**

Birmingham City Council (BCC) have no comment to make on the site as a whole. However, we do have an interest in the full application scheme (19/01152/FUL) that are accessed from Groveley Lane as BCC is responsible for the maintenance of the public highway which abuts the site frontage.

#### **Birmingham City Council**

Both applications are adjacent to each other within the area allocated as H2 in the Longbridge Area Action Plan on land formerly known as East Works. Both proposals are consistent with the AAP in providing Affordable housing at 35% and are proposed to be built at an average density of 54 dph which is slightly above the recommended density of 40-50 dph. The proposals also offer a range of dwellings also in accordance with the AAP.

Given the above, Birmingham City Council has therefore no comment to make on either proposal.

#### **Housing Strategy**

No objection. The affordable housing element is acceptable.

#### **Waste Management**

No objection.

## **Node – Urban Design**

Having now reviewed the updated plans and DAS addendum for the above proposed scheme I am pleased to say it is a significantly improvement since the last option that was presented.

The development no longer consists of a cul-de-sac layout with a large number of turning heads and now does provide a good connected street layout with good natural visual surveillance of streets and public spaces. The removal of the tuning head on Road 1 is an improvement as is the setting of car parking for the apartments on Road 1 in a less prominent position

Pedestrian routes are now overlooked and vistas down streets do not result in back gardens and fences onto the street and therefore scheme is now better from a safe and secure perspective.

Turning heads have been removed and made to be part of larger shared surface in other areas.

Still some large runs of continuous parking of some of the roads, however, effort has been made to break up the parking with some at the side of properties.

They have provided three storey buildings at key gateways and around the square in the centre of the site which will help with enclosure and overall legibility.

## **West Mercia Constabulary**

No objection or comments regarding the above application.

## **Community Safety**

No objection subject to specific measures relating to security measures and lighting.

## **Education Department At Worcestershire**

No objection.

## **Environment Agency**

The online application included a 2016 geo-technical contaminated land report. There are some more recent ones including a remediation strategy are now available and as such could be tied up in a revised planning condition.

## **North Worcestershire Water Management**

No objection.

## **WRS - Contaminated Land**

Worcestershire Regulatory Services (WRS) have reviewed the amended details in relation to contaminated land matters and have no additional comments to make with regards the reserved matters application. We understand that the relevant conditions recommended by WRS as part of permission reference 16/1085 apply to the development site and will be appropriately addressed.



## **WRS - Noise**

The applicant should submit documentation detailing the proposed implementation of the noise mitigation recommendations of the Hoare Lea Noise Assessment R2 (dated 31/10/2016) with respect to glazing, ventilation and boundary fencing for the proposed residential dwellings. Additionally, the applicant should confirm that noise from any proposed external plant / equipment associated with the proposed community facility will achieve the noise limit criteria at the nearest houses as detailed in section 7.4 of the noise assessment.

## **Network Rail**

No objection.

## **Public Consultation**

Site notice 9.9.19

Press notice 13.9.19

4 separate sets of public consultation have taken place (10.9.19, 20.12.19, 20.3.19, 27.4.19) over the processing of the application which is reflected in the number of comments received.

174 letters sent

169 letters of objections raising concerns summarised as follows:

- Additional housing in the area and limited car parking.
- Provision of open space?
- Overbuilt development.
- Consideration for road junction improvements and traffic calming around Cofton Park.
- Cause disruption at the entrance to the estate.
- Increase density.
- Comments referred to the apartment block, scale of the apartment building in respect to the traditional housing in the area. Consider the building to be out of keeping, spoiling the village setting. Dis not like the design of the apartment building.
- Encourage additional access off Groveley Lane as it would be too much traffic off East Works Drive only.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP3 Future Housing and Employment Development

BDP6 Infrastructure Contributions

BDP7 Housing Mix and Density

BDP12 Sustainable Communities

BDP19 High Quality Design

BDP21 Natural Environment

BDP24 Green Infrastructure

BDP25 Health and Well Being

## **Others**

Longbridge Area Action Plan

Bromsgrove High Quality Design SPD  
SPG11 Outdoor Play Space  
NPPF National Planning Policy Framework (2019)  
NPPG National Planning Practice Guidance  
National Design Guide

## **Relevant Planning History**

19/01396/ADV 5no. flags on poles  
Approved 29 January 2020

19/01395/FUL Full planning application for a temporary sales area, including sales cabin and associated car parking, together with advertisement consent for the display of 5 flags on poles  
Approved 29 January 2020

19/01152/FUL Full planning permission for residential development consisting of 18 dwellings (phase 3a) together with access, parking, landscaping and associated works  
Pending.

16/1087      Erection of 185 dwellings, including details of access, landscaping and open space, drainage and other associated infrastructure.  
Land off East Works Drive, Cofton Hackett  
Approved 27 July 2017

16/1085      Hybrid application: Outline Planning Permission for 150 dwellings with some matters reserved for future consideration (appearance, landscaping, layout and scale)  
Full Planning Permission for a Community Facility including details of access and associated car parking, landscaping, drainage and other associated infrastructure.  
Approved 27 July 2017

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

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

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

11/0882      Re-profiling and re-modelling of site levels, deculverting of part of the River Arrow and associated infrastructure including construction access.  
Approved 12 Nov 2012.

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

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

Withdrawn.

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

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

## **Proposal Description**

Members may recall that outline approval for 150 dwellings was granted permission under a hybrid application reference No. 16/1085. The hybrid application also included a detailed scheme for the community centre which has since been built and is now functioning on site. This reserved matters application for the development provides details regarding Access, Appearance, Landscaping, Layout and Scale for 150 units. The layout plan shows the provision of two means of access to the scheme off East Works Drive.

The development comprises of a 5 storey apartment building providing 57 units, 27 No. 1 bed, and 30 No. 2 bed units that fronts Groveley Lane. Undercroft car parking would be provided for the apartments with vehicular access off East Works Drive. The main personnel access points for the apartment building are proposed via glazed entrance points on the front elevation off Groveley Lane, although a side entrance is also proposed off the main footpath link from Groveley Lane that serves the site in general.

The remaining units (to the south of the apartment building) would comprise of 93 dwellings 24 No. 4 bed, 39 No. 3 bed and 30 No. 2 bed dwellings served off East Works Drive. The dwellings are of a mix of 2 to 3 storeys. The dwellings would be a mix of detached, semi-detached and terraced units. Some of which have dual aspect particularly those located on corner locations in order to enhance the streetscene. Car parking has been provided as in curtilage or grouped car parking.

The access roads that serve this scheme link up with the proposed residential application to be considered under full planning application reference 19/01152/FUL that appears elsewhere on this agenda.

## **Site Description**

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



## **Assessment of Proposal**

### Principle

Members will recall that the principle of residential development was considered favourably at Planning Committee in 2017. This application is the reserved matters application for the scheme.

### Layout and Scale

The scheme provides a landmark apartment building that would be sited on Groveley Lane overlooking Cofton Park. The scale and mass of the building has been broken up accordingly in respect to how it relates to neighbouring buildings such as the community centre, apartment building located at the junction of Lowhill Lane and Groveley Lane, as well as proposed dwellings within the scheme. This has been achieved by reducing the number of storeys or setting the building back particularly at the rear. In addition, the use of varying materials such as different colour bricks, cladding and glazing proposed for the building also aid to break the overall mass of the building.

Objections have been submitted in respect to the scheme. Concerns refer to the scale of the building and that it is out of keeping with the surrounding housing. Whilst it is accepted that the building is of a larger scale to the traditional housing in the area, it is important to remember the scale of the buildings that previously existed on the site. I consider that the scale of the apartment building provides a well designed quality landmark building that will make a statement for the East Works Development as a whole. Members will note the Urban Designer consider the revised scheme is well designed and an appropriate scale development in this location. The use of different materials and its position, adjacent to the recently built community centre, would add interest to the streetscene in general.

Whilst the layout generally complies with the spacing requirements set out in the Council's High Quality Design SPD, the garden length of a few of the units fall slightly short of the 10.5 metre minimum requirement. In addition, there is a slight shortfall of 1 metre between the rear of the proposed dwellings that back onto the apartment block. In consideration of the scheme in a holistic manner, I consider that the shortfalls are acceptable and that the impact on the amenities of the new occupiers would not be demonstrably harmful.

Members may recall that Proposal H2 of the LAAP requires a target of 35% of dwellings to be affordable. This provision was included in the approved outline application for this phase. A total of 53 affordable units would need to be provided for this scheme. 19 affordable units would be provided within the apartment building, whilst the remainder of the affordable housing (4 No. 3 bed and 30 No. 2 bed dwellings) would be provided in small clusters around the rest of the site. This would comply with the requirements of the outline planning approval.

### Highways and access

The site layout plan shows access off East Works Drive. These access points then link up with the full application reference 19/01152/FUL that has a direct link onto Groveley Lane. Negotiations have taken place between the developers, officers, the Council's Urban Designer and Highways to ensure good vehicular and pedestrian access is provided between the two schemes in order to improve connectivity within the scheme overall. Objections have been made in respect to the number of units being served off

East Works Drive. Members will recall that the access arrangements for the East Works site overall has been designed and built with the anticipation that 700 units and communal facilities to be served off East Works Drive. Worcestershire County Highways consider the scheme to be acceptable subject to suitable conditions.

#### Noise and contaminated land

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

#### Neighbour objections

Objections relate to the increase in traffic which has been considered above. Other concerns relate to the design of the apartment building which has also been addressed above.

#### Planning Obligations

Members will recall that a Section 106 Agreement formed part of the hybrid application, Therefore, matters such as affordable housing, contributions towards wheelie bins, amenity and open space enhancements, and funding towards Worcestershire GP surgeries have already been secured for this residential scheme.

#### Conclusion

The design and layout of the residential development is acceptable. Negotiations held have resulted in a scheme that improves connectivity between this scheme and the adjoining one under ref 19/01152/FUL. The design of the apartment block is a landmark building that provides a statement to the overall East Works development. Whilst the proposal generally adheres to the policies set out in the Longbridge Area Action Plan and the Bromsgrove District Plan, there are some anomalies in respect to spacing requirements set out in the Council's High Quality Design SPD, however, it is considered that the slight shortfall in spacing requirements would not hinder the amenities of the proposed occupiers of the development.

**RECOMMENDATION:** That reserved matters be **APPROVED**

#### Conditions

- 1) The approval must be read in conjunction with outline planning permission 16/1085 and the conditions attached thereto.

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

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings/ Documents listed in this notice: (to be finalised).

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

- 3) A scheme of groundwater monitoring and any further remediation requirement shall be carried out and undertaken in accordance with the PJA Report; "St. Modwen Developments Ltd. East Works, Longbridge Ongoing Monitoring Strategy" dated October 2019. Document Ref: 03787-OUT-0007, including the following component parts:

1. Physical and Chemical monitoring of the aquifer and reporting of the results shall be undertaken in accordance with the PJA Report; “St. Modwen Developments Ltd. East Works, Longbridge Ongoing Monitoring Strategy”, dated October 2019. Document Ref: 03787-OUT-0007.
2. If monitoring in 1 identifies a deterioration in groundwater or surface water indicators, then further risk assessment will be undertaken in accordance with the PJA Report; “Technical Note; East Works, Longbridge, Remediation Strategy. St. Modwen Developments Ltd. Version: A”. Doc Ref: 03787-OUT-0009, Dated October 2019.
3. If the further assessment of risks in 2 identifies the plume is no longer in a stable condition or if the modelling predicts levels of contaminant migration away from the Site that may put the identified receptors at significant risk then a ‘remediation options appraisal’ will be undertaken in accordance with the PJA Report; “Technical Note; East Works, Longbridge, Remediation Strategy. St. Modwen Developments Ltd. Version: A”. Doc Ref: 03787-OUT-0009, Dated October 2019.
4. (a) The most effective remediation option developed from 3 shall be agreed in writing with the Local Planning Authority (LPA) in consultation with the Environment Agency. Once agreed a detailed remediation strategy (including a ‘verification plan’) for this option will be submitted to the LPA for approval, in consultation with the Environment Agency.  
(b) Any ‘verification plan’ shall provide details of the data that will be collected in order to demonstrate that the works set out in (4a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
5. A verification (validation) report demonstrating completion of the works set out in the approved remediation strategy (part 4). The report shall include results of any sampling and monitoring. It shall also include any plan (a “long-term monitoring and maintenance plan”) for any longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

Any changes to these components require the express written consent of the Local Planning Authority, in consultation with the Environment Agency. The scheme shall be implemented as approved.

REASON: To ensure groundwater monitoring and implementation, where necessary, of a remediation strategy to protect ground and surface waters (‘controlled waters’ as defined under the Water Resources Act 1991).

- 4) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement for remediation. The Method Statement must detail how this



unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any sampling and monitoring. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

REASON: To ensure that any unexpected contamination is dealt with and the development complies with approved details in the interests of protection of ground and surface waters (‘controlled waters’ as defined under the Water Resources Act 1991).

- 5) The proposed acoustic fencing as indicated on Dwg. No. (to be finalised) shall be implemented before the development is first brought into use and retained as such in perpetuity.

Reason: In the interests of residential amenity.

**Case Officer:** Sharron Williams Tel: 01527 534061 Ext 3372  
Email: sharron.williams@bromsgroveandredditch.gov.uk

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# 19/01152/FUL

Longbridge East And River Arrow Development Site,  
Groveley Lane, Cofton Hackett

Page 63 Full planning permission for residential development consisting of 18 dwellings (phase 3a) together with access, parking, landscaping and associated works Change of use to residential and extensions to provide 19 units.

Recommendation: Delegate to Head of Service to GRANT planning permission subject to a legal mechanism and conditions



# 19/01152/FUL Application Site Boundary



# 19/01153/REM

Longbridge East And River Arrow Development Site,  
Groveley Lane, Cofton Hackett

Page 65 Application for the approval of Reserved Matters  
(appearance, landscaping, layout and scale) pursuant to  
outline permission ref. 16/1085 for residential  
development consisting of 150 dwellings together with  
access, parking, landscaping and associated works (Phase  
3)

**RECOMMENDATION:** That reserved matters be  
**APPROVED**

# 19/01153/REM Application Site Boundary





# The two applications combined



# No. of storeys for the schemes combined

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Agenda Item 6



St Modwen Homes - Type 947



St Modwen Homes - Type 94711



St Modwen Homes - Type 705



St Modwen Homes - Type 462585 malacornette



St Modwen Homes - Type 658724 V1 malacornette



St Modwen Homes - Type 658724 V2 malacornette



St Modwen Homes - Type 658724 V3 malacornette

# Selection of House Types for the two schemes





	Length (m)	Width (m)	Length (ft)	Width (ft)
kitchen	4.76	3.32	15'-7"	10'-9"
laundry	1.50	1.31	4'-9"	4'-3"
living	5.06	3.32	16'-7"	10'-9"
WC	1.83	1.05	6'-0"	3'-5"



	Length (m)	Width (m)	Length (ft)	Width (ft)
bathroom	2.50	1.50	8'-2"	4'-9"
bedroom 2	4.31	2.55	14'-2"	8'-4"
bedroom 3	3.97	2.40	12'-9"	7'-9"
bedroom 4	3.52	2.52	11'-5"	8'-3"



	Length (m)	Width (m)	Length (ft)	Width (ft)
bedroom 1	4.48	4.02	14'-8"	13'-2"
ensuite	2.50	1.05	8'-2"	3'-5"



# Apartment building proposed under 19/01153/REM

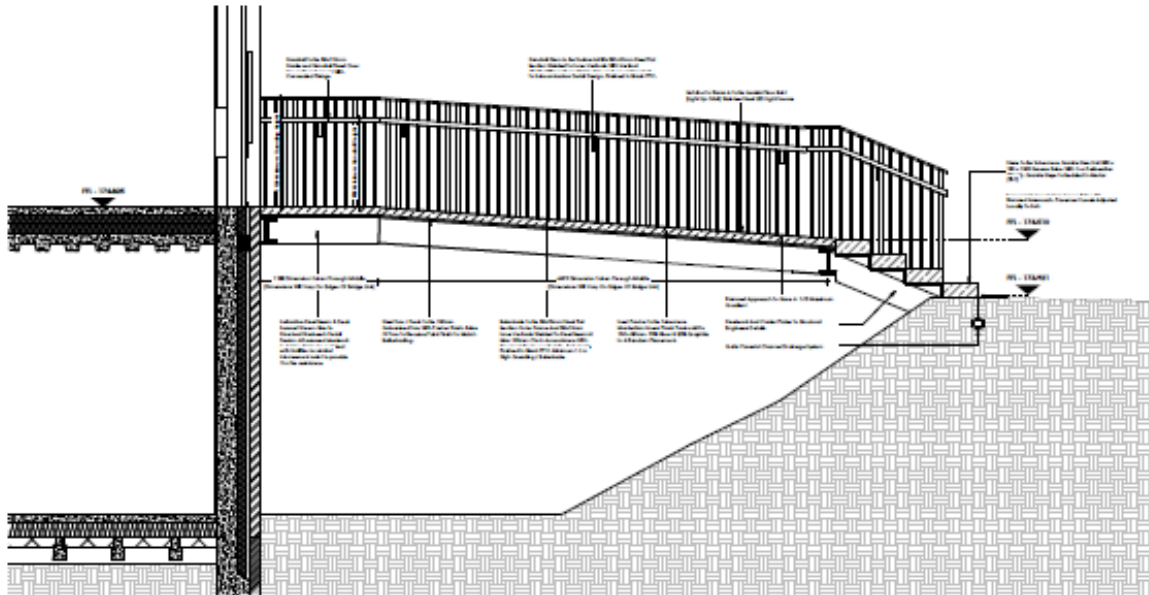
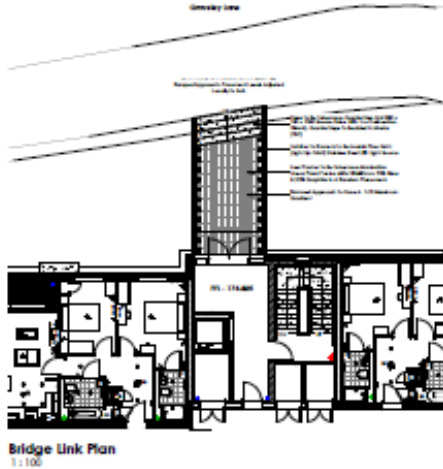




# Apartment floor layout



# Bridge Link to Apartments from Groveley Lane



# Streetscenes



WHELEY LANE STREET SCENE A



SITE SECTION B  
Flank wall to habitable space separation distance



SITE SECTION C  
Opposing habitable space separation distance



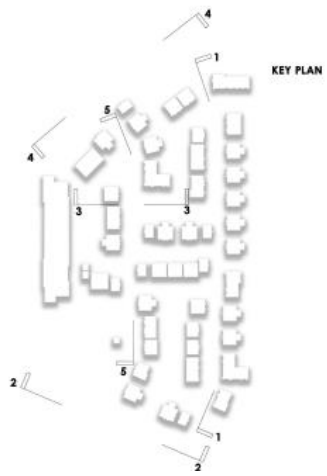


STREETSCENE 1



STREETSCENE 2

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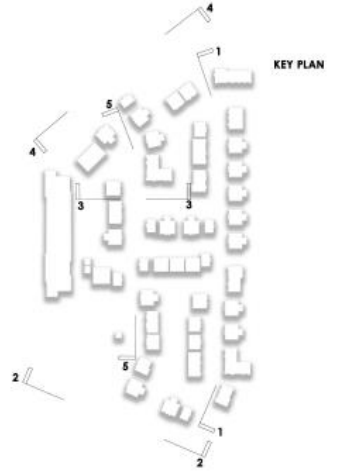
STREETSCENE 3



STREETSCENE 4



STREETSCENES



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Name of Applicant	Proposal	Expiry Date	Plan Ref.
William & Jane and Roy & Susan Thorn and Hughes	Demolition of nos. 163 and 165 Birmingham Road and construction of five detached dwellings.  163 - 165 Birmingham Road, Bromsgrove, Worcestershire, B61 0DJ		20/00483/FUL

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

**RECOMMENDATION:** That planning permission be **Granted**

### **Consultations**

#### **Worcestershire Archive and Archaeological Service**

The application site is judged to potentially impact heritage assets of archaeological interest that would be lost or damaged by the development. No objection subject to conditions:

1. Programme of archaeological work
2. The development shall not be occupied until the site investigation and post investigation assessment has been completed

#### **Conservation Officer**

The proposed development would cause harm (by virtue of total loss of the assets), to the significance, character and appearance of 163 & 165 Birmingham Road which are non-designated heritage assets, thus failing to comply with BDP20 of the Bromsgrove District Plan (2017) and the provisions of the Bromsgrove High Quality Design SPD (2019). As per Paragraph 197 of the NPPF a balanced judgment is required having regard to the scale of harm or loss and the significance of the heritage asset. It is also considered that the proposed scheme would cause less than substantial harm (albeit it at the lesser scale) to the setting, and as such the significance of the Grade II listed Bartleet House, thus failing to comply with S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraphs 196 and 200 of the NPPF (2019) and BDP20 of the Bromsgrove District Plan. I would therefore recommend that that this application for planning permission is refused.

Should you be minded to grant permission for this application I would suggest that all external materials are conditioned.

#### **The Bromsgrove Society**

Object to the proposal for the following reasons:

1. Both properties are fine examples of period architecture
2. Both houses have character and add to the heritage value of the town
3. The properties are in close proximity to Bartleet House, All Saints Church and the Crabmill pub; all listed buildings

4. The development will lead to the loss of back gardens and increased hard landscaping in an area prone to flooding
5. The proposal is back land development, contrary and the Councils High Quality Design SPD(2019) guide 4.1(b); 'Back land or rear garden development will be resisted in line with Policy BD19(n) unless it fully integrates into the residential area, is in keeping with the character and quality of the local environment'
6. The development will increase traffic onto one of the busiest roads in the town
7. The development will fail to satisfy the requirements of NPPF108, 109 & 110
8. The development will fail to satisfy the requirements of the Local Heritage Strategy

## **Crime Risk Manager**

No objection

## **North Worcestershire Water Management**

No objection subject to conditions relating to:

1. Surface water strategy condition
2. Permeable paving shall be maintained
3. Finished floor levels

## **WRS – Contaminated Land**

No objection, subject to unexpected contamination condition.

## **WRS – Noise**

No objection

## **Highways – Bromsgrove**

The Highways Authority has no objection subject to the conditions relating to:

1. Conformity with submitted details
2. Bound Material
3. Electric vehicle charging points
4. Existing access closure / reinstatement

## **Waste Management**

No objection

## **Arboricultural Officer**

No objection subject to condition regarding retention and protection of trees as outlined in Tree Survey, Arboricultural Impact Assessment and Method Statement.

## **Red Kite Network (Ecology)**

No objection subject to objection subject to the provision of a planning condition to obtain a Natural England licence and final mitigation measures.

## **Councillor Laight**

Councillor Laight has requested that this application is considered by Planning Committee for the following reasons:

- 1) The application involves "Rear Garden Development". The Councils High Quality Design SPD (2019) guide 4.1 (b); states "Back land or rear garden development will be resisted in line with policy BD19(n) unless it fully integrates into the residential area and is in keeping with the character and quality of the local environment"

2) The access to the site will be a dangerous Black Spot as it is on to a major road in and out of Bromsgrove town centre and has heavy traffic levels. A key point stated in the NPPF2018 – Transport Planning for Developments is, “Highway safety now explicitly referenced as a reason for refusal”

## **Publicity**

41 letters sent to surrounding properties on 4th May 2020 (expired 28th May 2020).

1 site notice was displayed on 5th May 2020 (expired 29th May 2020).

An advert was placed in the Bromsgrove Standard on 15th May 2020 (expired 2nd June 2020).

11 letters of objection (this includes 5 letters from two addresses)

The following concerns have been raised:

Residential amenity

- Archaeological Impact
- Impact on listed Bartlett House
- Loss of historic buildings
- Impact on listed wall through building works
- Impact on services, in particular school places
- Noise
- Loss of security
- Drainage
- Loss of privacy
- Garden/backland development
- Loss of a view/visual impact
- Highway safety in relation parking and road users
- Increase in traffic
- On street parking within Oakland Grove
- Proposal would set a precedent if approved
- Scope to incorporate further gardens into the development to circumvent affordable housing provision
- Loss of wildlife
- Cumulative impact of development with All Saints Garage (18/01123/FUL) and Burcot Lane (19/01610/FUL)

Other issues have been raised but these are not material planning considerations and have not been reported.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP7 Housing Mix and Density

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP20 Managing the Historic Environment



BDP21 Natural Environment  
BDP23 Water Management

## **Others**

NPPF National Planning Policy Framework (2019)  
NPPG National Planning Practice Guidance  
Bromsgrove High Quality Design SPD

## **Relevant Planning History**

No relevant planning history

## **Assessment of Proposal**

### **The Site and its Surroundings**

The site comprises two residential dwellings fronting Birmingham Road (No. 163 and 165) and their curtilages. The site is located between a number of residential dwellings fronting Birmingham Road, with dwellings within Oakland Grove and All Saints Road backing onto the site.

Surrounding properties vary in scale, design and age. To the north of the site set back from the road with parking in front is a large 3 storey office building. This is built in the Georgian style with brick and render. To the south are detached properties set back from the road that vary in age and style. The properties on Oakland Grove are semi-detached and are on smaller plots. The properties on All Saints Road are larger and are on larger plots with long narrow back gardens. On the opposite side of Birmingham Road are semi-detached properties that are set back from Birmingham Road behind Spadesbourne Brook, a hedge and an access road, Burcot Avenue.

### **Proposal**

The application proposes to demolish 163 and 165 Birmingham road and for the erection of 5 dwellings across the site.

The proposal will comprise two storey dwellings and it proposes to deliver a mix of properties consisting of;

2 x 3 bedroom detached dwellings  
1 x 4 bedroom detached dwellings  
2 x 5 bedroom detached dwellings

### **Main Issues**

The main issues for consideration are:

- Whether the proposal provides an appropriate residential use in accordance with relevant planning policy;
- The effect of the proposal on nearby designated and non-designated heritage assets
- The effect of the proposal on the character and appearance of the area;

- The effect of the proposal on the living conditions of the occupiers of neighbouring properties and future occupiers;
- The effect of the proposal on highway safety and the free flow of the road network;

#### Other Material Considerations

- Landscaping/Trees
- Ecology
- Drainage
- Other Matters

#### **Whether the proposal provides an appropriate residential use in accordance with relevant planning policy**

This application site is located in the residential area of Lowes Hill where residential development is considered acceptable in principle; subject to ensuring development enhances the character and distinctiveness of the local area having regard to BDP19 of the Bromsgrove District Plan.

The NPPF excludes urban private residential gardens as previously developed land and advises that 'local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'. The Bromsgrove District Plan acknowledges that development of garden land will be resisted unless it fully integrates into the residential area, is in keeping with the character and quality of the local environment.

It is noted that these policies do not outrightly preclude development of urban garden land altogether. Instead it should be demonstrated that there would be no harm to the local area.

There are examples in the District of residential developments of similar scale and nature being constructed on urban garden land. Such developments help boost housing numbers and can be an effective use of land. At present, the Council is unable to demonstrate a five year supply of housing and there is a drive at a national level to significantly boost the supply of housing.

Applications should be determined in accordance with the policies in the plan unless material considerations indicate otherwise. In the case of residential development, Paragraph 11 of the National Planning Policy Framework 2019 (NPPF) states that:

*"For decision-taking this means:*

*- Approving development proposals that accord with an up-to-date development plan without delay; or*

*- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:*

*i. The application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

This includes, for applications involving the provision of housing, where the local planning authority cannot demonstrate a five- year supply of deliverable housing sites.

As of 1<sup>st</sup> April 2019 the Council cannot currently demonstrate a five year housing land supply, being able to demonstrate a 3.45 year supply of deliverable land for housing. The Council falls short of a 5 Year Supply of Land for Housing, this shortfall has increased since April 2018, where the Council was able to demonstrate a 4.02 year supply.

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’.

This report considers if there would be any adverse impacts (harm) to the local area regarding assessing the impact on the nearby designated and non-designated heritage assets character and local distinctiveness, neighbour amenity, highways, landscape, ecology and drainage. Finally, a tilted balance exercise is applied in the conclusion of the report.

### **The effect of the proposal on nearby designated and non-designated heritage assets**

The application site comprises 163 (Albert Cottage) & 165 (Brook Cottage) Birmingham Road. These are two brick built detached dwellings which date from the mid-19th century and are located adjacent, thus in the setting of, the Grade II listed Bartleet House (List Entry Number: 1099538). 163 and 165 Birmingham Road, together with the former boundary wall to Bartleet House are considered to be non-designated heritage assets in their own right. Bromsgrove District Council does not currently have a definitive list of non-designated heritage assets, and non-designated heritage assets are not limited to those on an identified local list. The proposed scheme must therefore be assessed regarding the impact on the 3 non-designated heritage assets and the setting of the Grade II listed Bartleet House, a designated heritage asset.

Albert Cottage, 163 Birmingham Road is a two storey detached house of red brick in Flemish bond, under a hipped clay tile roof. The building dates to the mid-19th century. The building is of roughly square plan form with a symmetrical front elevation. The front elevation has been subject to several 20th century alterations with the addition of two storey bay windows and the replacement of windows. The building, whilst not purpose built for, was occupied by Harry Holloway, Clerk to the Poor Law Guardians for the adjacent former workhouse, Bartleet House and therefore is of some historic interest. Whilst the building is of limited local historic interest, its integrity and its contribution to the townscape of the area has diminished over time and by alterations.



Brook Cottage, 165 Birmingham Road is a two storey detached house of red brick in a Flemish bond, under a hipped pantile roof. The building dates to the mid-19th century. The building was originally constructed in an L-shaped plan form with the rear projection later extended. The principal elevation is polite in architectural style with symmetrical detailing, over 3 bays. The building retains its original stone cills and headers, which featuring a classical inspired corbelled pediment. The central entrance door has a glazed fan light and arched brick detailing. The building's significance derives from the character and appearance of the building as a rare survival of a largely complete mid-19th century classically proportioned residence in this area of Bromsgrove which retains its architectural interest; and its positive contribution to the townscape of the area.

The boundary wall which runs along the northern boundary of 165 Birmingham Road and perpendicular to Birmingham Road is the former boundary wall to Bartleet House, the former workhouse, and is therefore of historic interest and is a rare surviving structure of the former workhouse. The wall is to be retained as existing, it is noted the concern raised by local residents regarding the wall, it is considered that it can be suitably protected by a condition.

### **The Impact on 163 and 165 as a non-designated heritage asset (NDHA)**

Non-designated heritage assets are on the lowest rung of the hierarchy of heritage assets, they do not have statutory protection and their loss requires a balanced judgement (NPPF 197). The NPPF does not seek to prescribe how that balance should be undertaken, or what weight should be given to any matter.

The significance of the 163 and 165 as a NDHA (albeit at a low level) would be totally lost due to demolition. NPPF 197 requires weighing “applications” that affect a NDHA and this means the consideration of the application (i.e. the scheme including the replacement buildings). It then requires a balanced judgement having regard to the scale of any harm and the significance of the heritage asset. There is no requirement in this balance to give ‘great weight’ to the preserving of the heritage asset’s significance.

The applicant’s heritage consultant contends that the two buildings in question do not meet the LPAs own criteria for consideration as locally listed buildings which, according to Planning Practice guidance, is synonymous with the concept of a NDHA as understood by the NPPF. The Bromsgrove Local Plan, by supporting a less selective approach (under Policy BDP20) to non-designated heritage assets, is therefore in conflict with both national policy and guidance.

The heritage consultant also argue that notwithstanding this, given the primacy of the LDP within the plan making process, the two buildings are considered by the Conservation Officer as heritage assets. As identified, the buildings fail to meet the criteria for local listing, and as such their heritage significance is of the lowest possible order and – as stated by the Conservation Officer – resides primarily in their townscape value (and principally the contribution of 165).

Bartleet House is identified as having its setting negatively impacted by the loss of 163 – 165 Birmingham Road, although the Conservation Officer is claiming a purely coincidental occupation by an employee of the former hospital as illustrative value

sufficient to warrant the retention of the more physically altered of the two properties, acknowledging that its townscape value is limited.

The applicant Heritage consultant also argues that the proximity of elements of a designated building's setting do not necessarily confer a greater significance simply by being in the 'immediate'.

The heritage consultant concludes that taking all of the above into account, in accordance with Local Plan Policy the loss of the two buildings can have, at most, an extremely minor impact on the setting of the asset, with a corresponding negligible negative impact on its significance, through loss of illustrative context.

To that end, the balanced judgement under 197 needs to consider the above benefits against the complete loss of heritage assets that do not qualify as locally listed buildings and generate marginal levels of streetscape and illustrative value.

Although 163 and 165 are heritage assets of low significance, it is considered that their demolition would result in an impact. The benefits of the proposed redevelopment, are however more substantial, it is noted that the proposed scheme makes efficient use of land and contributes to the housing supply within the District, for which there is a recognised shortfall. The proposal would also give rise to limited employment during the construction of the proposed scheme. The proposal therefore contributes to public benefits which deliver economic, social or environmental progress as identified within the NPPF.

The loss of the buildings is nevertheless an adverse effect but taking the merits of the proposed development into account and given the eroded significance of the non-designated heritage assets and their minimal levels of value it is considered that the above benefits of the completed proposal result in an acceptable loss in heritage terms. Their proposed demolition is not considered to be unacceptable when a balanced judgement is made in accordance with paragraph 197 of the Framework.

## **The Impact on the Setting of nearby Designated Heritage Asset**

In regards to the setting of the Grade II listed Bartleet House, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The NPPF defines the setting of a heritage asset as the surroundings in which the asset is experienced, pointing out that the extent of the setting may change as the asset and its surroundings evolve. Preservation in this context means not harming the interest in the building or setting.

The Conservation officer that considers the townscape value of the two properties, with a greater extent to 165 Birmingham Road, positively contribute to the setting of the Grade II Bartleet House and are the last surviving buildings of an age contemporary to Bartleet House within its immediate setting. The former workhouse building is elsewhere surrounded by 20th century residential development. The Conservation Officer considers that the demolition of the 2no non-designated heritage assets, particularly 165

Birmingham Road, and their replacement with modern housing estate type dwellings would have a negative impact on the setting of Bartleet House, isolating the designated heritage asset, and as such causing harm to the setting, and as such the significance of a designated heritage asset.

In response the applicant Heritage consultant notes that greater weight should be applied to the preservation of the significance of Bartleet House in line with its lowest level of statutory designation. This harm needs to be weighed against the above moderate and major public benefits arising from the proposed scheme. The applicant considers that in this balance that the proposals cause no harm to the significance of the building through direct impact, nor does the removal of the heritage assets impact on the current usage of the designated building. Owing to the orientation of other surrounding designated heritage assets, the applicants Heritage consultant is of the view that the removal of the non-designated buildings does not impact on any legibility of the designated buildings' relationships and derived illustrative value from these aspects of Bartleet House's setting.

The proposal would result in less than substantial harm to a designated heritage asset and therefore, in accordance with paragraph 196 of the NPPF, this harm should be weighed against the public benefits of the proposal. This attracts considerable weight and importance in the planning balance.

In assessing the public benefits of the proposal, it is noted that the proposed scheme makes efficient use of land and contributes to the housing supply within the District, for which there is a recognised shortfall. The proposal would also give rise to limited employment during the construction of the proposed scheme. The proposal therefore contributes to public benefits which deliver economic, social or environmental progress as identified within the NPPF and these public benefits are considered to outweigh the less than substantial harm arising from the proposal.

The proposal results in less than substantial harm to the significant of a designated heritage asset, which carries significant weight against the proposal in the planning balance. However, in my view this harm is balanced by the social and economic benefits (through the provision of new housing and employment opportunities during construction) of the scheme. I therefore conclude that the identified less than substantial harm is outweighed by the public benefits of the proposal.

### **The effect of the proposal on the character and appearance of the area**

BDP19 (n) seeks to resist the development of garden land unless it fully integrates into the residential area and is in keeping with the character and quality of the local environment. The Council's High Quality Design SPD provides design guidance to assist with interpreting these policies.

The site will be accessed off Birmingham Road via 2no. new vehicular access points. The site fronts onto Birmingham Road with a run of dwellings running to the south and several commercial buildings to the north. To the opposite side of Birmingham Road is Spadesbourne Brooke. There is a cul-de-sac development accessed to the north of the site, Oakland Grove that sits between 165 Birmingham Road & Bartleet House.

Other than to the rear of the application site and properties at 151 and 157, other properties in the area are not characterised as having large open gardens.



The proposal would be adjacent to Oakland Grove and in close proximity to further back land development in the form of the garage redevelopments at Somerville and Hollyfields located off All Saints Road. Therefore, it is considered that the proposed development of this back land site would not appear out-of-character with the area.

The development of the site would result in the loss of planting and trees. However, this character is localised and is only really appreciated from within the application site and neighbouring gardens. A detailed tree survey by Indigo Surveys indicates the trees to be retained as part of this development. While some trees and landscaping will be lost, it is considered that that any harm as a result of the loss of the existing planting and trees would not be so severe that it would significantly harm the character and appearance of the area. The Tree Officer has raised no objection to the scheme subject to conditions. Tree matters are also considered in more detail later in this report.

The properties take design cues from the wider locality. Facing materials will reflect areas of the local character comprising of red brickwork facades, twinned with feature bay windows with tile hanging and chimneys.

The properties fronting Birmingham Road will be taller to reflect the character of the existing dwellings, continuing the stepped building heights from Bartleet House to 157 Birmingham Road. The properties will also incorporate feature stone cills to windows and feature brick headers to the windows. The roofs will comprise of brown clay roof tiles with black PVCU fascias and soffits to the eaves and verges.

The proposed dwellings fronting Birmingham Road will have oversized taller windows to reflect the sash windows to Bartleet House and the existing dwellings 163 + 165 Birmingham Road, that the scheme looks to replace. The external design respects the local character and would contribute to the varied dwelling types already found in the area.

The development plots (3,4 and 5) have tried to mirror the plots in the adjoining cul-de-sac, it is considered that the properties would not appear overly dominant or unreasonably squeezed in, in this setting.

The Design SPD recommends a minimum garden depth of 10.5m for a two storey dwelling with an absolute minimum area of 70 sq m. The rear gardens of each property would comfortably exceed the Council's minimum requirements, allowing for comfortable living conditions. The plots would maintain a more than adequate degree of spaciousness to allow a satisfactory degree of amenity and privacy levels for occupiers and neighbours from both within and outside of the site.

The density of the proposal, at 22.7 dwellings per hectare (dph), is entirely lower than the adjacent Oaklands Grove development which has a higher density of 44.3 dph.

The site would involve the development of garden land. However, Policy BDP19 (n) allows such development providing it fully integrates into the residential area and is in keeping with the character and appearance of the local environment.

Therefore the proposed development would not significantly harm the character and appearance of the area. As such, it would accord with Policies BDP1, BDP7 and BDP19 of the BDP, which, amongst other things, seek to ensure that development respects visual amenity and maintains character and local distinctiveness and is of a high quality design in line with the High Quality Design SPD.

## **The effect of the proposal on the living conditions of the occupiers of neighbouring properties and future occupiers**

Policy BDP 1.4 (e) requires developments to be compatible with adjoining uses and the impact on residential amenity. The High Quality Design SPD assists with interpreting this policy.

Concerns have been expressed relating to additional noise disturbances close to neighbouring garden boundaries. The proposed dwellings would be surrounded by existing dwellings. Gardens and the access road would run along an existing garden. Vehicular movements within the site would be closest to the rear and side of number 157 Birmingham Road. Allocated parking and turning areas within the site would be surrounded by boundary fences, trees and planting, which would minimise noise disturbance.

In addition, whilst the properties would be within proximity of each other, there would be sufficient distance between them to ensure that any activities taking place within them would have no increased harmful effect than one would normally expect when living in a built-up residential area. Moreover, the existing site is comprised of domestic gardens. Therefore, they could be used for various domestic activities that would not be materially different to the proposed development.

I appreciate the concerns regarding noise and disturbance, and I accept that the introduction of new dwellings onto the site would inevitably lead to an increase in noise. However, the issue is not whether there would be an increase in noise and light but whether this increase would have a significantly harmful effect on the living conditions of the neighbouring residents. Based upon comments from WRS Noise, the increase in noise would not result in a significantly harmful effect.

The site is bound on three sides by residential developments. The site abuts 1,9,11 and 11a Oakland Grove, 157 Birmingham Road and 73 All Saints Road. However, the proposed rear elevations do not direct face the front or rear elevations of these properties, there separated distance so any overlooking of gardens areas is minimal. The site also abuts 157 Birmingham Road, the proposed front elevation of plot 3 of the development would be separated by in excess of approximately 28m. This distance is in excess of the 21m standard set out in the High Quality Design SPD.

It is noted that Plot 5 is in close proximity (2.5m) to 1 Oakland Grove as well as 7,9,11 and 11a. The position of plot 5 and its design, with a large projecting rear ground floor element, is not considered to cause significant overshadowing or overbearance. Its 1st floor rear windows do not directly face other windows and are enough distance away to not overlook other properties' garden areas and maintain reasonable levels of residential amenity

Overall with regards to privacy, there would be sufficient distance between the windows in the proposed dwellings and the existing properties to ensure that any overlooking would not have a significantly harmful effect on the living conditions of the neighbouring occupants.

Concerns have been raised that the development will result in an increase of crime. However, there is no evidence that this would likely result in an increase in crime. It is also worthwhile noting that additional dwellings can provide increased natural surveillance and thus reduce the risk of crime.

WRS Noise have no objection, but recognise that There may be some short term disruption to neighbours during the construction/demolition phase, as such they direct the applicant to the WRS Contractor guide. This will protect existing and new occupiers of residential areas from the unreasonable effects of noise, vibration, light and dust nuisance during any construction period.

In summary, the overall resulting separation distances, garden depths and design would ensure amenity and privacy levels would not be harmed between properties and there would be no harm to neighbour amenity by way of overshadowing, overlooking or overbearing impacts. Subject to the imposition of relevant conditions relating to obscure glazing, landscaping and boundary treatment, the proposal is considered to accord with Policies BDP1 and BDP19 of the BDP and the High Quality Design SPD..

## **Highways and Parking**

A Transport Technical Note has been submitted as part of the application. The Highways Officer has provided comments in relation to the proposal and notes that the site is located in a sustainable location, within walking distance of amenities and bus stops. The applicant has indicated 2.4m x 43m vehicular visibility splays which is acceptable since a footpath fronting the site is in excess of 2.5m width and visibility is not impeded in either direction.

With regards to parking provision, three car parking spaces have been indicated on the site plan for the 4 and 5 bed properties and two car parking spaces for the 3 bed properties which would meet the standards set out in Worcestershire County Council's Streetscape Design Guide. Several properties also have a garage proposed for extra parking/storage. Based upon this, it is not considered that the development will reduce on site street parking within Oakland Grove.

In view of the above the Highways Officer raises no objections to the proposal subject to conditions.

## **Drainage**

North Worcestershire Water Management (NWWM) have reviewed the Flood Risk Assessment (FRA) submitted as part of the application. The site falls within flood zone 1 (low risk of fluvial flooding) but does lie adjacent to an area covered by flood zones 2 & 3 (high risk of fluvial flooding associated with the Spadesbourne Brook). NWWM note that they hold no reports of flooding on the site itself, but NWWM records do indicate

instances of flooding in the local vicinity, associated with both the Spadesbourne Brook and surface water runoff.

The FRA includes a review of the flood zone and uses the 1% level plus an additional 35% allowance for climate change. This suggests that plots 1 & 2 may be at risk of flooding, however the proposed measures to raise the finished floor levels 600mm above this are acceptable.

NWWM have no objections to the proposals, however, before any work commences on a full drainage investigation report should be produced to assess the viability of the site for infiltration drainage as well as other conditions.

## **Ecology**

The applicant has undertaken surveys to ascertain the presence of protected species on the site. The Ecological Assessment Report confirms the presence of brown long eared bat (by AMPA Associates Limited) within the roof void of 163 Birmingham Road. Roost features for crevice dwelling bat species are also confirmed within 163 Birmingham Road. No other significant habitats or potential for protected species relating to the Site are identified within the Ecological Assessment Report. Following the submission of further ecology information, Red Kite have no objection subject to a planning condition regarding a Natural England licence and final mitigation measures. The proposal is therefore compliant with Policy BDP21 of the Bromsgrove District Plan.

## **Trees**

A Tree Survey, Arboricultural Impact Assessment and Method Statement has been reviewed by the tree officer. The report highlights the need to remove a number of trees (T1, T2, T3 and T7) due to conflict with the proposed layout as well as T6 due to its conflict with the existing boundary wall. These trees are all of low prominence within the landscaping of the site and area therefore the officer would agree with the comments made in the report and would have no objection to their loss to accommodate this application.

All other trees within the report appear to be off site and therefore are highlighted for retention. The Tree Officer does not envisage that the layout of the proposed development will create any long term sustainability issues with any of these trees.

The Tree Officer has no objection to the proposal subject to a condition regarding retention and protection of trees in line with the submitted assessment.

## **Contamination**

WRS have reviewed records and documents associated with the above application, the site is adjacent to a site with a contaminated land history as such please see attached recommended conditions should any unexpected contamination be encountered.

## **Other Matters**



Issues have also been raised regarding precedent. Each application is assessed on its individual merits and therefore any planning approval will not set a precedent locally.

It is also noted that impact on services and in particular school places has been raised in opposition. The application proposes 5 dwellings (with a net gain of 3 dwellings), which is below the threshold that contributions could be required to fund increase school places locally or other infrastructure.

## **Conclusion**

The proposal would not cause undue harm to the amenities of neighbouring residential properties and it is demonstrated that the development would have an acceptable impact on highway safety and trees/landscape and as such neutral weight is attributed to these issues in the decision making process.

In terms of impact on character of the area, it is noted that there are other examples of garden/backland developments within the area, on balance, the proposals are considered to be acceptable.

The proposals are considered to result in less than substantial harm to the designated and non-designated heritage assets, when balanced against the Council not being able to demonstrate a 5 year housing land supply, in accordance with the NPPF, whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of granting planning permission. In this instance it is considered that the public benefits in social, environmental and economic terms, including the recognised need to boost housing supply numbers, as well as employment opportunities created through construction, outweighs the less than substantial harm caused to designated and the loss of the non-designated heritage assets.

Members will note the view expressed by Councillor Laight. However, based on the above there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits, and therefore it is concluded that planning permission should be granted.

**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 plans and drawings:

Location Plan -115-01

Proposed Site Plan - 120-10D  
Proposed Floor Plans and Elevations Plot 1 -120-20  
Proposed Floor Plans and Elevations Plot 2 - 120-21  
Proposed Floor Plans and Elevations Plot 3 -120-22A  
Proposed Floor Plans and Elevations Plot 4 - 120-23A  
Proposed Floor Plans and Elevations Plot 5 -120 -24  
Plot 1 and 2 Garage - 120-25  
Landscape Plan - 1425- BIRMINGHAM RD BROMSGROVE FFC LAYOUT  
Access Plan - SK01 Rev A

Reason: To provide certainty to the extent of the development hereby approved 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 landscaping scheme detailed on Landscape Plan - 1425- BIRMINGHAM RD BROMSGROVE FFC LAYOUT shall be carried out in the first planting and seeding season following the first occupation of any dwelling or the completion of the development, whichever is the sooner.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area.

- 5) Any trees or plants which within a period of 5 years from the completion of the development or completion of the landscaping scheme pursuant to condition [4] (whichever is later) die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To ensure the environment of the development is improved and enhanced.

- 6) All trees and hedges that are to be retained should be afforded protection in accordance with BS5837:2012 recommendations and as defined within the Indigo Surveys Ltd BS5837:2012 Tree Survey, Arboricultural Impact Assessment and Method Statement provide with the application throughout any demolition, ground or development work on the site.

Reason: To protect trees and hedges.

- 7) 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.

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 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) No works or development shall take place until a scheme for a surface water 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 scheme should include run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets proposals for dealing with the future maintenance of these assets should be included. The scheme should include proposals for informing future home owners or occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.

Reason: The agreement of a scheme of surface water disposal prior to the commencement of development is fundamental to safeguard against pollution and flooding.

- 9) The permeable paving areas shall be maintained to facilitate the optimal functionality and performance of the surface water drainage scheme. Permeable surfaces shall not be replaced by impermeable surfaces without prior written approval from the Local Planning Authority.

Reason: To safeguard against flooding.

- 10) Finished floor levels within the development shall be set no lower than 600 mm above the modelled 1 in 100 annual probability flood level, including an allowance for climate change.

Reason: To safeguard against flooding.

- 11) 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.

- 12) 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.

- 13) The development hereby permitted shall not be first occupied until the each of the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities.

- 14) The development hereby approved shall not be occupied until the existing vehicular accesses are permanently closed / reinstated (as required) in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe and free flow of traffic using the adjoining highway.



- 15) All proposed works shall be carried out in accordance with the recommendations as set out in the Ecological Assessment Report and the Further Ecological Information by AMPA Associates Limited.

Reason: To ensure that the proposal results in a net gain of biodiversity.

- 16) No development shall take place until a survey report and a method statement setting out how the existing boundary walls are to be protected, maintained, repaired and stabilised during and after demolition and construction works, and including details of any temporary support and structural strengthening or underpinning works, shall have been submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall be carried out and completed fully in accordance with the approved method statement.

Reason: To ensure a satisfactory appearance to the development.

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

# 20/00483/FUL

163 - 165 Birmingham Road, Bromsgrove,  
Worcestershire, B61 0DJ

Demolition of nos. 163 and 165 Birmingham  
Road and construction of five detached  
dwellings.

Recommendation: Grant subject to conditions

# Site Location Plan



# Satellite View






# District Plan Allocation



## Key

 Residential Area BDP19, BDP7

# Existing Site Layout



# Photographs



Page 102

163 Birmingham  
Road



165 Birmingham  
Road

Agenda Item 7



# Photographs

Page 103



163 & 165  
Birmingham  
Road



Rear of 163 &  
165 Birmingham  
Road

Agenda Item 7



# Photographs



Rear Garden of 163  
Birmingham Road  
and view towards 1,  
3, 5, 7 & 9 Oakland  
Grove



Rear of 163  
Birmingham Road  
and view towards  
9,11,11a and 15  
Oakland Grove

# Photographs



157, 163 and 165  
Birmingham Road



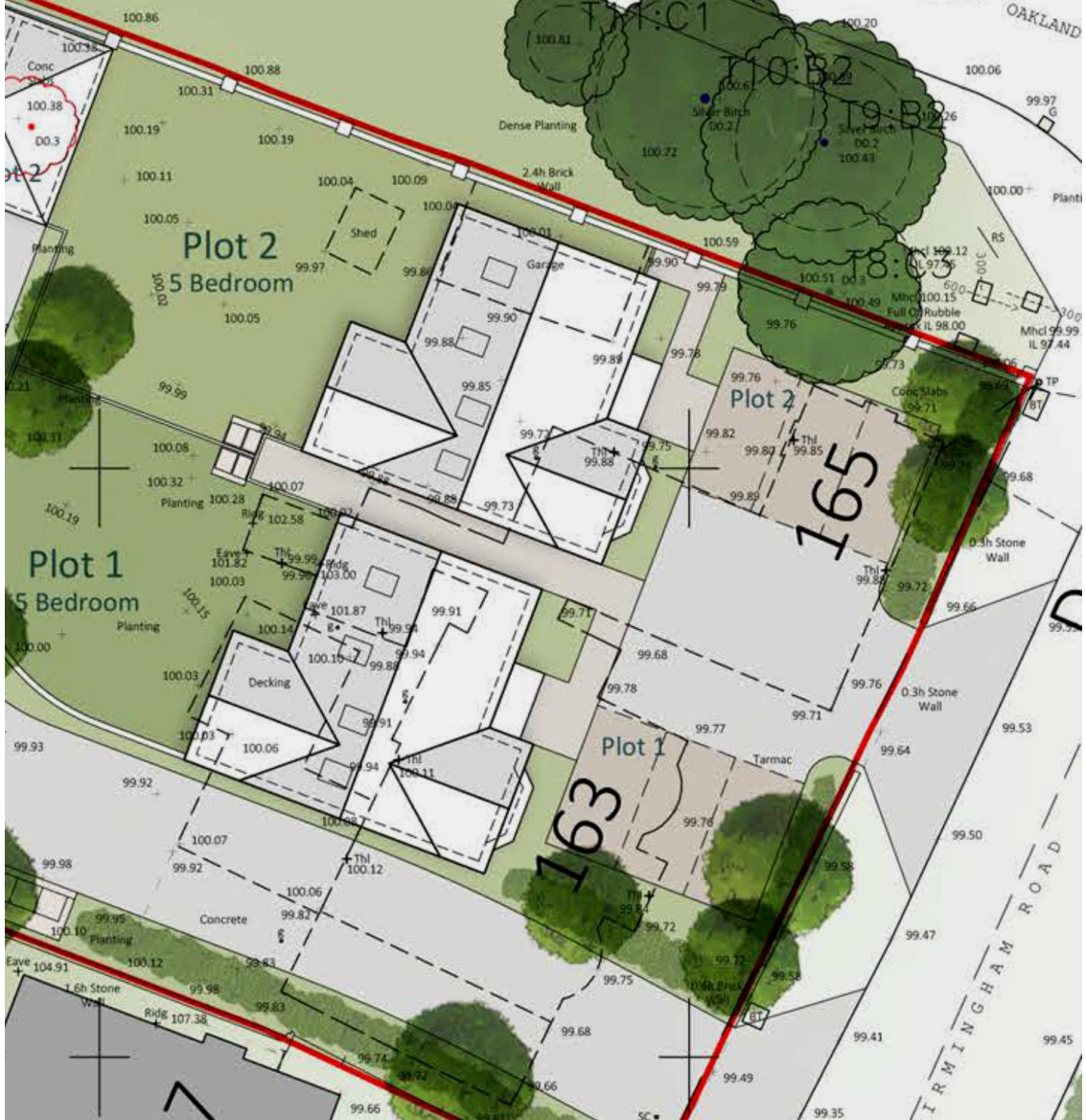
Bartleet House



# Proposed Site Layout



# Enlarged Proposed Site Layout





# Enlarged Proposed Site Layout



# Plot 1



Proposed Front Elevation



Proposed Side Elevation  
Scale 2:100



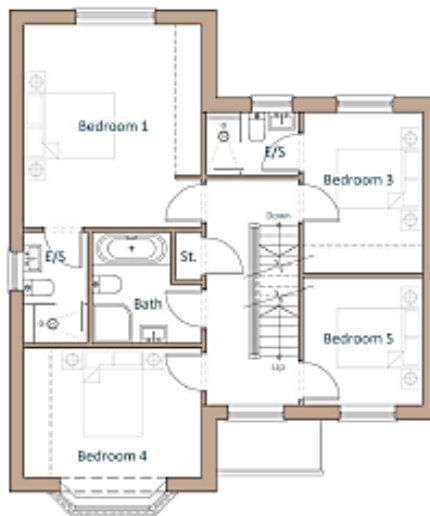
Proposed Side Elevation  
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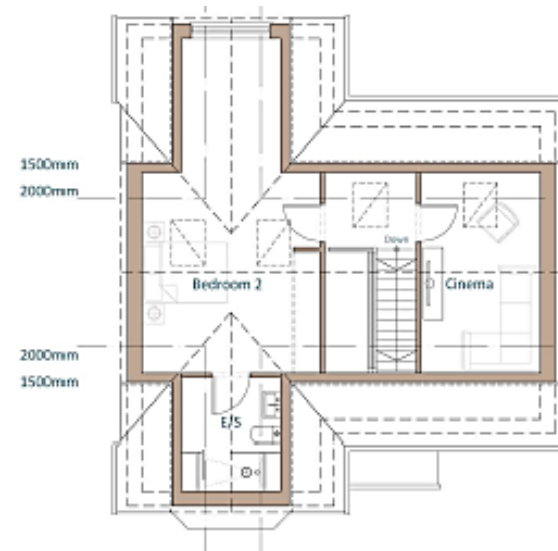
Proposed Rear Elevation  
Scale 1:100



Proposed Ground Floor Plan  
Scale 1:50



Proposed First Floor Plan  
Scale 2:50



Proposed Second Floor Plan  
Scale 2:50

# Plot 2



Proposed Front Elevation  
Scale 1:100



Proposed Side Elevation  
Scale 1:100



Proposed Side Elevation  
Scale 1:100

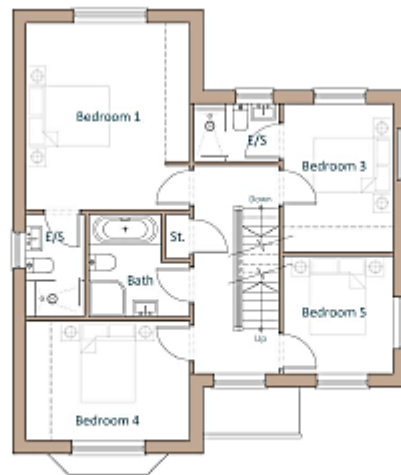


Proposed Rear Elevation  
Scale 1:100

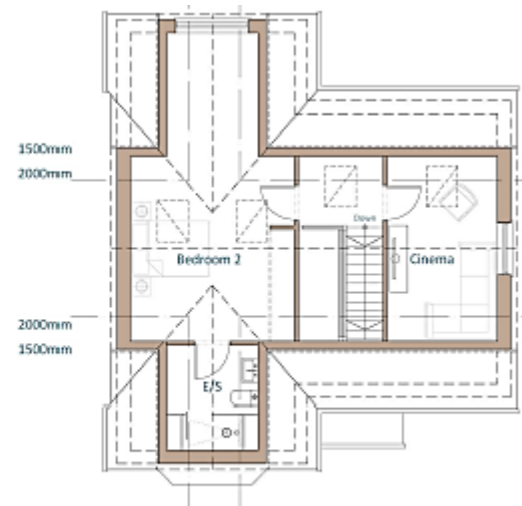
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Proposed Ground Floor Plan  
Scale 1:50



Proposed First Floor Plan  
Scale 1:50



Proposed Second Floor Plan  
Scale 1:50

Agenda Item 7

# Plot 3



Proposed Front Elevation  
Scale 1:50



Proposed Ground Floor Plan  
Scale 1:50



Proposed First Floor Plan  
Scale 1:50



Proposed Side Elevation  
Scale 1:100



Proposed Side Elevation  
Scale 1:100



Proposed Rear Elevation  
Scale 1:100



# Plot 4

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Proposed Front Elevation  
Scale 1:50



Proposed Ground Floor Plan  
Scale 1:50



Proposed First Floor Plan  
Scale 1:50



Proposed Side Elevation  
Scale 1:100



Proposed Side Elevation  
Scale 1:100



Proposed Rear Elevation  
Scale 1:100

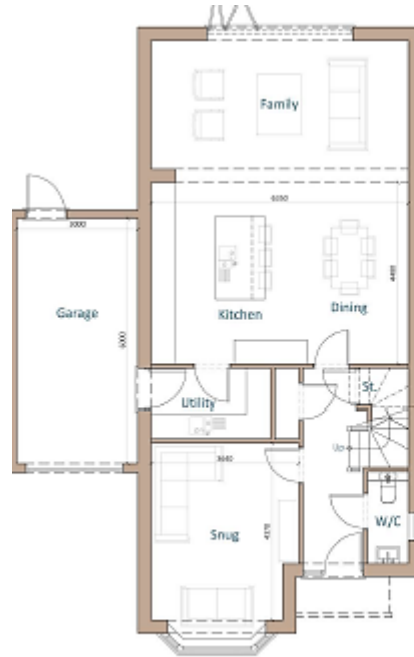
Agenda Item 7

# Plot 5

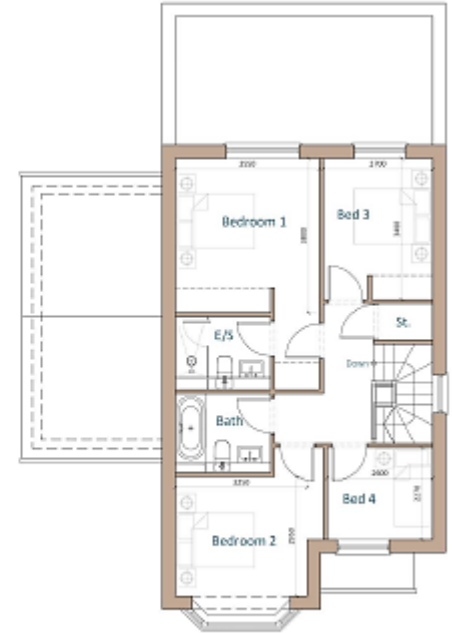
Page 13



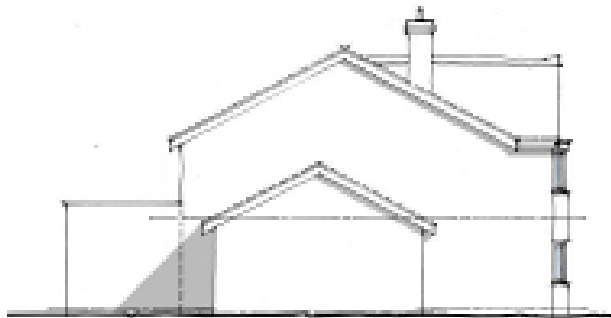
Proposed Front Elevation  
Scale 1:50



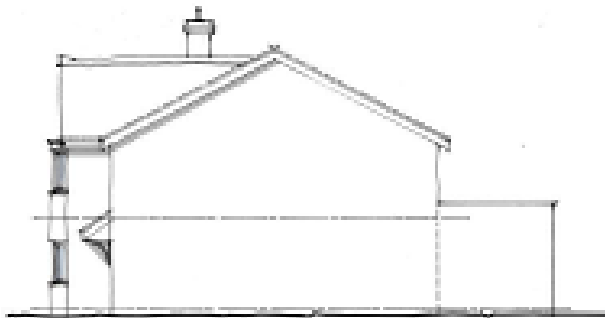
Proposed Ground Floor Plan  
Scale 1:50



Proposed First Floor Plan  
Scale 1:50



Proposed Side Elevation  
Scale 1:100



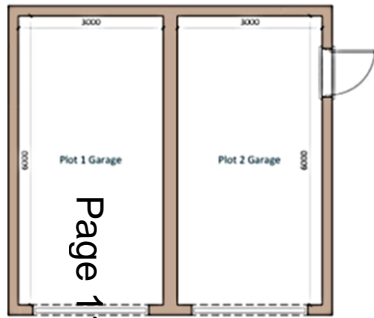
Proposed Side Elevation  
Scale 1:100



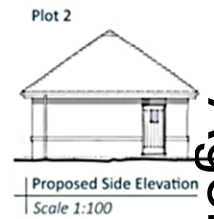
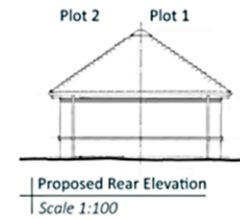
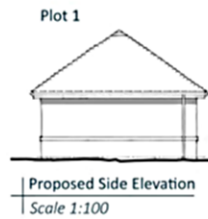
Proposed Rear Elevation  
Scale 1:100

Agenda Item 7

# Plot 1 & 2 Garages



Proposed Garage Plan - Plots 1+2  
Scale 1:50



# Landscaping Plan





# Existing and Proposed Street Scene

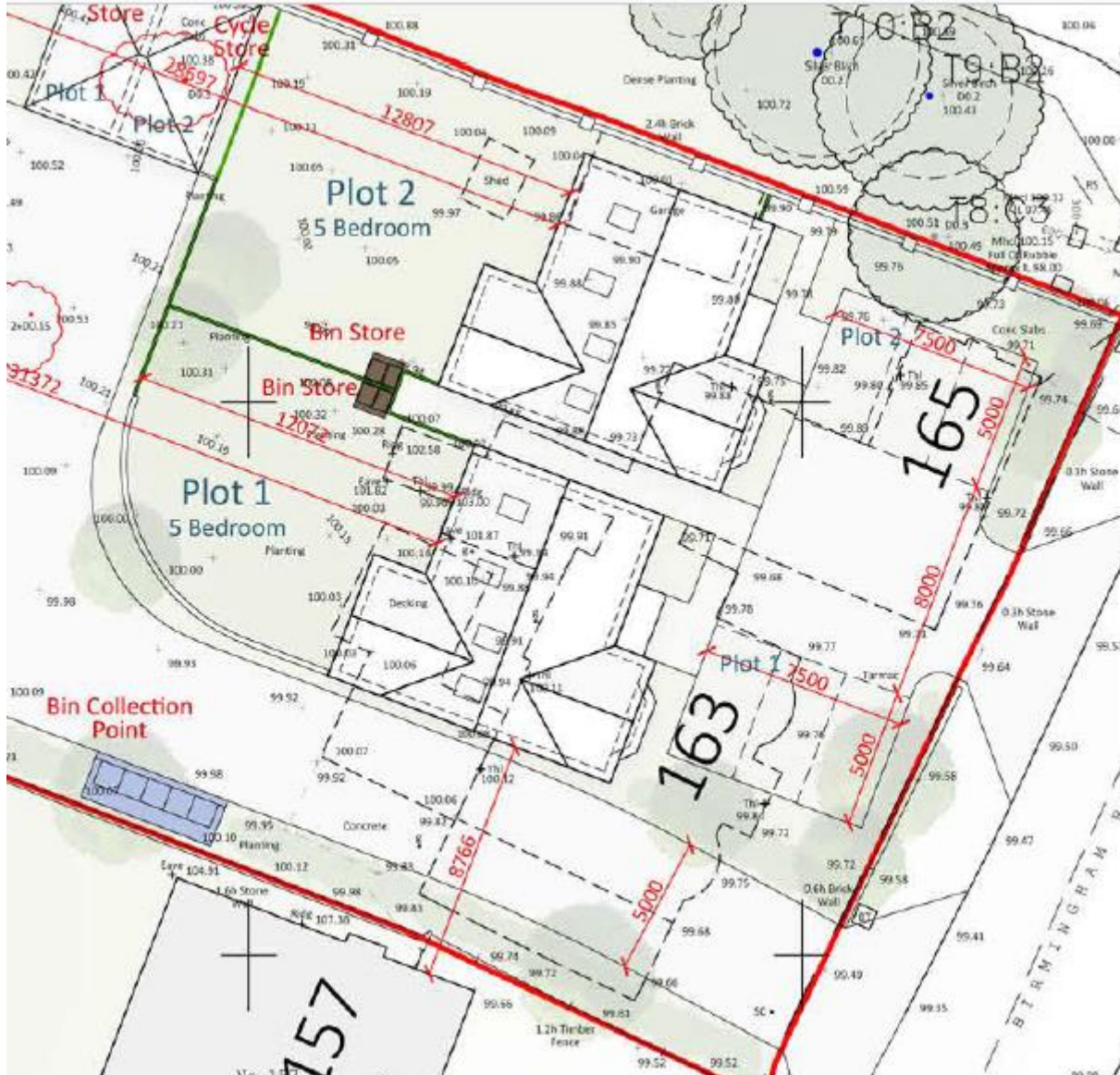


Existing Street Scene (Facing Birmingham Road)  
Scale 1:100

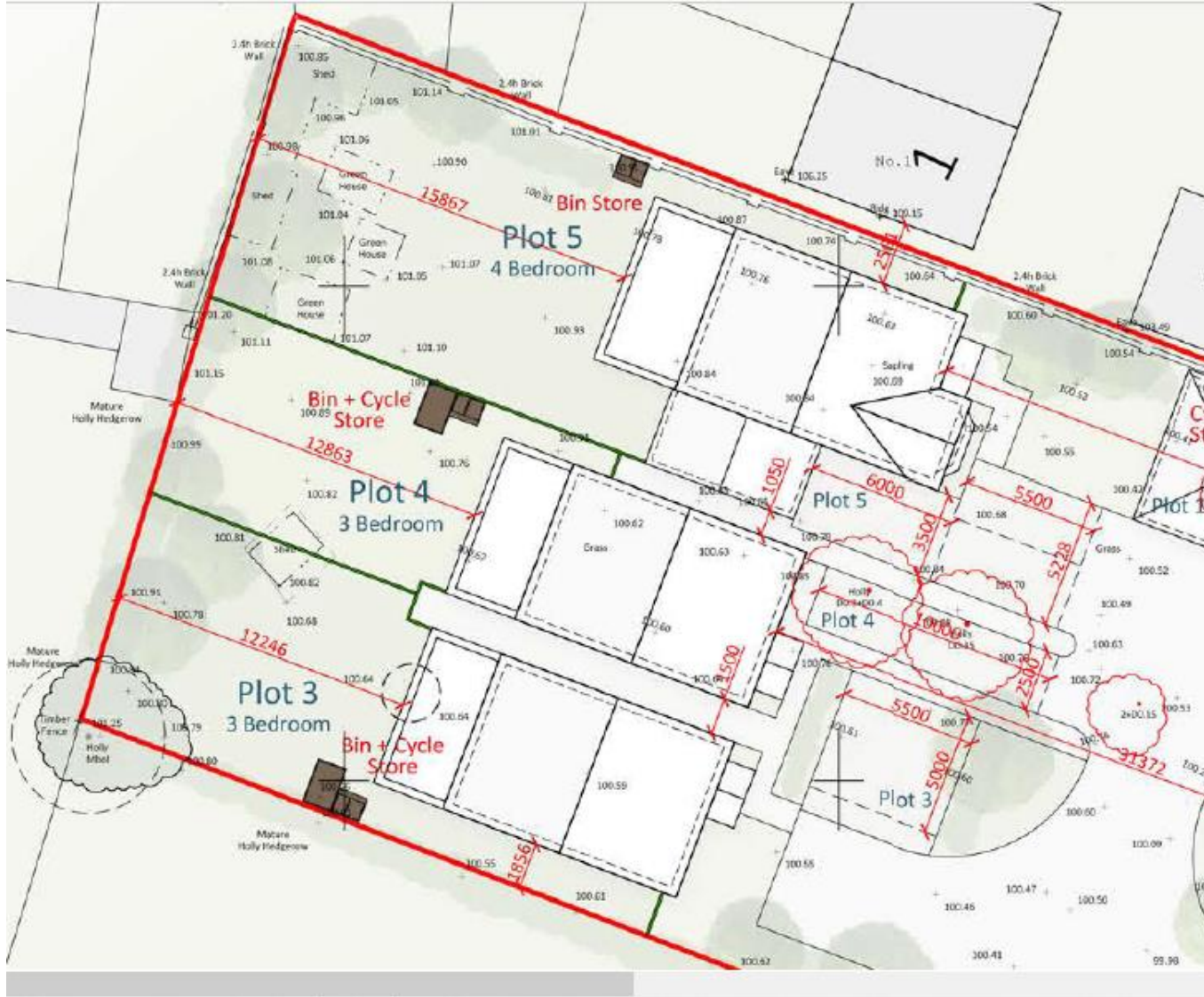


Proposed Street Scene (Facing Birmingham Road)  
Scale 1:100

# Compliance Plan



# Compliance Plan





# Illustrative View





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# Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Simon Plant	Extension to rear of existing garage.  52 Hartle Lane, Belbroughton, Stourbridge, Worcestershire, DY9 9TJ	11.09.2020	20/00824/FUL

**RECOMMENDATION:** That planning permission be GRANTED

## Consultations

**Belbroughton And Fairfield Parish Council** Consulted 21.07.2020  
No objection.

**Arboricultural Officer** Consulted 21.07.2020  
No objection subject to condition.

**Worcestershire County Council Countryside Service** Consulted 21.07.2020  
No Comments Received To Date

## **Publicity**

One site notice was placed onsite 22<sup>nd</sup> July 2020 and expired 15<sup>th</sup> August 2020. A press notice was placed in the Bromsgrove Standard on 31<sup>st</sup> July 2020 and expired 17<sup>th</sup> August 2020. 3 neighbour letters were sent to neighbouring dwellings on 21<sup>st</sup> July 2020 and expired on 14<sup>th</sup> August 2020.

## **Representations**

One letter has been received as a result of this public consultation. The letter raises no objection to the extension of the building however has raised concerns over an increase in noise caused by the car restoration business taking place within the building which has previously caused a report to Environmental Health.

## Relevant Policies

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP4 Green Belt  
BDP19 High Quality Design  
BDP21 Natural Environment

## **Others**

NPPF National Planning Policy Framework (2019)  
Bromsgrove High Quality Design SPD

## Relevant Planning History

B/2006/0826 Two Storey side extension. 15.09.2006

## **Assessment of Proposal**

The application site is located within the Green Belt in the village envelope of Belbroughton. The dwelling sits at the end of a shared drive with two other dwellings south of Hartle Lane. The proposed development is for the extension of an existing garage building constructed in 2007 within the dwelling's curtilage.

New buildings in the Green Belt are considered to be inappropriate development subject to a closed list of exceptions as outlined in Paragraph 145 of the NPPF and BDP4 of the Bromsgrove District Plan. An exception to inappropriate development is the extension to a building provided the extension is proportionate to the original building. The garage to be extended is sited 8.9m from the dwelling at its closest point and is a modern building. Due to this, the garage is considered to be a separate building to the dwelling and therefore is subject to a proportionate addition under this policy. BDP4 has defined a proportionate addition to a dwellinghouse to be 40% above the original. Given the ancillary nature of the garage I would consider a proportionate addition to be lower than this threshold. The proposed extension is 23% above the original and this is considered proportionate and thereby appropriate development in the Green Belt. Furthermore, given the position of the extension and the set down ridge and in the position of an existing shed it is not considered to impact on openness.

The proposed extension continues the linear form of the building and is proposed in matching materials. The design of the extension is considered to be appropriate to this building having regards to the guidance within the Councils High Quality Design SPD.

The garage is single storey and the proposed extension is set away from the neighbouring properties. The proposed extension is therefore not considered to detrimentally impact the neighbours in respect of overlooking, overbearing impact or loss of light. One letter has been received from the neighbouring dwelling No. 54 Hartle Lane raising concerns over an increase in noise caused by the car restoration business taking place within the building which has previously caused a report to Environmental Health. The garage building sits on the boundary with the garden of this property. A business can be run from home provided that the use of the site is not materially altered. In this case it is clear that the garage is used for vehicle restoration work in relation to the residents of the main dwelling and therefore no change of use has occurred. Given the small scale of the extension with no proposed windows, in the position of an existing Permitted Development shed I would not expect the existing use within the building to be materially increased as a result of this development to the detriment of the neighbouring property. Any issues with noise at the site should be dealt with through the appropriate legislation via at Worcestershire Regulatory Services.

No objections have been received from any consultees. The Tree Officer has requested a suitable condition to ensure the Hawthorn tree towards the south of the site is afforded protection during construction. Members should note that there is a Public Right of Way which runs along the southern boundary of the site. There are only oblique views of the development from this pathway given the significant natural screening within the site. It is therefore considered the proposal would have no impact on this Public Right of Way. The application site is located in a rural location however given the modern construction

of the building erected in 2007 it has not been considered appropriate to require any ecology reports in this instance. However, in order to provide a net gain in biodiversity as outlined in BDP21 of the District Plan a bat box will be conditioned.

In conclusion, having regards to all these matters, the proposal is considered to be an appropriate form of development in this location.

**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 plans and drawings:

Drawing No. 1 Location Plan  
Drawing No. 2 Site Plan  
Drawing No. 3 Floor Plans  
Drawing No. 4 Side Elevation  
Drawing No. 5 Rear Elevation

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

- 3) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing garage.

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 District Plan.

- 4) Prior to occupation of the proposed extension, to provide a net gain in biodiversity one schwegler bat or equivalent shall be placed on site in a suitable location at least 3 metres above ground level facing to the south or east and kept thereafter in perpetuity.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to BDP21 of the Bromsgrove District Local Plan and Paragraph 170 of the NPPF.

- 5) The Hawthorn tree located to the south of the development shall be protected in accordance with BS5837:2012 throughout the construction phase of the development.



Plan reference

Reason: To protect the Hawthorn tree which provides a good level of amenity.

**Case Officer:** Emily Farmer Tel: 01527 881657  
Email: [emily.farmer@bromsgroveandredditch.gov.uk](mailto:emily.farmer@bromsgroveandredditch.gov.uk)

# **Bromsgrove District Council**

## **Meeting of the Planning Committee**

**7<sup>th</sup> September 2020**

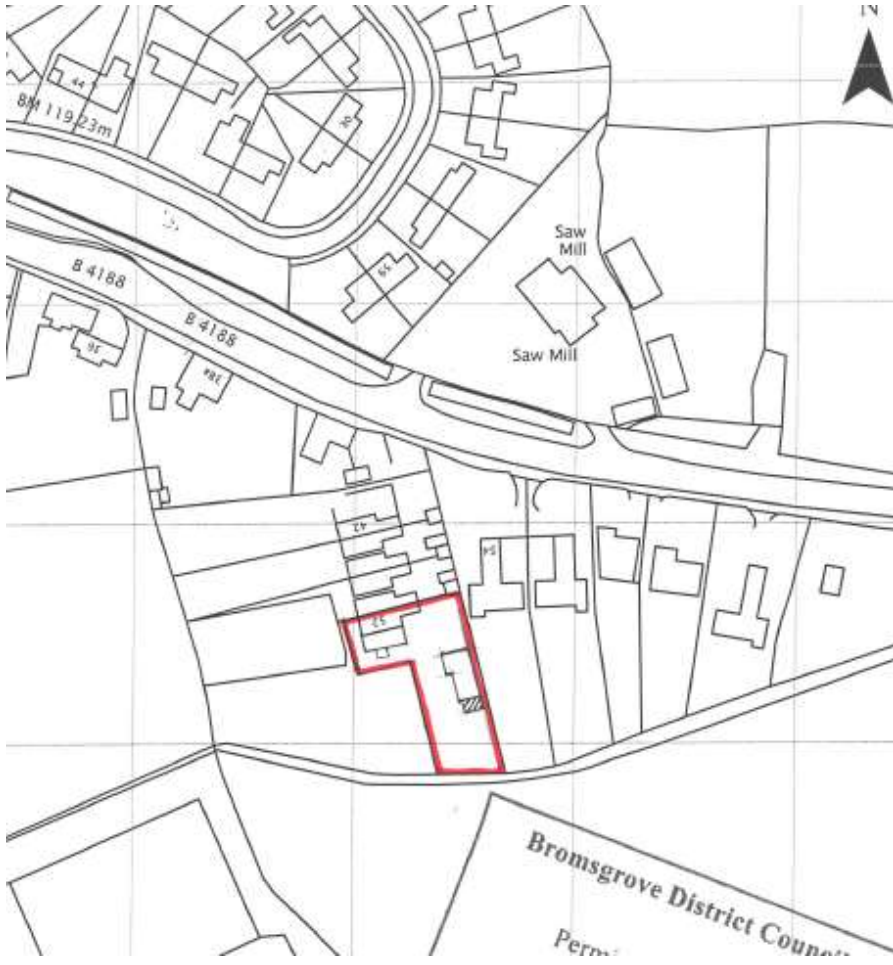
20/00824/FUL

52 Hartle Lane, Belbroughton, Stourbridge,  
Worcestershire, DY9 9TJ

Extension to rear of existing garage.

Recommendation: Grant

# Location Plan

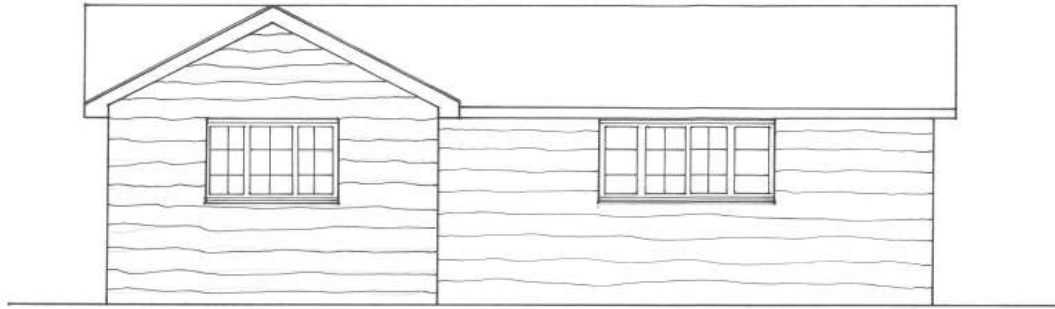




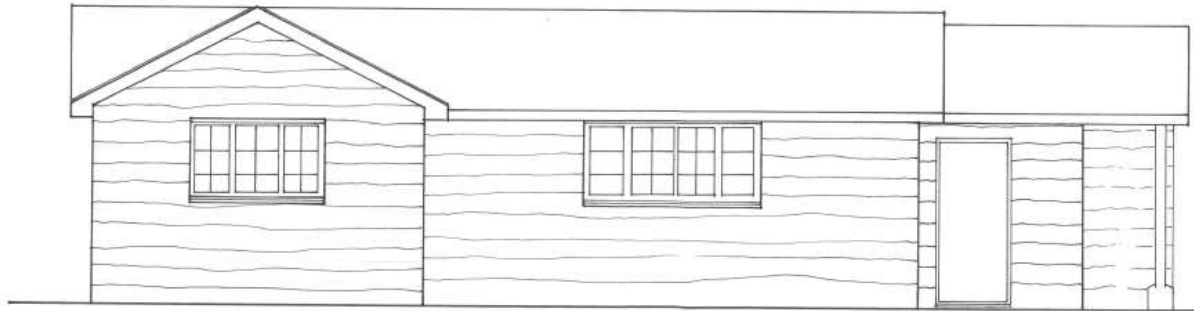
# Site Plan



# Elevations

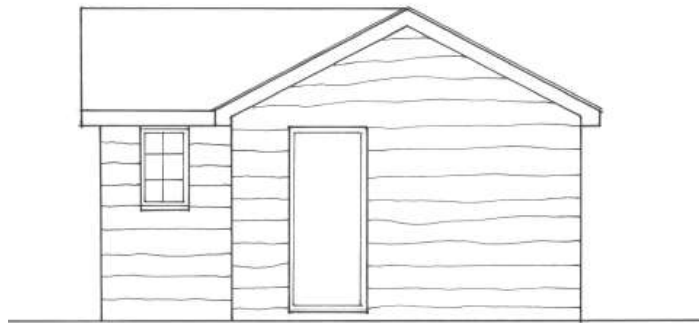


EXISTING ELEVATION.

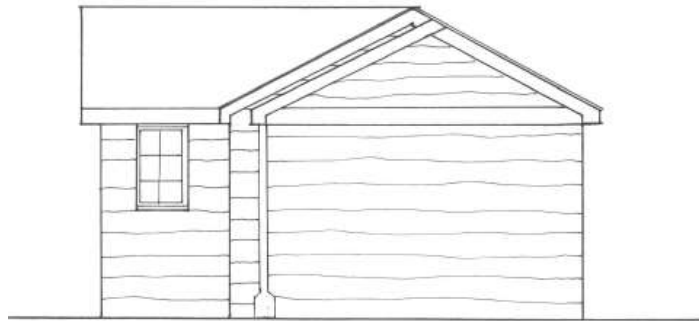


PROPOSED ELEVATION.

# Elevations



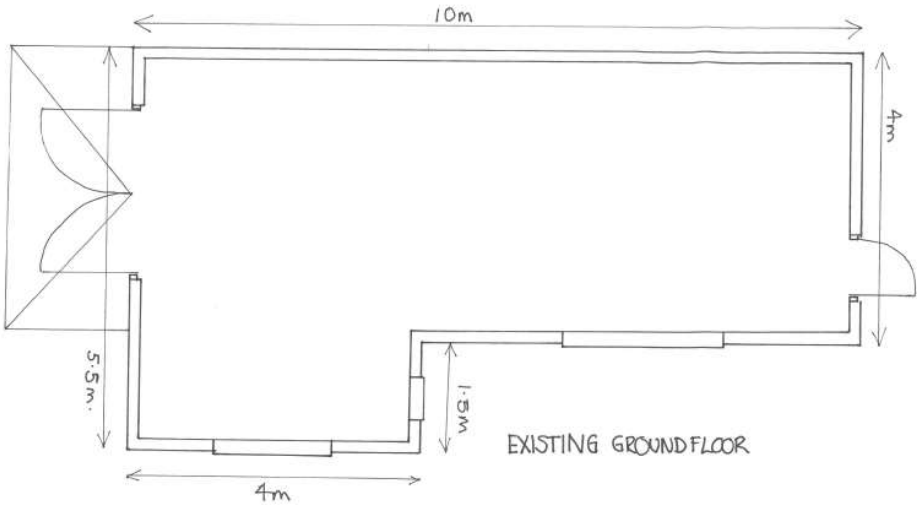
EXISTING ELEVATION



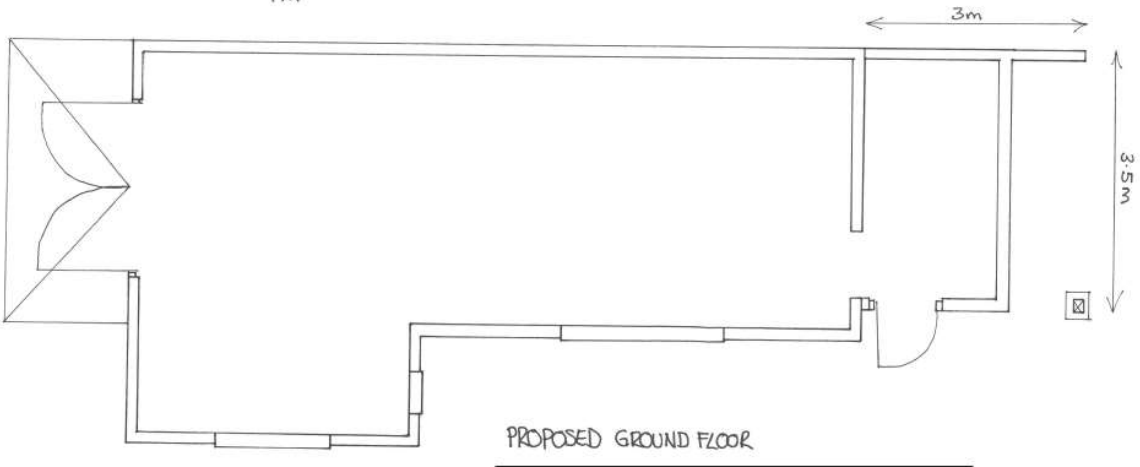
PROPOSED ELEVATION

Scale 1/8"=1'-0"

# Floor Plans



Existing floor Area  $6 \times 4 = 24$   
 $5.5 \times 4 = 22$   
 $= 46m^2$   
 Proposed floor Area  $46m^2$   
 $+ 3.5 \times 3 = 10.5$   
 $= 56.5m^2$   
 Percentage Increase in floor Area 23%



Scale 1:50 @ A3  
 Drawing N° 3



# Site Photos

