



## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY 5TH OCTOBER 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. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 7th September 2020
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 19/01356/FUL - Full Planning Application for the demolition of existing buildings and the development of 63 dwellings with associated public open space and infrastructure - Barn House Farm, Foxlydiate Lane, Redditch, Worcestershire, B97 5PB - Redrow Homes Ltd (Pages 1 - 78)

6. 20/00198/OUT - Demolition of function room to the rear and erection of up to 20 apartments with associated infrastructure - Rubery Social Club, 141 New Road, Rubery - E. Whitehouse (Pages 79 - 100)
7. 20/00684/REM - Reserved matters application for the erection of 14 no. dwellings following outline planning permission 18/00119/OUT (Matters for approval: access, appearance, landscaping, layout and scale) - Stoke Works, Pumping Station, Weston Hall Road, Stoke Prior, Bromsgrove B60 4AL - Mr. M. Fletcher (Pages 101 - 126)
8. 20/00942/FUL - Proposed extension to form corridor link - The Byre, 2 Bittell Farm Barns, Bittell Farm Road, Barnt Green - Mr. S. Holland (Pages 127 - 132)
9. 20/00943/LBC - Proposed extension to form corridor link - The Byre, 2 Bittell Farm Barns, Bittell Farm Road, Barnt Green - Mr. S. Holland (Pages 133 - 146)
10. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting.

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

24th September 2020

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

**Pauline Ross**

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## **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 1<sup>st</sup> October 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 1<sup>st</sup> October 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.**

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Redrow Homes Ltd	Full Planning Application for the demolition of existing buildings and the development of 63 dwellings with associated public open space and infrastructure  Barn House Farm, Foxlydiate Lane, Redditch, Worcestershire, B97 5PB	13.01.2020	19/01356/FUL

## Procedural Update

- A1 The District Council received notification from the appellant on 14<sup>th</sup> July 2020 that they had exercised their right to appeal against the failure of the Local Planning Authority to make a decision on the application within the statutory time period and in the absence of a written agreement of the parties to extend the decision-making period (this being 13<sup>th</sup> January 2020) The District Council formally received notification from the Planning Inspectorate on 13<sup>th</sup> August that the appeal was valid and currently await confirmation the formal start letter setting out the timetable for the appeal
- A2 Given the appeal notification detailed above, Bromsgrove District Council is unable to formally determine the outline planning application and no decision can now be issued.
- A3 Based on the available information, the views of Members are now sought (ie. what would be the decision of the District Council if the Planning Committee Members were able to determine the application under normal circumstances) and arising from these discussions, a subsequent resolution. This resolution will then be carried forward to form the District Council's case at the forthcoming planning appeal to be held via the Written Representations procedure.

**RECOMMENDATION:** That full planning permission is **REFUSED**

## Consultations

### **Bentley & Pauncefoot Parish Council 15/04/2020 Objection**

Thank you for supplying answers to some of the questions in our comments submitted on 11/03/2020. Please could the following points be addressed before this application progresses any further?

1) In the Technical Note: Response to Parish Council we are informed in paras. 2.3.1 and 2.3.4 that information, including 'Detail Design drawing' will be provided post application. The Royal Institute of British Architects Plan of Work, that organises the process of briefing, designing, constructing, maintaining, operating and using building projects states that Planning applications are typically made using the Stage 3 output. Stage 3 output is Developed Design, therefore the parish council reiterates the requirement for a swept

path analysis and section drawings demonstrating developed design to be provided prior to any decision.

2) The site plan 1690-08-02-100 shows a 'footpath/cycle path connection' on the west side of the proposal, presumably intended to connect to the proposals in Hybrid application 16/0263. The latest plan in this application 1401-PJA-013(ii) shows an open ended road protruding right into the Barn House Farm site labelled 'Proposed vehicular connection to Barn House Farm Land' that very approximately aligns with the footpath/cycle path. Please could this contradiction be resolved.

The Parish Council asks that a vehicular link be included that connects this proposal to the spine road in the larger scheme. This would undoubtedly reduce the impact of construction traffic on Foxlydiat Lane and would aid the applicant in resolving their contravention of RCBD1 8.54 that states that developments will 'fully integrate into the existing residential areas.

3) Given the proximity of Hybrid application 16/0263, without being considered in relation to one another conditions placed on one application and not on the other will invalidate them.

The Construction Access Review Report and PJA Technical Note amongst others included in 16/0263 specify traffic volumes and numbers of personnel accessing the site in detail, and use these figures to justify their decisions on the design and planning of the development. Unless there is collaboration between the two applicants, the figures are meaningless, and the impact on Foxlydiat Lane considerable.

4) The CEMP plan that has been submitted assumes that ALL delivery traffic will approach from the A448 East. Please could we be given confirmation that no traffic will approach from any other direction?

5) Given the undulating nature of the site's topography, please could the applicant address how the transport needs of people with disabilities has been addressed in the design to meet sustainability criteria?

6) Please could the applicant address the issue of the GP surgery, middle and high schools being well beyond walking distance, again in relation to sustainability criteria?

7) In the Technical Note: Response to Parish Council the Foxlydiat Arms is included in the listed services. A planning application 19/00615/OUT, currently pending, proposes the removal of this service.

8) Please could the officers address the contravention of NPPF(104) and BDC (BDC1.4a) policies on sustainability given how reliant this development is on car use?

9) Please could the applicant explain how architectural proposals named Sunningdale and Marlow are to reflect the existing neighbourhood, as they claim?

10) In the Consultee Comments for Planning Application 19/01356/FUL ' Ecology we are informed that five or more of the eight ponds in and around the site provide habitat for great crested newts.



The Worcestershire County Council website

([http://www.worcestershire.gov.uk/info/20299/ecology\\_services/1028/ecology\\_planning\\_a\\_dvice](http://www.worcestershire.gov.uk/info/20299/ecology_services/1028/ecology_planning_a_dvice)) advocates The NPPF aspiration 'to achieve 'no net loss' of biodiversity through the planning system, and to move to 'net-gain' for biodiversity where possible.

It is a sad inditement that opportunities to fulfil this are swept aside, for example Pond 7 when surveyed for the first presence/absence survey was choked with vegetation with lack of open water and silty in nature. Due to the very low water levels at the start of the amphibian breeding survey this was ruled out of further assessment. Such a site represents a golden opportunity for the applicant to make a positive contribution to biodiversity by restoring this neglected habitat site.

As another example regarding Pond 4:

Assessment of this pond by WYG3 also concludes that this pond is separated by significant barriers to dispersal and is surrounded by urban settlement meaning newts at this pond are unlikely to be able to move far beyond its immediate surroundings. The applicant could support biodiversity on the site by creating wildlife corridors to open up the surroundings, and not just to newts.

01.12.2019

## **Objection**

Bentley Pauncefoot Parish Council objects to the proposals pending further information that is required for the clarity necessary in the submission of a full planning application. We reserve the right to comment once this information has been supplied.

Paragraphs 1.8 and 6.3 refer to a Design and Access Statement, indeed reference to this is made throughout much of the documentation, but no Design and Access Statement is available on the website. Given this absence, the application should not even have been validated.

The safety of our parishioners is of primary importance. No road safety audit is included, and the Transport Assessment lacks a speed survey or analysis of visibility and Swept Path Analysis - crucial given the undulating nature of Foxlydiate Lane.

The section drawings are diagrammatic and at 1:200 provide an inadequate level of detail for a full application.

In the meantime before this additional information is provided, the documents on the webpage raise a multitude of issues that require resolution.

The Supporting Planning Statement contains some outdated and incomplete data.

1) The proposal forms a sizeable part of the Foxlydiate Urban Extension. In the Supporting Planning Statement paragraph 6.11 states that The principle purpose of the Foxlydiate Urban Extension is to deliver a significant proportion of Redditch Borough Council's unmet housing needs. This is based on outdated statistics and the statement requires updating.

2) Paragraph 2.6 lists distances to services and facilities, but they have been underestimated. For example, using Google Maps from the point on Foxlydiat Lane where the site access will be, the following walking distances are given (all distances shown will be plus a further 100m as described in the Transport Assessment):

Hillview Medical Centre - 2.5km rather than 1.95km

Tesco Express - 2.2km rather than 1.65km

Clarity is required on how these figures have been calculated and the routes to which they refer.

3) In Table 1 - The Planning Balance we are told that when it comes to Impact on the open countryside

this development has a 'neutral impact', which is demeaning to the parishioners of this rural parish, to say the least.

Within the Transport Assessment, the assertion is made that the site is highly sustainable when it is clearly reliant on car use and therefore in contravention of NPPF(104) and BDC (BDP1.4a) policy. The Parish Council challenges this assertion.

In the following areas we have questions and lack key evidence.

1) In paragraph 2.2.6 it points out that according to the NPPF, February 2019, applications for development should Address the needs of people with disabilities and reduced mobility in relation to all modes of transport. We can find no mention of how this is achieved in the documents. Given the sloping nature of the site and its distance from many key amenities including employment, middle and high schools and GP surgeries this is a concerning omission.

Unless this point is addressed the applicant cannot claim that the site is sustainable.

2) The site appears to fail many elements of the Access to Facilities requirements specified in section 3.4. It does not limit the need to travel particularly for employment and middle and high schools. Only Washford and Park Farm are mentioned as employment areas, both of which are over 6km away. Limited bus services are listed. Paragraph 3.5.1 points out that houses are typically an additional 100m beyond the figures provided hence the nearest bus stops only just fall within the 'acceptable' distance. The walking routes specified in Table 11 refer to a number of pedestrian links, connections and paths. Without a reserved matters stage the assessment should describe how these are lit, and whether they are suitable for use in the dark, again for our parishioners safety.

3) Figure 2 and Table 2 summarise the facilities within a 'suitable' walking distance of the site access. It is noticeable that there is no GP surgery within 'suitable' walking distance nor any mention of the distance to middle and high schools. We are aware that the CCG have stated that they do not wish to have a GP surgery within the Foxlydiat development and discussions are still ongoing. It is therefore important to understand how far from the development such a critical amenity is.

4) Paragraph 4.4.1 states 'Further details will be provided at the reserved matters stage'. Given that this is a full planning application there will be no reserved matters so these details must be provided for scrutiny before the application progresses any further.

5) In Paragraph 5.5.2, please clarify which residential sites were chosen from TRICS as being comparable to the application. Actual data is available for traffic entering and exiting Great Hockings Lane. The development is roughly double the size of this application but the numbers could easily be extrapolated to provide realistic numbers for the proposed development.

6) In section 5.3 no data has been provided to support the figures in Table 6. What is the evidence for the trip distribution and assignments listed?

There have been substantial changes in the area since 2011 that could have a significant effect on these figures including:

- new employment areas in Aston Fields and Buntsford Hill
- faster train services to Birmingham and services to the west from a new railway station in Bromsgrove.
- the significant congestion on the A448 and A38.

The traffic figures have had a growth multiplier applied to them. Why hasn't a similar approach been applied to this very old data?

7) Whilst we appreciate that a traffic growth multiplier has been applied to the original 2015 Traffic Impact Analysis figures (6.2) it is clear that the additional traffic generated by the new developments on Church Road has not been counted. The traffic figures provided for 2019 are therefore incorrect.

8) Not only are there errors in the Traffic Flow Diagrams In Appendix F but they are also incorrect as they do not include the traffic generated by the new developments on Church Road.

It is deeply concerning that there are so many unanswered questions and missing evidence from the Transport Assessment. Of particular concern is the claim by the applicant that the site is 'highly sustainable' without describing how the needs of those with disabilities and reduced mobility are to be met.

A range of environmental issues will be generated by these proposals that none of the documentation seeks to address.

1) Paragraph 177 of the NPPF reads The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

The Preliminary Ecological Appraisal makes it clear that this component of Sustainable Development has not been adequately investigated. On page 1 the document reads:

Pre-construction surveys are recommended for otter and badger as they are highly mobile species and although not currently considered to be impacted, should they move into the area, further mitigation could be required. Precautionary methods of working are recommended for reptiles, great crested newts and common amphibians.

Again bearing in mind that there will be no reserved matters stage, please could the applicant state the results of these surveys, their precautionary working methods and how they intend to monitor the site for the presence of otters and badgers, particularly otters given that in paragraph 4.3.15 we are informed that Otter spraint was identified on a rock within the watercourse to the west of the site.

Paragraph 4.3.3 also tells us that Multiple records of great-crested newt within 2km of the site were provided by WBRC.

2) We are extremely concerned about the inevitable contamination of Spring Brook. Page 7 of the Utilities statement informs us that It is proposed the surface water is discharged into Spring Brook watercourse.

This will result in the acidification of the water course. Spring Brook is a tributary of Swans Brook that in turn is a tributary of Bow Brook. This whole catchment has benefitted from Environment Agency funding for the Bow Brook Project that won an England River Prize in 2014.

The brook corridor, as well as being home to wildlife itself, acts as a pathway for migrating and dispersing species such as wading birds and otters, connecting up larger areas of potential habitat (<https://www.worcswildlifetrust.co.uk/bow-brook-project>). The true impact of this development has clearly not been qualified.

3) The farmstead at Barn House Farm includes an almost iconic piece of uniquely local architecture in the form of the brick and tile threshing barn (now converted to a residence) with vernacular stepped brickwork, high chimneys and its original tiled roof. The scheme condemns this to demolition, which arguable contravenes BDP1.4i) Sustainable Development Principles where development should have regards for The impact on the historic environment and the significance of Heritage Assets and their setting. On pages 10-11 of the Local Authority Engagement document we are told that The design of the proposed dwellings has been developed to reflect the existing neighbourhood. This is disingenuous as the developer quite clearly wishes to 'rebrand' our locality, wantonly destroying our local architecture and replacing it with houses named Sunningdale, Marlow, and Letchworth. Rather than reflecting our neighbourhood, the applicant attempts to impose the home counties on us. This is deeply disrespectful to the character of the area, and quite unnecessary given that they wish to remove a house to put up another one. The barn should be incorporated into the scheme.

Page 7 of the Local Authority Engagement document states that 3.4 The principle issues highlighted include design and appearance.

It continues The application submission has, therefore, been prepared in order to address these concerns through the plans and D&A Statement but as already pointed out no such statement has been included.

It then continues On this basis pre- application advice has not been sought from the Council yet 'this basis' has not been evidenced.

There are a multitude of omissions and unanswered questions raised by this application. If the application is not withdrawn immediately so that the applicant can prepare the information required for validation, let alone consultation, it should be refused.

## **Bromsgrove Strategic Planning**

The primary purpose of this report is to consider the strategic planning context of this planning application, as part of the cross-boundary allocation and the planning policy background of the site. Detailed matters will be considered in this response.

### Strategic Planning background

Through the preparation of shared evidence on housing needs matters, it first became apparent early in the plan making process for the Bromsgrove District Plan 2011-2030 (BDP) and the Borough of Redditch Local Plan No.4 2011-2030 (BORLP4) that Redditch Borough would be unable to meet its own housing needs on land solely within its jurisdiction. The 2012 Worcestershire Strategic Housing Market Assessment revealed that overall housing need to 2030 for Redditch was found to be around 6,380 dwellings, but land could only be found to accommodate 3,000 dwellings, leaving a shortfall of around 3,400. Bromsgrove and Redditch Councils embarked on an ambitious project to work collaboratively through the Duty to Cooperate to find and assess possible locations where this shortfall could be met. The Duty to Cooperate is a statutory requirement on local planning authorities, county councils and other prescribed bodies to work together on strategic planning matters through the preparation of plans.

The result of this joint working and assessment was the proposal of two large sites to the northwest of Redditch, but within Bromsgrove District as the most suitable and sustainable sites which could deliver the homes needed. The sites were Foxlydiate and Brockhill East and at the time, both areas were within the Green Belt. Policy RCBD1 Redditch Cross Boundary Development in the BDP was drafted to take the proposed sites forward for removal from the Green Belt and subsequent allocation for development. The policy and the evidence underpinning it were heavily scrutinised at the joint examination into the two plans, held from March 2014 - December 2016. Upon issuing his final reports to the two Councils in December 2016, the Inspector ultimately found that the selection of the two sites proposed for allocation at Foxlydiate and Brockhill East was appropriately justified. This allowed the two plans (BDP and BORLP4) to be progressed to adoption in January 2017 and at this point, both sites were removed from the Green Belt and allocated for development.

### Policy RCBD1 in the BDP

A 148ha site at Foxlydiate is allocated as a mixed use urban extension as Site 1 in policy RCBD1. It is allocated for:

- o Approximately 2,800 dwellings
- o A First school

Plan reference

- o A Local Centre
- o Associated community infrastructure

Alongside the allocation, policy RCBD1 also sets out detailed principles and criteria that should be adhered to in order to achieve sustainable communities on the cross boundary allocation sites. This includes the main requirements for:

- o Up to 40% affordable housing, with a mix of house types and tenures
- o An overall Transport Assessment taking account of the individual and cumulative effects of development on transport infrastructure. This will need to define the mitigation necessary to maintain the safety and operation of the road network.
- o Significant improvements in passenger transport to result in integrated and regular bus services.
- o An overall Strategy and Management Plan for Green Infrastructure which maximises opportunities for biodiversity and recreation
- o Walking and cycling routes well integrated with the Green Infrastructure network
- o Future proposals should be in conformity with Policy BDP20 to ensure the protection of Heritage Assets

And a number of other detailed requirements which are equally important.

The policy is also included as an Appendix to the BORLP4 for cross-referencing and completeness.

The current planning application

In October 2019 the planning application was received for 63 dwellings. It represents a small part of the wider 148ha Foxlydiate cross-boundary allocation site. The majority of the allocation site is proposed to be developed through planning application 16/0263 for up to 2,560 dwellings, and further smaller part of the allocation site is proposed to be developed through planning application 19/00615 for 50 dwellings. Both of these applications are currently pending.

There is also an outline planning permission for this site pending for up to 68 dwellings (17/00469).

The current application includes provision of 23 affordable homes. This represents 36.5% of the total dwellings proposed in the application.

Revised NPPF 2018/2019 and the Standardised Housing Methodology

Since the adoption of the two plans in January 2017, the Government has consulted on and released a revised National Planning Policy Framework (initially published in September 2018, with further very minor amendments released in February 2019). The revised National Planning Policy Framework (NPPF) provides the rule book to enable the delivery of the Government's aim of building 300,000 new homes a year by the mid-2020s and focuses on:

- o Promoting high quality design of new homes and places
- o Stronger protection of the environment
- o Building the right number of homes in the right places
- o Greater responsibility and accountability for housing delivery from councils and developers

Possibly the biggest change in the 2018 NPPF has been a new methodology to determine the number of homes that should be delivered through what is known as the standard method for assessing local housing need. This has been introduced to provide clarity and certainty on the controversial matter of how many homes an area should be planning for, which previously took much time, effort and resources to address and reach agreement on. The new methodology uses Government produced household growth projections, and then applies an adjustment factor to these using affordability data from ONS to give the Local Housing Need figure.

For Bromsgrove over the 10 year period 2019-2029, the new methodology for housing need gives an annual basic housing need of 384 homes per annum, not dissimilar to the 368 dwellings per annum (7000 homes to be delivered over 19 years) currently being planned for in the BDP to 2030. However for the same period in Redditch, the new methodology gives an annual basic housing need of 179 homes per annum, far lower than the 337 homes (6400 homes to be delivered over 19 years) currently being planned for in the BORLP4 to 2030. This has caused some to question the need for sites in Bromsgrove District to be used to meet Redditch's unmet need, if Redditch Borough's overall housing need has fallen from that previously determined and used for plan making purposes.

The new standard methodology is however only the starting point for determining the number of homes to plan for. The standard method gives a minimum starting point in determining the number of homes needed in an area and it should be emphasised that it is not a housing requirement. This only emerges once other factors which may give rise to higher housing need than in the past (such as growth strategies for the area, strategic infrastructure improvements driving up the demand for homes or an agreement for an authority to meet unmet need from a neighbouring authority) have been considered on top of the basic need figure and the local authority has set the figure in its plan. It should also be remembered that the housing need figure generated using the standard method may change as the inputs are variable. The affordability ratios from ONS are updated annually and new household projections are released every few years.

Whilst there has been a significant change in the way Government expects housing need to be calculated for plan-making purposes, this does not alter the current local policy backdrop for this planning application. Planning applications should be assessed against the statutory development plan for the area, which for Bromsgrove is the BDP. The BDP allocates the Foxlydiate site for development to meet the needs of Redditch Borough and that cannot be changed until the plan is formally reviewed. A review of the Bromsgrove District Plan has commenced and is in the early stages, with adoption of the plan not expected until at least 2022. The review of the BDP will look ahead for a minimum period of at least 15 years and will utilise the new standard methodology when setting a housing requirement. Only at this time and through the formal plan-making process, which culminates in an examination before a Government appointed Inspector, can the issue of unmet need from neighbouring authorities (whether this be Redditch or from the West Midlands conurbation) be assessed and an appropriate policy response determined. A review of the Borough of Redditch Local Plan No.4 is not programmed at present, however circumstances may change. Bromsgrove District Council will have the same requirement under the Duty to Cooperate to work with neighbouring authorities on cross-boundary matters throughout the plan review process, just as it did during the preparation of the BDP. As further evidence is gathered and the housing need figure for Bromsgrove

evolves into a housing requirement policy for the plan, consideration will be given to the supply and demand for new homes across the Redditch and Bromsgrove areas, including possible consideration of the 'ownership' of cross-boundary development sites.

## Other matters

### Affordable Housing

RCBD1 requires a housing mix of up to 40% on the Foxlydiate allocation site. Currently this application provides 36.5% affordable housing. While meeting the Policy, it would be preferred if the proportion of affordable housing were increased by two or three dwellings to ensure the proportion is as close to 40% affordable housing on the site as possible.

## Conclusion

The Foxlydiate site is a strategic mixed-use allocation in Bromsgrove District, located on the northwest edge of Redditch. It is allocated through policy RBCD1 of the adopted Bromsgrove District Plan, for 2,800 dwellings and other supporting uses. As part of the plan-making process supporting the BDP and BORLP4, Bromsgrove District Council agreed through the Duty to Cooperate to assist Redditch Borough Council in delivering their housing target which they are unable to achieve within their own administrative boundary. The commitment made under the Duty to Co-operate and enshrined in the BDP cannot be reviewed outside of the plan making process.

This planning application sees a small part of the RBCD1 allocation being realised, with the majority of the residential development proposed through the larger planning application 16/0263 (Land to the West of Foxlydiate Lane and Pumphouse Lane). From a strategic planning perspective, the additional housing through application 19/01356 at Barn House Farm would provide a welcome contribution to housing supply, both in helping the Government's goal of significantly boosting the supply of housing, and to assist Redditch Borough Council in delivering the homes needed to support their adopted plan and maintain a 5 year supply of housing land. However, this should not result in an under delivery of affordable homes. I would wish to see the proportion of affordable homes increased to ensure 40% of dwellings are affordable housing.

## **Worcestershire Archive and Archaeological Service 20.04.2020**

### **Objection**

Thank you for re-consulting us on this application. My advice that, should the development be permitted, a programme of historic building recording and archaeological evaluation should occur as a condition of consent is unchanged (as per my letter of 18/11/2019). In that letter I did not comment on whether any of the buildings should or should not be retained. The Conservation Officer has stated that Barn House Farm may merit retention.

The applicant has subsequently submitted a built heritage statement to support their application. I feel that there are some issues with the heritage statement:

LPA selection criteria defining Barn House Farm as a non-designated heritage asset.



The built heritage statement states that the LPA has not provided the criteria used to categorise Barn House Farm as a heritage asset. I believe it has. Policy BDP20.2 states "The District Council will support development proposals which sustain and enhance the significance of Heritage Assets including their setting. This includes:.. b. Non-designated Heritage Assets including (but not limited to) those identified on the Local List and assets recorded in the Historic Environment Record;". Barn House Farm is recorded on the Historic Environment Record and has been since before the migration to the current software in 2011. Worcestershire HER policy considers all buildings present on the 1st Edition Ordnance Survey that are still standing to be heritage assets. Later buildings may also be considered heritage assets, but all buildings and built structures that pre-date the survey are. The HER has an ongoing project, started in 2009 and part-funded by Historic England, to add every extant building of this date or earlier into the HER. Whilst the HER does contain records that would not be classed as heritage assets, for example, former heritage assets that no longer exist and records of archaeological work, the criteria for defining historic buildings and structures as heritage assets within the HER is clear and the LPA policy BDP20.2 refers to heritage assets identified in the HER. Traditional farmsteads - those which predate 1940 - are also identified as heritage assets in Worcestershire Farmsteads Assessment and National guidance on traditional farmsteads. It is accepted that the significance of non-designated heritage assets recorded in the HER will vary considerably, but I don't accept that the LPA has failed to define how Barn House Farm has been identified as a non-designated heritage.

Meeting the criteria for inclusion on the Local List.

Paragraph 1.6 of the built heritage statement "In support of this assessment, the Statement applies Bromsgrove District Council's adopted baseline selection criteria for Locally Listed Assets and other regional and national guidance to establish the significance of farm buildings and non-designated heritage assets." The document then goes on to state that Barn House Farm would not meet the criteria for Locally Listed Assets and is therefore of very low significance. Whether or not the building would merit inclusion in the Local List is a matter for the LPA, however, just because it does not meet that criteria does not make its significance automatically very low. With regard to the assessment of significance, the built heritage statement's assessment of the building has not considered or explained certain aspects of its assessment. The timber framing of the original barn looks to be of a later 17th or early 18th century date. The built heritage statement dates this bay to the early 19th century. Whilst construction using timber-framing does continue into the 19th century, the statement hasn't explained why they believe this is a later example copying an earlier style. As a site visit was carried out, presumably closer inspection confirmed the later date, but this has not been detailed in the text. Why is it not late 17th or early 18th century, as it looks? The built heritage statement also references the Worcestershire Farmsteads Assessment but fails to use it beyond defining the plan as reversed 'h'. The Worcestershire project (which is based on mapping from 2009 - 2011) showed that loss of farmsteads within Redditch Borough is significantly higher than the regional average. Throughout Worcestershire 10.10% of historic farmsteads had been lost or demolished by 2011 (compared to 11.80% regionally) and within RBC 41.79% had gone. This number is likely to have increased since 2011. Barn House Farm is just within Bromsgrove District, but is still within the broad area that has seen this greater loss. The loss or demolition of traditional farmsteads across Arden NCA is also high in comparison with other NCAs across the region. Therefore it could also be argued that Springhill/Barn House Farm's significance

is higher than 'very low' given that it retains more than 50% of its traditional buildings within a landscape of very high loss of traditional farmsteads (the assessment fails to really look at the farmstead in its whole).

Facilitating access.

The built heritage statement says that the demolition is required to facilitate highways access (paragraph 1.2), but doesn't clarify why the access has to be as it is currently designed. There is space on the site for Barn House to be retained and for an access road to run down the northern edge of the site instead of its current location. Clearly if the access can only go along the southern boundary, then a balanced judgement would have to be made, but as stated above when making that judgement the significance of the heritage asset is not, in my view, 'very low'.

## **Conservation Officer Objection**

Although an archaeological assessment was submitted with the previous application which identified the fact they various structures were listed on the HER, there was no assessment of their significance, as required by the NPPF (Paragraph 189). A detailed heritage statement has been submitted as part of this application.

In terms of the historic environment BDP 20.2 and BDP20.3 state the local authority will support development proposals which sustain and enhance the significance of Heritage Assets including their setting, this includes non designated heritage assets, and development proposals should not have a detrimental impact on the character, appearance or significance of the Heritage Assets. BDP20.17 requires that 'Applications likely to affect the significance of known or potential Heritage Assets or their setting should demonstrate an understanding of their significance in sufficient detail to assess the potential impacts. This should be informed by available evidence and, where appropriate, further information to establish significance of known or potential Heritage Assets.' This is supported by Paragraph 189 of the NPPF which states, 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.' Paragraph 192 then states ' In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.' Finally Paragraph 197 states, ' The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.' This is mirrored in BDP 20 by BDP20.14.

The Heritage Statement questions whether the buildings at Barn House Farm should have been assessed as non designated heritage assets as they had not been benchmarked against Bromsgrove District Council's criteria for inclusion of the Local

Heritage List, however BDP 20.2 b states that non designated heritage assets includes, (but not limited to) those identified on the Local List and assets recorded in the Historic Environment Record. It was therefore reasonable to assess these historic structures as non designated heritage assets on this basis.

The Heritage Statement describes the assets in some detail, and this is welcomed, and then goes on to assess whether they would meet the criteria for the Bromsgrove Local Heritage List, and reaches the conclusion that none of the historic buildings on the site meet the criteria for inclusion on the Local Heritage List. It is noted that as part of the assessment buildings are benchmarked against the Historic England Principles of Selection. Although it is interesting to consider these principles, they are for the assessment of listed buildings, or buildings of national if not international importance rather than locally important buildings.

The detailed descriptions of the buildings, the mapping information, the photographs included within the statement and the other information submitted have been considered, and the buildings assessed against the Local Heritage List Criteria. It is considered that the Heritage Statement underplays the heritage significance of these buildings. Using the information provided the Barn House Farm buildings would be candidates for the Local Heritage List on the following basis;

### Age, authenticity and Rarity

Like many farmsteads the buildings at Barn House Farm have continued to evolve and have been altered for new uses. Parts of the main building, B2 and B4 contain some evidence of timber framing. The Heritage Statement suggests that the framing is 19th century, without explaining why. It is thought that this is more likely to date to the 17th or 18th centuries, and it is unusual to find evidence of early buildings. The remaining elements of the main structure would seem to date, as suggested, to the mid to late 19th century. The building was converted to residential use in the 1980s, like many farmsteads in the District. This might not be the best scheme, but the agricultural use remains legible. The rear of the threshing barn may have seen the opening replaced with waney edge boarding, but the size of the opening remains apparent and combined with the glazed opening on the opposite elevation, leads to the original use being fairly obvious. The WAAS have highlighted that 'Throughout Worcestershire 10.10% of historic farmsteads had been lost or demolished by 2011 (compared to 11.80% regionally) and within RBC 41.79% had gone. This number is likely to have increased since 2011. Barn House Farm is just within Bromsgrove District, but is still within the broad area that has seen this greater loss.' This would indicate that the buildings at Barn House Farm are an increasingly rare survival.

The survival of comparatively early historic fabric from an earlier building, indicating a much earlier farmstead which has continued to evolve and change over the centuries, combined with the high loss of farmsteads in this general area, would justify the inclusion of Barn House Farm on the Local Heritage List in terms of age, authenticity and rarity.

### Architectural Interest

The brick built elements of the buildings at Barn House Farm are fairly typical of 19th century Worcestershire farm buildings, however the surviving timber framed element which is more likely to be 17th Century/18th Century is unusual rare survival of an earlier

building or farmstead and is therefore of interest as part of the architectural development of this group of buildings.

### Historic Interest

As noted above the survival of part of an older timber framed structure within the later building fabric indicates that this is potentially a much older farmstead than it appears , which contributes to its historic interest, and what it might tell us about the development of farming and farmstead development in this area. It is agreed that the majority of the built form at Barn House Farm dates from the 19th century and would correspond with the 'high years of farming' (1840 -1870), and at a local level reflects this period of our history.

**Overall it is considered that the historic buildings at Barn House Farm, despite the conversion scheme, would be a strong candidate, as a group, for the Local Heritage List, and therefore in addition to their inclusion on the HER, allows them to be considered non designated heritage assets.** The Cow Shed at the neighbouring Springfield Farm, is of interest and hence its inclusion on the HER, but does not on its own have the interest that the Barn House Farm buildings have, especially as it has lost its context to a greater extent. It's inclusion on the HER does allow it to be considered as a non-designated heritage asset. The rural setting of all the assets contributes to their significance.

**Historic Environment policies in the District Plan, supported by the NPPF, support development proposals which sustain and enhance heritage assets, and consideration should therefore be given to incorporating these buildings into the proposed housing development.**

The scheme, as proposed, is contrary to policies in BDP 20 of the Bromsgrove Local Plan as well as the policies noted above in the NPPF. As it would involve the total loss of non-designated heritage assets from a conservation perspective it is recommended that the application is refused. The NPPF requires, as noted above, that in determining the application, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

**WCC Education Authority 24.04.2020**

### **No objection**

Worcestershire Children's Services have assessed the impact of this proposed development on local schools and wish to seek a planning obligation for education infrastructure. The assessment has been prepared in line with the Education Planning Obligations Policy published **1st August 2019**.

The schools which have been identified as related to the development are listed below. We have considered a number of criteria by which the impact of the development and the ability of schools at each phase of education to manage it can be assessed.

### Impact on School Places

The proposed number of dwellings are anticipated to yield the following number of pupils in each phase of education (see original representation for table)

## Related Schools

The development site is located in the district council planning area of Bromsgrove. However, the area serves the Education Planning Area (EPA) of Redditch where a three-tier system of education is predominantly in operation. The schools considered to be directly related to the proposed development are the catchment area schools of Tardebigge CE First School, Birchensale Middle School and Trinity High School. Two other first schools in the area are also considered related to the development and are included in this analysis. In addition, the proposed development of 2,560 dwellings at Foxlydiate includes provision for a new 3 form entry first school and nursery to serve the wider development.

With regards to middle school infrastructure, Birchensale will be impacted by other large-scale development at Foxlydiate and Brockhill and it is therefore prudent to identify the longer-term proposals for middle schools in the area. A further 3 middle schools are located within the statutory walking distance of the proposed entrance to the development and have been considered in this analysis.

The area is also served by Pitcheroak Special School, an all age 4-19 special school catering for pupils with Severe, Complex and Moderate learning difficulties.

Pitcheroak School is situated approximately 1.3 miles from the proposed development. The school occupies a site alongside Birchensale Middle School. The school is a popular school and serves families across the district.

Special schools offer specialist education and they do not operate a capacity as with mainstream schools. There are currently 14 class bases in the school including 3 temporary classrooms, plus 3 specialist rooms and a hall. Due to the nature of the provision there is an expectation that the premises have to offer flexible provision. Additionally, the school does not consistently accommodate a set number of pupils per class, the number can vary to meet the needs of the individual pupils requiring specialist provision.

Pupil numbers increased in the primary phase from 60 in October 2018 to 65 in October 2019 and increased from 88 in October 2018 to 89 in October 2019 for the secondary phase of education. Analysis of pupils on roll as at October 2019, show that of the 144 pupils on roll in Reception to Year 11, 110 live in the Bromsgrove and Redditch area. This equates to 83.4% of pupils on roll that reside within the locality, which is a substantial level of in area pupils on roll attending specialist provision. Temporary accommodation on site is life limited and without permanent accommodation the school will be unable to maintain the current level of pupil numbers or any additional pupil numbers.

## Conclusion

The impact of the development on education infrastructure has been revised following the initial assessment and has been assessed on the impact of 45 dwellings, allowing for the demolition of one existing dwelling. The 8 one-bedroomed properties are identified as being 17 social rent properties therefore the reduction is 63 less 1 demolition and 17 social rent properties equating to 45 dwellings.

On conclusion, it is anticipated that this development will yield 5 early years places. Analysis indicates that there is currently sufficient capacity in early years provision in the area to accommodate the level of pre-school pupils likely to be generated from this development.

With regards to mainstream provision, the proposed development is likely to yield 12 pupils in the first school phase of education. Tardebigge CE First School is the catchment area school and has been judged Outstanding by Ofsted; the school is consistently oversubscribed. Both Our Lady of Mount Carmel Catholic First School and Webheath Academy are located within the statutory walking distance and are both good schools that are popular in the area. Webheath Academy converted to a primary school in September 2016. Pupils in the area can remain at the school at the end of year 4 continuing in years 5 and 6, transferring at the end of year 6 to a middle school<sup>3</sup>, or alternatively, pupils can seek places at a secondary school admitting pupils from year 7.

Analysis of pupil numbers indicates that there is currently insufficient capacity in the first school phase of education to admit the number of pupils that are likely to be generated from the proposed development. Extant permissions from Foxlydiate and Webheath are likely to impact schools in the area. Current proposals set out the provision of a new 3FE first school and nursery to serve the Foxlydiate area and it is anticipated that the proposed new school will be included in the options for supporting additional school places.

The proposed development is likely to yield 9 pupils in the middle school phase of education. The catchment area middle school is Birchensale Middle School that is rated Good by Ofsted and is consistently oversubscribed. The PAN increased from 135 to 150 with effect from September 2019. Pupil numbers have been consistently in excess of 135 and the increase will enable the school to support in area pupil numbers.

In addition, there are two further schools that are located within close proximity to the proposed development site, St Bede's Catholic Middle School and Walkwood CE Middle, both are rated Good by Ofsted and consistently oversubscribed. There is some capacity at another local school in the area however, forecast pupil numbers are set to increase over the next 3 years and the local authority is already working to ensure a sufficiency of places to meet the increase in pupil numbers from demographic growth and maintain an acceptable operational surplus.

On conclusion, middle schools in the area do not have capacity to absorb the proposed pupil numbers from housing growth. All middle schools in Redditch have Academy status therefore, the local authority will engage with the local schools named above to explore options to expand existing provision to ensure a sufficiency of places; as commissioner of places the local authority cannot insist schools expand. If a satisfactory resolution cannot be achieved it will be necessary to explore alternative solutions.

The proposed development is likely to yield 8 pupils in the high school phase of education. Trinity High School and Sixth Form Centre is rated Good by Ofsted and is a school that is popular with families living within the district. There is very little surplus capacity in the school as high school pupil numbers have increased at the school. From 2025 onwards, pupil numbers will increase across the district and surplus capacity in the system will start to be utilised. However, it is anticipated there will be sufficient capacity in

the system to absorb demographic growth and the number of pupils likely to be derived from the proposed development. A contribution towards high school infrastructure will not be sought.

With regards to Special Education Needs and Disabilities (SEND) provision, the revised assessment falls outside the level requiring mitigation at a SEND specific Primary and/or Secondary school.

## **North Worcestershire Water Management**

No objection subject to conditions

## **WRS - Contaminated Land 29.11.2019**

**No objection subject to condition**

WRS note the desk study investigation provided was produced in 2015. It is recommended the applicant is required to provide an update to the desk study and appropriate Conceptual Site Model (CSM) considering any changes to the site that may have occurred in the interim period. The update can be included within an addendum report or future Phase 2 Site Investigation report.

The Phase 1 notes the presence of the nearby L.Hawthorne historic landfill (62m NW); WRS anticipate further investigation will include a gas risk assessment to establish whether the proposed development is likely to be affected by landfill or ground gas or vapours. Alternatively, gas protection measures complying with Characteristic Situation 2 as set out in BS8485:2015 and CIRIA C665 as a minimum requirement must be incorporated within the foundations of the proposed structure(s).

WRS note the Phase 1 investigation has identified asbestos containing materials (ACMs) in building roofing. WRS recommend the developer is advised that any ACMs removed during alterations should be disposed of appropriately such that the development site may not be considered contaminated land under Part 2A at a later date. Appropriate asbestos surveys prior to demolition/alterations and handling of ACMs during works should be undertaken by competent and qualified professionals with experience of surveying and handling ACMs.

Due to the potential issues raised in the Phase 1 investigation, WRS recommend the following condition wording is applied to the application, should any permission be granted to the development, to ensure PCL issues on site are appropriately addressed.

Recommendations:

Knowledge of the site suggests that contamination issues may potentially be a significant issue. As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted. The National Planning Policy Framework advises that Planning Decisions should ensure the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. The Framework also requires adequate site investigation information be prepared by a competent person is presented.

## **WRS - Noise** Consulted 06.04.2020

### **No objection**

Re: Noise / Nuisance

The change of plans do not affect our original comments, WRS have No Adverse Comments to make on this application.

## **WRS - Air Quality** Consulted 06.04.2020

### **No objection**

Thank you for the recent planning consultation concerning amendments to application reference 19/01356/FUL - Barn House Farm, Foxlydiate Lane, Redditch, Worcestershire.

No additional information has been identified in relation to air quality or contaminated land therefore WRS have no additional comments to make at this time. The previous responses, attached for information, are still considered to remain valid.

## **Highways - Bromsgrove** 14.08.2020

### **Objection**

Worcestershire County Council acting in its role as the Highway Authority has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Transport Planning and Development Management Team Leader on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 **recommends that this application is refused.**

The justification for this decision is provided below.

In formal observations dated 9th December 2019 the Local Highway Authority (LHA) advised refusal. Based on the analysis of the information submitted the Highway Authority concludes that there would be conflict with paragraph 110 of the National Planning Policy Framework and therefore recommends that this application is refused.

The previous concerns are set out below verbatim; the proposed layout fails to accord with the adopted streetscape design guide, a list of difficulties is provided:

- 1) It is unclear to what street design type this road has been designed to
- 2) No refuse vehicle tracking is provided, and the turning heads appear to be substandard.
- 3) Forward visibility splays have not been shown through the S bend.
- 4) The car parking spaces are on the incorrect ratios for 4-bedroom units and the dimensions of the parking spaces are not to standard.
- 5) The cycle parking is unacceptable as the spaces are not accessible due to the convoluted access routes to rear gardens that include 90 degree turns.
- 6) The connection to the wider Foxlydiate residential development is proposed as a 2m footway, whereas a 3.5m active travel corridor is required.



7) Additional details are required on the suitability of the access to Springhill Farm. The angle of access to the prospective highway is not at 90 degrees to the kerb line and the size of the vehicles using the access is unclear.

The LHA are in receipt of revised drawing submissions. The LHA has appraised this latest submission and advises on the following:-

1. The 25m forward visibility and visibility splays shown are acceptable however there will be a need to slightly widen the footway at the junction to facilitate the whole of the splay;
2. The block paving within the carriageway turning head and at entrance are not necessary and should be removed;
3. If Road 2 is a shared surface then the junction block paving should be removed;
4. The provision of Road 2 as a shared surface would be dependent upon a suitably lit carriageway which may not be the case if there are ecological reasons preventing this;
5. WCC do not wish to adopt the ped cycle link until an approved masterplan of the major development has been submitted which shows it connecting through.
6. If the surface materials plan needs to be specific to construction, then it should refer to the WCC Standard Detail;
7. Details of the highway surface water outfall proposals should be confirmed. It is noted that swales and balancing ponds are shown which will not be adopted by the Highway Authority;
8. Vehicular access to the pumping station includes part of the ped/cycle route which is not acceptable; and,
9. Farm access junction is still unsatisfactory.

The LHA has significant concerns with regards to point 8 and point 9. The potential interaction at these locations between vehicles and pedestrians is of significant concern particularly given the nature of infrastructure to actively promote walking and cycling. No information has been provided to date that specifies the use of the retained access, nor the type of vehicle anticipated to use it, which is shown to cross the pedestrian footway (relating to point 9). Without this information, the LHA are unable to determine the acceptability of this. Based on the plans submitted, this provides access into agricultural land whilst the provision of 63 dwellings promotes a 'street' scene.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would conflict with paragraph 110 of the National Planning Policy Framework and therefore recommends that this application is refused.

It should be noted, that the above information has been discussed with the Applicants Transport Consultant who are proactively addressing the issues. Based on a revised submission, the LHA will continue to work with the Developer to overcome this objection if possible.

**Highways England 12.11.2019**  
**No objection**

## **Mott MacDonald (MM) 22-09-2020**

Mott MacDonald (MM) have been commissioned by Bromsgrove District Council (BDC) to provide transport planning advice in relation to the proposed development at Barn House Farm (planning application:

MM have reviewed both the response from WCC and the documents they relate to in the application, and subsequently, have no reason to disagree with the issues identified by WCC and listed above, other than for point 4 in the second list where it is recommended that WCC identify specifically what these ecological concerns are.

## **Housing Strategy 14.04.2020**

**No objection**

## **Natural England 08.04.2020**

**No objection**

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 28 November 2019.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

## **NHS/Medical Infrastructure (Redditch and Bromsgrove CCG) 02.12.2019**

The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

A developer contribution will be required to mitigate the impacts of this proposal. Redditch and Bromsgrove CCG calculates the level of contribution required in this instance to be **£23,805**. Payment should be made before the development commences.

Redditch and Bromsgrove CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

## **NHS Acute Hospitals Worcestershire 24.04.2020**

**No objection** subject to a financial contribution secured through a section 106 legal obligation

## **Redditch Borough Council**

Minutes of Meeting of Redditch Borough Council 4th March 2020

(1) The principle of housing on the site be supported as long as all appropriate transport mitigation measures have been fully outlined and accounted for. The impact of the site must be considered cumulatively alongside the wider Foxlydiate site, at both the construction stage and thereafter, and also with regard to other development sites in the vicinity.

(2) Members endorse the comments under the heading Officer appraisal. See <https://moderngovwebpublic.redditchbc.gov.uk/ieListDocuments.aspx?CId=112&MID=3255#A120873>

## **North Worcestershire Water Management Consulted 08.11.2019** **No objection subject to condition.**

The site is located within the Swans Brook catchment; the north western part of the site is adjacent to the brook. Environment Agency fluvial mapping indicates that the site is located within Flood Zone 1, in addition the site is located at the very upper end of the rivers catchment area and fluvial flood risk to the site is not considered to be significant. Within the FRA provided with the application there is an assessment of the flood risk to the site which supports this. Based on the surface water flood maps there is also minimal/no surface water pooling to the site at the 1 in 100 year return period. The supporting FRA suitably covers the main sources of flood risk to the site and concludes that the development is not at significant flood risk.

A Sustainable Drainage Statement has been provided to support the application; the proposed level of retention is acceptable (up to 1 in 100 year AEP + 40% for climate change). The Greenfield runoff rate for QBar for the site has been calculated considering that part of the site is considered Brownfield, however it is expected that irrespective of the prior use of the site new development would restrict runoff from the whole site to Greenfield rates. The Qbar calculation should be revised to account for this.

The indicative drainage layout is acceptable but detailed drainage design for the site must be provided; this should show all private foul and surface water connections. Where there are sloping driveways towards properties and garages suitable interception drainage features should be provided. It is also recommended that finished floor levels for properties are raised above the surrounding ground level to prevent any overland flow entering properties from uphill slopes.

Section 2.5 of the sustainable drainage statement indicates that the topographical survey shows the presence of existing drainage features. Due to the line weights on the drawing it is not possible to identify these features from the topographical survey provided. However these details should be traced and where retained they should be connected to the proposed drainage system to prevent negative impacts on the site once developed. This should be shown on the detailed drainage layout for the scheme.

Calculations supporting the drainage design have been provided; these should be amended to account for the change in Qbar calculation. The current version indicates that

there are flooded volumes at the 100 year return period with and with out the climate change allowance. If flooded volumes are still present after they have been revised the points at which flood water exits the drainage system should be highlighted on the drainage layout and it should be demonstrated these volumes can be held in public areas such as roads and will not affect individual plots. The sustainable drainage statement highlights that it is proposed to utilise the main road layout as an exceedance route this needs to be highlighted in an exceedance route plan. Calculations should also be provided in digital form so they can be evaluated by the LPA, a .mdx or pfd format.

The maintenance details and frequencies stated n section 5 of the sustainable drainage statement are satisfactory. Once appointed, it is requested that the details of the company undertaking management of the side drainage and SuDS features is provided to the LPA.

There are no details provided of proposed water quality considerations for surface water runoff from the site. Section 3.29 and 3.30 highlight the proposal to use permeable paving however they are not clearly indicated on the drainage layout. The stages of treatment approach previously detailed by the CIRIA SuDS manual was amended in the 2015 manual to the Simple Index approach. While the majority of the land uses on the site are classed as low risk it is required that this approach is applied and mitigation measures are included within the drainage design as appropriate.

Due to the underlying ground conditions it is likely that proposed paving would need to be under drained. It could also be provided for all private parking areas with roof drainage from properties discharging to the sub base via diffuser boxes. 30% of the sub base volume can be provided as attenuation supplementing that provided by proposed balancing areas. Where slopes are greater than 3% terracing or internal check dams should be provided.

Full details for the proposed balancing area's are also required, details of headwalls and any proposed boundary fencing. The proposed planting around the balancing area should also be specified. It is also recommended that the balancing area has some sections of permanent water; this will improve its biodiversity value. All this information should be provided to and approved by the LPA.

The proposed new discharge to the spring brook would require an application for ordinary water course consent. The FRA also indicates that infiltration of surface water is likely to be unviable; this view is consistent with the experience of other development in the vicinity.

It is requested that the following planning condition is added to any planning permission granted for this application:

Conditions:

No works or development shall take place above foundation level until complete details for scheme for surface water drainage have been submitted to, and approved in writing by the Local Planning Authority.

This should include, but is not limited to:-

- A detailed drainage layout showing all proposed private foul and surface water connections and SuDS features.

- Revised calculations in an electronic format.
- A simple index approach assessment considering the water quality of the sites surface water runoff.
- A plan showing the exceedance flows from any flooded volumes on the site.
- The approved scheme shall be fully implemented 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.

## **Worcestershire Archive And Archaeological Service** Consulted 08.11.2019

The application is supported by a Heritage Statement, the Executive Summary of which notes that the application site has potential to contain heritage assets of archaeological interest of medieval and post-medieval date, primarily comprising features associated with agricultural management and landuse, including areas of ridge and furrow earthworks. A low potential for remains of other periods to be present is suggested although this has not been tested by any form of intrusive field evaluation (e.g. trial trenching). A geophysical survey undertaken in 2015 and record on the HER detected a number of magnetic anomalies that may be of archaeological origin, potentially including pits and/or areas of burning.

In addition to the above the farm buildings (WSM43035) proposed for demolition are also included on the Historic Environment Record where they are described as:

*Unlisted 19th century farm buildings, recorded on 1st Edition OS Map and Google Earth. Formerly the farm buildings of Springhill Farm (WSM43034). On 1st Edition OS Map the range is an unusual reverse H-shaped with two yards and detached barns to west and east. At least one section of the buildings have been converted to a seperate domestic dwelling (unknown date). The eastern barn is lost.*

*Springhill Farm, Bentley Pauncefoot. Partially extant 19th century (?) unlisted farmstead with converted buildings. Regular courtyard of L-plan. Additional, prominent detached elements to the main plan, including a smaller secondary yard. The farmhouse is detached with gable on to the yard. There has been a partial loss (less than 50%) of traditional buildings. Located within or in association to a hamlet.*

Consequently, it is judged that the development area contains known heritage assets and also has the potential to contain additional, as yet unknown, features of archaeological interest that would be damaged or destroyed by the proposed development. Should the Borough be minded to grant consent for the scheme then the likely impact on the historic environment caused by this development can be offset by the implementation of a conditional programme of archaeological works. This should comprise an initial programme of trial trenching to conclusively determine the presence or absence and extent of any archaeological remains within the development area. If the survival of such remains is verified then the field evaluation should be followed by a defined programme of mitigation works (e.g. excavation and/or an archaeological watching brief) in order to investigate and record the threatened remains prior to their damage or loss. This is consistent with comments on a previous application 17/00469/OUT.

In addition to the above, the 19th century farm buildings that are proposed for demolition should be recorded to Historic England level 2 standard prior to demolition.

The County and the District has a responsibility to protect, either by preservation or record, cultural remains within its jurisdiction, and this is emphasised by the National Planning Policy Framework section 16, paragraph 189:

"...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation";  
and paragraph 199,

"...Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted."

In order to comply with policy, we recommend that the following two conditions should be attached to any consent:

1) 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.

2) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) 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.

**Please Note:** A fee will be charged to the applicant for the provision of a Brief (an outline scope of works) for the archaeological work required and for the checking of any responding Written Scheme of Investigation (contractors detailed method statement) and archaeological reports required to facilitate discharge of the recommended conditions.

Should planning consent be given, then the applicant or their successor in title must contact the officer below to arrange provision of the brief prior to the commencement of works. It will be the applicant's (or their successor in title) responsibility to contract an appropriate archaeological organisation to undertake the programme of works as detailed

in the brief. The Planning Advisory Section of the Worcestershire Archive and Archaeology Service will offer advice on all stages of the proceedings.

**Environment Agency Consulted 08.11.2019**  
**No Comments Received To Date**

**Red Kite Network (Ecology) 20.12.2019**  
**No objection, subject to conditions**

I have reviewed the information provided directly by the Council and the application using the Council's online planning portal. I have not completed a site visit but have reviewed relevant documentation, OS maps and aerial photography to gain familiarity of the site and local environs.

The application is supported by a Preliminary Ecological Appraisal issued by Harris Lamb in September 2019 and a Bat Survey Report issued by Harris Lamb in October 2019. I have also reviewed these documents and would make the following comments.

1. The Preliminary Ecological Appraisal (PEA) and the Bat activity Report has considered prevailing habitats and potential for relevant protected species. From the report I would request further clarification and/ or information in respect of the following.

i) Bats- The PEA establishes that trees and four buildings (labelled 1-4) have been assessed for their potential suitability for bats in accordance with the detailed guidance of the Bat Conservation Trust (2016). Based on this guidance, Building 1 is identified as having high potential for bat roosts, Building 2 moderate potential and Buildings 3 and 4 low potential. Within the BCT guidance, it is my understanding that based on this potential suitability assessment, the following survey effort is recommended to determine presence or absence of bat roosts:

- High Roost Suitability- Three separate surveys with at least one dusk emergence and a separate dawn re-entry survey. Surveys to be conducted between May and September with at least two surveys between May and August.
- Moderate Roost Suitability- Two separate survey visits. One dusk and a separate dawn re-entry survey. Surveys to be conducted between May and September with at least one survey between May and August.
- Low Roost Suitability- One dusk or dawn re-entry survey. Survey to be conducted between May and August.

Within the Bat Survey Report is not clear that the survey effort conducted in relation to Buildings 1-4 has been conducted in accordance with the prescribed guidance. For example, Building 1 is identified as having multiple potential roost features with a high overall suitability for roost potential. Therefore, based on the guidance, presence/absence surveys should have been undertaken on three occasions between May and September with two between May and August. The Bat Survey Report states that only two dusk surveys were completed in September. In addition to the survey frequency, it is not clear from the information provided, which buildings were covered by the survey team. For example, the north facing section of Buildings 1 and 2 do not appear to have surveyor coverage. It is unclear from the report if this was intentional or not.

I also note from the PEA and the Bat Activity Report that impacts on the development on foraging and commuting bats have not been considered. The development area is set within in semi-rural location with an open network of hedgerows, streams, ponds and farmland, particularly to the west. The BCT (2016) guidance provides further details in relation to commuting and foraging habitats for bat species. I would expect the potential impacts of the development in possibly severing or affecting bat community/foraging to be considered.

Given the details provided in the Bat Survey Report, I have concerns that the bat surveys conducted do not reflect current best practice and that further clarification or information is required. Although the Bat Survey Report recommends further presence/absence surveys in 2020 for the EPS license application, potentially there may not be enough detail at present to determine the planning application. For example, the absence of bat surveys during the summer period has the potential to miss maternity roosts and therefore mitigation and licensing requirements would differ from that already being proposed. I would welcome some further information, clarification and justification in respect of the above and further details are required before approving the planning application.

ii) Great Crested Newts (GCN)- The PEA identifies eight water bodies within 500m of the development site that may have potential for GCN. All the ponds identified were visited and subjected to a Habitat Suitability Index (HSI) assessment. Pond 2 was the only one with a poor score. The remaining ponds scored average or good. Ponds 1,2,3, 6 and 8 were then subsequently surveyed to determine presence or absence of GCN.

Pond 8 was confirmed as having a low population of GCN. What is unclear from the PEA is why, despite scoring average of good, ponds 4,5 and 7 were not surveyed. Clarification is required regarding this anomaly e.g. was landowner permission not granted. If so, then this need to be evidenced and discussed within the limitations of the methodology. The absence of further pond surveys for GCN needs to be resolved prior to the approval of the planning application.

iii) Protected Species and Planning Conditions- Within the recommendations of the PEA, there is some reliance on precautionary measures in relation protected species to be determined as part of planning conditions. Whilst I can understand for pragmatic reasons this is a reasonable approach for some species i.e. birds and badgers in other cases this may not be sufficient for other species. For example, if walk over or further surveys for reptiles and or GCN are conducted following planning approval and then consequently discovered, mitigation or compensation requirements would then need to be incorporated into the approved design. In the case of reptiles for example there would be a need for the identification of suitable on or off-site receptor habitats. I would recommend that any Reasonable Avoidance Measures (RAMs) are requested as part of the planning application so that any contingent situations are addressed upfront.

2. Subject to requested clarification above, that the recommendations outlined within Section 5.0 of the PEA should be conditioned as part of the planning application as follows.



- i) Species specific Reasonable Avoidance Measures (RAMs) method statement should be prepared and implemented to facilitate pre demolition/ construction checks for reptiles, amphibians, bat species and small mammals.
- ii) A Reasonable Avoidance Measures (RAMs) statement should be prepared and implemented in relation to badgers during demolition and construction.
- iii) A Reasonable Avoidance Measures (RAMs) method statement should be prepared and implemented in relation to breeding birds prior to demolition and construction i.e. removal of trees, buildings and hedgerows.

In addition, I would also recommend the following.

- i) Subject to further clarification outlined above, bats are known to forage and commute in the vicinity of the proposed development. To minimise impacts, any proposed external lighting should be approved by the applicant's ecology consultant.
- ii) Details of proposed bat and bird boxes including specifications and installation should be provided prior to commencement.
- iii) Details of habitat enhancements including construction, species, size of plants, planting densities should be provided together with proposals for at least a 5-year establishment and aftercare period. This should form part of an integrated Landscape and Ecology Management Plan (LEMP) and be submitted to the Council for approval prior to work commencing on site.

**Natural England 08.04.2020**

**No objection**

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 28 November 2019.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

28.11.2019

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

**WRS - Contaminated Land 29.11.2019**

**No objection, subject to conditions**

WRS note the desk study investigation provided was produced in 2015. It is recommended the applicant is required to provide an update to the desk study and appropriate Conceptual Site Model (CSM) considering any changes to the site that may have occurred in the interim period. The update can be included within an addendum report or future Phase 2 Site Investigation report.

The Phase 1 notes the presence of the nearby L.Hawthorne historic landfill (62m NW); WRS anticipate further investigation will include a gas risk assessment to establish whether the proposed development is likely to be affected by landfill or ground gas or vapours. Alternatively, gas protection measures complying with Characteristic Situation 2 as set out in BS8485:2015 and CIRIA C665 as a minimum requirement must be incorporated within the foundations of the proposed structure(s).

WRS note the Phase 1 investigation has identified asbestos containing materials (ACMs) in building roofing. WRS recommend the developer is advised that any ACMs removed during alterations should be disposed of appropriately such that the development site may not be considered contaminated land under Part 2A at a later date. Appropriate asbestos surveys prior to demolition/alterations and handling of ACMs during works should be undertaken by competent and qualified professionals with experience of surveying and handling ACMs.

Due to the potential issues raised in the Phase 1 investigation, WRS recommend the following condition wording is applied to the application, should any permission be granted to the development, to ensure PCL issues on site are appropriately addressed.

Recommendations:

Knowledge of the site suggests that contamination issues may potentially be a significant issue.

As a result, in order to ensure that the site is suitable for its proposed use and accordance with The National Planning Policy Framework, Conditions are recommended below for inclusion on any permission granted.

The National Planning Policy Framework advises that Planning Decisions should ensure the site is suitable for its proposed use taking account of ground conditions, pollution arising from previous uses and any proposals for mitigation including land remediation. The Framework also requires adequate site investigation information be prepared by a competent person is presented.

Recommend a Tiered Investigation condition is imposed on any permission 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

Note on Pre-commencement conditions

Pre-commencement conditions for contaminated land risk assessment are considered necessary for the following reasons:

- There is potential for contamination to exist on the site. The degree and extent of contamination is currently unknown. More information relating to ground conditions is required to determine whether or not remediation will be required (prior to any construction work commencing).

- Where remediation is necessary, this remediation may involve work/techniques that need to be completed before any development is commenced, for example the removal from site of contaminated soils/underground structures, the design and incorporation of gas protection measures in any buildings etc. To carry out such work after construction has started/been completed, may require potentially expensive retro-fitting and in some cases the demolition of construction work already completed.

Paragraph 178 of the NPPF requires development to be suitable for its proposed use taking account of ground conditions, any risks arising from contamination, and any proposals for mitigation, including land remediation. Paragraph 178 goes on to state that after remediation, as a minimum, land should not be capable of being determined as Contaminated Land under Part 2A of the Environmental Protection Act 1990.

**WRS - Noise** 29.11.2019

**No objection**, referred to published standing advice regarding noise and dust mitigation

**WRS - Air Quality** 18.11.2019

**No objection, subject to conditions**

Comments on Air Quality Assessment; Report ref: 70062116\_001; Dated August 2019

The report is an updated Air Quality Assessment (AQA) and supersedes the AQA carried out in April 2016 in support of application 17/00469/OUT. The report assesses the construction and operational phases of the proposed development.

The report concluded that as the total generated Annual Average Daily Traffic (AADT) movements would be lower than the assessment criteria for developments not located within an Air Quality Management Area (AQMA), a dispersion modelling assessment was not required, and a qualitative assessment was carried out instead. Traffic data was provided by Systra, the project transport consultant.

**Construction Phase**

The report identified that there is a Medium Risk of dust soiling impacts and a Low Risk of impact to human health at identified sensitive receptors with respect to changes in particulate matter (PM10) concentrations due to construction activities, and concludes that through good site practice and the implementation of suitable mitigation measures, the impacts of dust and particulate matter releases on local air quality will be not significant.

**Operational Phase**

The report concludes that the proposed development will not generate significant vehicle flows and given the existing good air quality at and near to the proposed development, the impact of the proposed development on local air quality will be not significant.

The report is an appropriate AQA and WRS agrees with the findings and conclusions, therefore WRS have no adverse comments for air quality. Given the size of the proposed development WRS recommend the following conditions are applied:

## Air Quality Conditions

The National Planning Policy Framework (NPPF) Paragraph 181 states: 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.'

The proposed development is for 63 dwellings, it is recommended that the applicant incorporate mitigation measures as part of the development to minimise impact from the development on local areas of poor air quality and assist in alleviating pollution creep arising in the general area. WRS therefore make the following recommendations in accordance with NPPF Paragraphs 102, 103, 105, 110, 170, 180, 181:

## Secure Cycle Parking

It is recommended that secure cycle parking facilities are incorporated into the design of commercial developments and domestic plots without sufficient exterior space to allow for secure cycle storage. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be provided.

Reason: NPPF Paragraph 102 and 103 state; 'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued' and 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.'

## Electric Vehicle Charging - Domestic Development

The provision of more sustainable transport modes will help to reduce CO<sub>2</sub>, NO<sub>x</sub> and particulate emissions from transport. In order to make the properties ready for EV charging point installation, appropriate cable provision and isolation switches must be in place so that future occupiers are able to easily fit the necessary socket for electrical vehicles to be charged in the garage, driveway or allocated car parking space. For developments with unallocated parking i.e. flats/apartments 1 EV charging point per 10 spaces (as a minimum) should be provided by the developer to be operational at commencement of development.

## Low Emission Boilers

Boiler NO<sub>x</sub> emissions from building heating systems contribute to background NO<sub>x</sub> concentrations and the following condition is recommended to alleviate impact from new buildings.

**Arboricultural Officer 25.11.2019**

## **No objection subject to conditions regarding tree protection**

The land is open farm land there are mature hedges that boarder the adjacent fields on the northern and western boundary's I would like these retained if possible. There is a Tree preservation order which covers the development the trees covered are the group of trees at front adjacent to the drive and Foxlydiat lane and also the trees at the north western side of development by the public open space. These trees will not affect the

development but will need must be protected during clearance and construction phase in accordance with BS5837:2012,

**Housing Strategy 11.12.2019**

**No objection**

**Worcestershire Wildlife Trust 29.11.2020**

Thank you for sending us details of this application. We note the contents of the various associated documents and in particular the findings set out in the Preliminary Ecological Appraisal and Bat Survey Report by Harris Lamb. We also note that the site falls very close to the Spring Brook, which forms one of the key green corridors across the wider Foxlydiate development area.

In view of the fact that the site is allocated for development and in light of the findings set out in the ecological surveys we do not wish to object to the principle of development here. However we do have concerns about the proposed layout and in particular its implications for the Spring Brook corridor. Whilst we note the positive commentary in the application documents regarding the retention and protection of the corridor we do not consider an 8m buffer to the stream to be sufficient to maintain the various GI functions intended for this important feature. In connection with this we accept that any flood implications are focussed on the western side of the brook and that as a result we may expect significantly more buffering to that side (in subsequent development parcels) but nonetheless we do not consider that to be sufficient reason to limit GI provision within this application. Accordingly, we would recommend that you seek an amendment to the layout that achieves a much wider buffer to the brook than is currently shown. We would be happy to discuss the details of this requirement with the council and applicant in more detail if that would be helpful.

Assuming that that important amendment can be achieved we would not wish to object to development here. However, our position is contingent on the council being able to append conditions covering the following matters to any permission it may be otherwise minded to grant.

1. CEMP - to include protection for retained trees, the brook corridor and other ecological features and prevention of pollution during construction, especially in relation to runoff and risks to the nearby brook and downstream LWS.
2. LEMP - to include biodiversity enhancement in line with recommendations in the PEA, bat survey report and policy, together with long term management of that enhancement.
3. Lighting - To ensure that the development does not cause harm to nocturnal wildlife, including bats that may be foraging across the site or along the stream corridor. Implementation of any legally-required bat mitigation will of course be essential.
4. SUDS - to ensure that long-term surface water drainage does not cause harm to receiving watercourses. In this regard we note the proposed flood storage lagoons and ask that details of their design and enhancement for biodiversity be covered by appropriate condition wording.

Appropriate model wording for such conditions can be found in Annex D of BS42020:2013 Biodiversity - Code of practice for planning and development.

**NHS Mark Fenton Associate Director, Estates & Facilities Manager**  
Consulted 08.11.2019 No Comments Received To Date

## **NHS/Medical Infrastructure Consultations 27.04.2020**

### Existing Healthcare Position Proximate to the Planning Application Site

The proposed development is likely to have an impact on the services of 6 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.

Healthcare Impact Assessment (HIA) has been prepared by Redditch & Bromsgrove to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.

The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 151 residents and subsequently increase demand upon existing constrained services.

The primary healthcare service directly impacted by the proposed development and the current capacity position is shown in Table 1.(see original representation)

The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

The intention of Redditch & Bromsgrove CCG is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View. The development would give rise to a need for improvements to capacity, in line with emerging STP estates strategy; by way of new and additional premises. Table 2 (see original representation) provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

A developer contribution will be required to mitigate the impacts of this proposal. Redditch and Bromsgrove CCG calculates the level of contribution required in this instance to be £23,805. Payment should be made before the development commences.

Redditch and Bromsgrove CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

In its capacity as the primary healthcare commissioner, Redditch and Bromsgrove CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

Assuming the above is considered in conjunction with the current application process, Redditch and Bromsgrove CCG would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

The terms set out above are those that Redditch and Bromsgrove CCG deem appropriate having regard to the formulated needs arising from the development.

Redditch and Bromsgrove CCG is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

## **Relevant Policies**

### **Bromsgrove District Plan**

RCBD1: Redditch Cross Boundary Development  
BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP6 Infrastructure Contributions  
BDP7 Housing Mix and Density  
BDP8 Affordable Housing  
BDP12 Sustainable Communities  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP21 Natural Environment  
BDP22 Climate Change  
BDP23 Water Management  
BDP24 Green Infrastructure  
BDP25 Health and Well Being

High Quality Design Supplementary Planning Document (June 2019)

### **Others**

- National Planning Policy Framework ('NPPF') (2019)
- The Planning Practice Guidance ('PPG') published in March 2014; online and continually updated
- The Community Infrastructure Levy (CIL) Regulations 2010 (as amended);
- "The Setting of Heritage Assets"(Dec 2017) produced by Historic England as updated in July 2015.

- Lanehouse Farm -Setting of Heritage Assets Assessment – (Dec 2015) by BDC
- County of Hereford and Worcester Minerals Local Plan 1997
- Emerging Minerals Local Plan (Publication Version).
- National Design Guide (2019)

## Relevant Planning History

17/00469/OUT	Outline application, for the erection of up to 68 dwellings to include car parking, open space provision and associated infrastructure (following demolition of all existing buildings) with details of the means of access to the site from Foxlydiate Lane submitted for consideration at this stage, with all other matters (including internal circulation routes) reserved.	PENDING
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Applications for the larger part of the allocation have been submitted to both Bromsgrove District and Redditch Borough for determination. Bromsgrove District Council resolved to Grant planning permission for 16/0263 at a special meeting convened on 22<sup>nd</sup> September 2019. Redditch Borough Council resolved to Grant planning permission for 2016/077 at a planning committee meeting held in February 2020. The formal decision notices would not be issued until a multilateral s106 agreement has been completed.

## **Neighbour representations**

At the time of preparing this report 17 representations objecting to the application have been received since the first consultation was initiated in 2017. In summary, the representations received raised the following material issues -

## STRATEGIC PLANNING

- **Need** – OECD recently published revised housing needs data for Redditch which halved projections. This development should not be allowed in light of the substantive application already approved by Bromsgrove District Council
- **Inadequate road network** – unable to accommodate additional consequential traffic on both minor local lanes and the wider road network including the A38
- **Cumulative Impact** – with other development in the area, particularly 16/0263 has not been taken into account
- **Unsustainable** – In terms of its location and connectivity creating high dependency on the private car
- **Inadequate local facilities** specifically number and capacity of Schools, Shops, Doctors, Dentists, services at Alexandra Hospital have been reduced. New facilities on larger scheme yet to be delivered i.e local centre and new school, and there is a live application proposing the demolition of the Foxlydiate Inn and loss of that community facility.



- **Brownfield sites should be developed before greenfield ones** Existing vacant properties should be utilised

## **HIGHWAY IMPACTS**

- **Traffic congestion** – Capacity issues on off-site local and strategic road networks. Foxlydiate Lane is already overloaded and being used by additional traffic from other residential developments in the vicinity without any improvements. It cannot safely accommodate additional traffic
- **Poor Public Transport provision**- lack of connectivity to public transport
- **Capacity and nature of Local Rural Roads** – Foxlydiate Lane is narrow, (5m wide) steep and poorly lit country lane with narrow non-continuous pavements and with a blind spot on the brow which makes it hazardous for motorists and pedestrians. Highway safety is further compounded by residents parking on highway. Other local lanes are used by cyclists horse riders and pedestrians, additional vehicular traffic increases risk to other highway users
- **Vehicular access from Foxlydiate Lane** – All construction traffic and subsequent future occupiers' vehicles would have to use Foxlydiate Lane which is unsuitable and will be damaged by heavy vehicles requiring repair. The proposed vehicular access/egress is situated in a dip at a low point which is concealed from the view of approaching traffic and conceals approaching traffic from drivers exiting the site. Consequently, visibility is poor. Drivers regularly exceed the 30mph speed limit. The drawing demonstrating visibility is 2 dimensional and represents the position in a flat plane and is misleading. There is insufficient turning circle from the proposed access for vehicles to exit without mounting pavements and verges which is a hazard to pedestrians and utilities beneath them and will leave mud on the road. The exit from Grazing Lane was historically closed for safety reasons. This site should not be accessed from Foxlydiate Lane.
- **Connection to Larger Scheme** – No approval should be given for the development, unless it can be serviced for vehicular access purposes separately from Foxlydiate Lane. It must be serviced through the surrounding development if and when it comes forward and via the Birchfield Road access. If such connection is achievable via the larger scheme there is no need for access from Foxlydiate Lane. However the larger that scheme relies on the delivery of off-site improvements.
- **Footpath connections on Foxlydiate Lane** - Any extensions to footpaths on the west side of the road are not shown.
- **Road closures** – during the course of development which inconvenience local residents
- **Road Safety Audit** – It is unclear whether a road safety audit has been carried out
- **Construction Traffic for Larger Scheme** – It has already been established that an access onto Foxlydiate Lane to serve the larger development will be used for initial construction traffic.
- **Construction Logistics** – It is unclear where heavy construction vehicles can offload safely prior to the construction of the new access road into the site

## **RESIDENTIAL AMENITY**

- **Disturbance During Construction** -Noise , Vibration and Dust , air quality, mud of the highway, closures to facilitate new utility infrastructure – From construction traffic and particularly to occupiers of Springhill Farm (immediate neighbour who shares existing/proposed access onto Foxlydiate Lane)
- **Air Quality** - vehicle fumes from increased cars and general pollution
- **Construction Management** – In the event permission is granted measures would be required to –
  - Control Noise , Vibration and Dust ,
  - Prevent mud of the highway by requiring wash down facilities on site
  - Restrict hours during which deliveries are made
  - Mitigate noise from any piling
  - Provide on-site parking for site operatives and visitorsHowever, there is a lack of confidence that such measures would be enforced

## **PUBLIC SAFETY**

- **Flood Risk** increased hard surfaces and run off will further increase the risk of the brook on the site flooding. The brook crossing Foxlydiate Lane regularly floods in bad weather and the ground is waterlogged. The application proposes to discharge all surface water into Spring Brook
- **Road water drainage** – The site lies below Foxlydiate Lane and it is unclear how surface water would be dealt with
- **Crime** – An increase in development brings increased criminal activity

## **LANDSCAPE CHARACTER AND HERITAGE IMPACTS**

- **Loss of trees** – The development will result in the loss of both protected and unprotected trees. Provision of adequate visibility splays threatens existing trees and hedgerows on the site frontage
- **Overdevelopment** – The scale of development is too great for this rural area.
- **Loss of buffer** - Site should be left undeveloped to function as 'green lung' and buffer to development beyond
- **Loss of Heritage Asset** - Loss of old farmhouse and outbuildings
- **Loss of Character** – Webheath is being consumed by development with consequent loss of Green belt and built assets

## **Assessment of Proposal**

### **1.0 Context and Site Description**

- 1.1 The site lies on the western side of Foxlydiate Lane, approximately 3km west of Redditch town centre, wholly within the administrative boundary of Bromsgrove District in the parish of Bentley Pauncefoot, and adjacent to the neighbourhood of Webheath in Redditch. The District boundary runs along Foxlydiate Lane.

- 1.2 The application site is an irregularly shaped parcel of land made up largely of field enclosures with some farm buildings, including a residential property, on the south-east corner of the site. The site slopes down significantly from the south east corner to the north west corner by approximately 16 metres
- 1.3 The north-eastern boundary of the application site is formed by a hedgerow extending from Foxlydiate Lane through the application site's northern most point. The northern boundary of the application site is formed by a hedgerow with interspersed trees. The western boundary of the application site is formed by a hedgerow along the majority of its length. The western boundary in the southern most section of the application site passes through a farm complex. The southernmost boundary is formed by a well-defined hedge with interspersed trees fronting onto Foxlydiate Lane. The land to the north, south and west is currently rural in nature. In the immediate vicinity of the application site is the Spring Brook which passes through the landscape to the north of the application site and travels in a westerly direction through its northern boundary. Overhead electricity lines also pass close to the north-west corner of the application site.

## **2.0 Proposal Description**

- 2.1 Full planning permission is sought for the erection of 63 dwellings, 23 of which would be affordable following demolition of the existing dwelling (barn conversion) and associated farm buildings at Barn House Farm. The application proposal includes a range of 2 story dwellings, predominantly detached, with some semidetached and terraced houses arranged to face a main street and 4 cul de sacs running off it.
- 2.2 Vehicular access is proposed from Foxlydiate Lane utilising and adapting the existing access which serves the site and adjacent property. Construction of a footpath on both sides of the vehicular access to improve pedestrian connectivity has been allowed for. This can be provided within the current highway verge without third party land.
- 2.3 The properties have been designed to have a distinct 1930s architectural style inspired by the Arts and Crafts movement and incorporate timber and tile with a mix of brick and render and eaves detailing.
- 2.4 An enclosures plan accompanying the application confirms boundary treatments for the site to be close board fences to rear gardens with the use of brick wall and fence details along exposed gable boundaries adjacent public spaces. Low level timber knee rails would prevent vehicles from driving onto open spaces.

## **3.0 Main Issues**

The main planning issues to consider in respect of this application are;

- Strategic Planning Background
- The Principle of Development
- Affordable Housing
- Loss of Agricultural Land

- Efficient Use of Land
- Transportation, Accessibility and Connectivity
- Heritage Assets
- Air Quality
- Green Infrastructure
- Ecology
- Water Management and Flood Risk
- Landscape and Visual Impact
- Residential Amenity and Public Safety
- Infrastructure Requirements
- Planning Balance

## **4.0 Strategic Planning Background**

- 4.1 Through the preparation of shared evidence on housing needs matters, it first became apparent early in the plan making process for the Bromsgrove District Plan 2011-2030 (BDP) and the Borough of Redditch Local Plan No.4 2011-2030 (BORLP4) that Redditch Borough would be unable to meet its own housing needs on land solely within its jurisdiction. The 2012 Worcestershire Strategic Housing Market Assessment revealed that overall housing need to 2030 for Redditch was found to be around 6,380 dwellings, but land could only be found to accommodate 3,000 dwellings, leaving a shortfall of around 3,400. Bromsgrove and Redditch Councils worked through the Duty to Cooperate to find and assess possible locations where this shortfall could be met. The Duty to Co-operate is a statutory requirement on local planning authorities, county councils and other prescribed bodies to work together on strategic planning matters through the preparation of plans.
- 4.2 The result of this joint working and assessment was the proposal of two large sites to the northwest of Redditch, but within Bromsgrove District as the most suitable and sustainable sites which could deliver the homes needed. The sites were Foxlydiate and Brockhill East and at the time, both areas were within the Green Belt. Policy RCBD1 Redditch Cross Boundary Development in the BDP was drafted to take the proposed sites forward for removal from the Green Belt and subsequent allocation for development. The policy and the evidence underpinning it were heavily scrutinised at the joint examination into the two plans, held from March 2014 – December 2016. Upon issuing his final reports to the two Councils in December 2016, the Inspector ultimately found that the selection of the two sites proposed for allocation at Foxlydiate and Brockhill East was appropriately justified. This allowed the two plans (BDP and BORLP4) to be progressed to adoption in January 2017 and at this point, both sites were removed from the Green Belt and allocated for development.
- 4.3 Policy RCBD1 in the BDP

A 148ha site at Foxlydiate is allocated as a mixed use urban extension as Site 1 in policy RCBD1. It is allocated for:

- Approximately 2,800 dwellings
- A First school
- A Local Centre
- Associated community infrastructure

4.4 Alongside the allocation, policy RCBD1 also sets out detailed principles and criteria that should be adhered to in order achieve sustainable communities on the cross boundary allocation sites. This includes the main requirements for:

- Up to 40% affordable housing, with a mix of house types and tenures
- An overall Transport Assessment taking account of the individual and cumulative effects of development on transport infrastructure. This will need to define the mitigation necessary to maintain the safety and operation of the road network.
- Significant improvements in passenger transport to result in integrated and regular bus services.
- An overall Strategy and Management Plan for Green Infrastructure which maximises opportunities for biodiversity and recreation
- Walking and cycling routes well integrated with the Green Infrastructure network and a number of other detailed requirements which are equally important.

4.5 The policy is also included as an Appendix to the Brough of Redditch Local Plan No.4 (BORLP4) for cross-referencing and completeness.

4.6 The majority of the allocation site is proposed to be developed through planning application 16/0263 for up to 2,560 dwellings, (and parallel application to Redditch Borough 2016/077) which Members of both Bromsgrove DC and Redditch BC have resolved to grant subject to a multilateral s106 Agreement.

4.7 16/0263 Land To The West Of Foxlydiate Lane And Pumphouse Lane, Bromsgrove Highway, Bromsgrove, Worcestershire  
Hybrid application comprising:

- 1) Outline Application (with all matters reserved with the exception of vehicular points of access and principal routes within the site) for the demolition of existing buildings and the erection of : Up to 2,560 dwellings (Class C3); Local centre including retail floorspace up to 900 sq metres (Classes A1, A2, A3) health and community facilities of up to 900 sq metres (Class D1) ; A 3FE first school (Class D1) (up to 2.8Ha site area) including associated playing area and parking and all associated enabling and ancillary works.
- 2) Detailed application for the creation of a means of access off Birchfield Road, Cur Lane, Foxlydiate Lane and emergency, pedestrian and cycle access to Pumphouse Lane. The creation of a primary access road, including associated cut and fill works and other associated earthworks, landscaping, lighting, drainage and utilities, crossings and surface water attenuation/drainage measures.

**Resolution to Grant Planning Permission by BDC Planning Committee  
22-09-2020 (SUBJECT TO COMPLETION OF MULTILATERAL S106)**

2016/077 (parallel application as above submitted to Redditch Borough Council)

**Resolution to Grant Planning Permission by RDC Planning Committee  
22-09-2020 (SUBJECT TO COMPLETION OF MULTILATERAL S106)**

19/00615/OUT at Foxlydiate Hotel, Birchfield Road for 70 dwellings.

17/00469/OUT

Outline application, for the erection of up to 68 dwellings to include car parking, open space provision and associated infrastructure (following demolition of all existing buildings) with details of the means of access to the site from Foxlydiate Lane submitted for consideration at this stage, with all other matters (including internal circulation routes) reserved.

These applications were pending determination at the time of preparing this report.

**Revised NPPF 2018/2019 and the Standardised Housing Methodology**

- 4.8 Since the adoption of the two plans in January 2017, and submission of this planning application, the Government has consulted on and released a revised National Planning Policy Framework (initially published in September 2018, with further very minor amendments released in February 2019). The revised National Planning Policy Framework (NPPF) focuses on:
- Promoting high quality design of new homes and places
  - Stronger protection of the environment
  - Building the right number of homes in the right places
  - Greater responsibility and accountability for housing delivery from councils and developers
- 4.9 Possibly the biggest change in the 2018 NPPF has been a new methodology to determine the number of homes that should be delivered through what is known as the standard method for assessing local housing need. This has been introduced to provide clarity and certainty on the controversial matter of how many homes an area should be planning for, which previously took much time, effort and resources to address and reach agreement on. The new methodology uses Government produced household growth projections, and then applies an adjustment factor to these using affordability data from ONS, to give the Local Housing Need figure.
- 4.10 For Bromsgrove over the 10 year period 2018-2028, the new methodology for housing need gives an annual basic housing need of 379 homes per annum, not dissimilar to the 368 dwellings per annum (7000 homes to be delivered over 19 years) currently being planned for in the BDP to 2030. However for the same period in Redditch, the new methodology gives an annual basic housing need of 181 homes per annum, far lower than the 337 homes (6400 homes to be delivered over 19 years) currently being planned for. This has caused some to question the need for sites in Bromsgrove District to be used to meet Redditch's unmet need, if Redditch Borough's overall housing need has fallen from that previously determined and used for plan making purposes.

- 4.11 The new standard methodology is however only the starting point for determining the number of homes to plan for. The standard method gives a minimum starting point in determining the number of homes needed in an area and it should be emphasised that it is not a housing requirement.
- 4.12 The number of homes needed only emerges once other factors which may give rise to higher housing need than in the past (such as growth strategies for the area, strategic infrastructure improvements driving up the demand for homes or an agreement for an authority to meet unmet need from a neighbouring authority) have been considered on top of the basic need figure and the local authority has set the figure in its plan. It should also be remembered that the housing need figure generated using the standard method may change as the inputs are variable. The affordability ratios from ONS are updated annually and new household projections are released every few years.
- 4.13 Whilst there has been a significant change in the way Government expects housing need to be calculated for plan-making purposes, this does not alter the current local policy backdrop for this planning application.
- 4.14 Planning applications should be assessed against the statutory development plan for the area, which for Bromsgrove is the BDP. The BDP allocates the Foxlydiate site for development to meet the needs of Redditch Borough and that cannot be changed until the plan is formally reviewed. A review of the Bromsgrove District Plan has commenced and is in the early stages, with adoption of the plan not expected until 2022.
- 4.15 The review of the BDP will look ahead for a minimum period of at least 15 years and will utilise the new standard methodology when setting a housing requirement. Only at this time and through the formal plan-making process, which culminates in an examination before a Government appointed Inspector, can the issue of unmet need from neighbouring authorities (whether this be Redditch or from the West Midlands conurbation) be assessed and an appropriate policy response determined.
- 4.16 A review of the Borough of Redditch Local Plan No.4 is not programmed at present, however circumstances may change. Bromsgrove District Council will have the same requirement under the Duty to Cooperate to work with neighbouring authorities on cross-boundary matters throughout the plan review process, just as it did during the preparation of the BDP. As further evidence is gathered and the housing need figure for Bromsgrove evolves into a housing requirement policy for the plan, consideration will be given to the supply and demand for new homes across the Redditch and Bromsgrove areas, including possible consideration of the 'ownership' of cross-boundary development sites.

## **5.0 Principle of Development**

- 5.1 When the allocation was proposed in the emerging Bromsgrove District Plan, the land including the application site was still within the statutorily designated Green Belt. A number of the representations received in respect of the application make reference to the loss of Green Belt. However, with the adoption of the Bromsgrove District Plan in 2017, the site was taken out of the Green Belt. Those objections

are therefore considered to have been overtaken by the material change in circumstances which has subsequently occurred.

- 5.2 Accordingly, the development no longer falls to be assessed as development within the Green Belt as a matter of fact. For the avoidance of doubt, a refusal of this application would not have the effect of restoring the Green Belt designation which once existed. Nor would it alter the current District Plan allocation of this site for development.
- 5.3 Notwithstanding the change in methodology used as a starting point for calculating housing need; using the most up to date monitoring information at April 2019, neither Bromsgrove District Council nor Redditch Borough Council can demonstrate a 5 year supply of deliverable housing land sites. This means that paragraph 11d of the National Planning Policy Framework is engaged for the reasons set out below.
- 5.4 Paragraph 11 as a whole sets out a presumption in favour of sustainable development and the second part for Decision-Taking states –
- “For Decision-Taking this means:*
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i) the application of policies in this Framework that protect areas or 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.”*
- 5.5 Footnote 7 of the NPPF states that *“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer as set out in paragraph 73)”*. Therefore the presumption in favour of sustainable development is engaged by reason of the inability of Bromsgrove DC, as determining authority, and Redditch BC who’s housing need this site relates to being able to demonstrate a five year supply of housing land, and thus the most important policies for dealing with the application could be viewed to be out of date.
- 5.6 The trigger in paragraph 11d was perhaps drafted with speculative, non-allocated, windfall sites in mind and it is felt that sites such as Foxlydiate which benefit from inclusion in a development plan were not the intended focus of the test. These sites would be expected to be in accordance with the development plan and thus be approved “without delay” (paragraph 11c). Nonetheless, the Councils are in a position where they do not have a five year supply of housing sites, the site does not fall within an area protected by policies in the Framework as listed at footnote 6



(SSSI, Green Belt, AONB etc) and therefore, by default, paragraph 11d is engaged.

- 5.7 Determination of the application does not rest wholly on section 'd' of the NPPF above, as the policies within the development plan which do not restrict the supply of housing remain material and still carry substantial weight. However, mindful of the 5 year housing supply position for Redditch, the considerations under section 'd' take on added weight.

## **6.0 Affordable Housing**

- 6.1 Policy RBCD1 criterion I states that

*"The residential development will reflect the local requirements as detailed in the most up-to-date Housing Market Assessment and comprise of up to 40% affordable housing with a flexible mix of house types and tenures;"*

- 6.2 The affordable housing target reflected in that policy does not reflect up to date advice from Government regarding vacant building credit.

- 6.3 Paragraph 63 of the NPPF states that:

*"To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount." (equivalent to the existing gross floorspace of the existing buildings. ) This does not apply to vacant buildings which have been abandoned.*

- 6.4 Further guidance to that contained within Paragraph 63 of the NPPF which allows for a 'Vacant Building Credit' to be applied to any such proposals can be found at Paragraph 21 (reference ID:23b-021-20160519) of the National Planning Policy Guidance which states:

*"National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought"*

- 6.5 Accordingly, the Guidance requires a 'credit' to be applied which is the equivalent of the gross floorspace of any vacant building being re-used as part of the scheme and deducted from the overall affordable housing calculation.

- 6.6 The consequence of applying the vacant building credit is that the requirement for affordable housing is reduced to 36.5% which equates to 23 units.

## **7.0 Loss of Agricultural Land**

- 7.1 Paragraph 170(b) of the NPPF as amplified by Footnote 53 of the NPPF states that –

*“Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.”*

7.2 There is no evidence that the housing needs of Redditch can be met by avoiding development of such best and most versatile land having regard to the extent of the designated Green Belt. The loss of such land constitutes a dis-benefit of the proposal but not one which would justify refusal when balanced against issues of 5 year housing land supply and the limited availability of land to meet such need. The Local Plan’s Inspector was aware of this issue when he endorsed this site for residential development in the plan.

## **8.0 Efficient Use of Land**

8.1 Overall, the density of development equates to approximately 27 dph (dwellings per hectare).

8.2 It is considered that the density of development is acceptable in this location. The development responds to the identified constraints whilst demonstrating efficiency in terms of land use.

## **9.0 Transportation, Accessibility and Connectivity**

9.1 Policy RBCD.1 criterion II states that –  
*“An overall Transport Assessment will be produced taking account of the prevailing traffic conditions and the individual and cumulative effects of development on transport infrastructure. This will define the mitigation necessary to protect the safety and operation of the road network, including sustainable travel measures and any new and improved access arrangements”*

9.2 In a letter dated 14 August 2020, in their role as Highway Authority WCC provided their consultation response for 19/01356/FUL and concluded that, *“under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 recommends that this application is refused”*.

9.2 In addition, WCC stated that, *“Based on the analysis of the information submitted the Highway Authority concludes that there would be conflict with paragraph 110 of the National Planning Policy Framework and therefore recommends that this application is refused”*.

9.3 WCC stated in their letter dated 14 August 2020 that the, *“proposed layout fails to accord with the adopted streetscape design guide, a list of difficulties is provided:*

*1. It is unclear to what street design type this road has been designed to.*

*2. No refuse vehicle tracking is provided, and the turning heads appear to be substandard.*

*3. Forward visibility splays have not been shown through the S bend.*

4. *The car parking spaces are on the incorrect ratios for 4-bedroom units and the dimensions of the parking spaces are not to standard.*
5. *The cycle parking is unacceptable as the spaces are not accessible due to the convoluted access routes to rear gardens that include 90 degree turns.*
6. *The connection to the wider Foxlydiate residential development is proposed as a 2m footway, whereas a 3.5m active travel corridor is required.*
7. *Additional details are required on the suitability of the access to Springhill Farm. The angle of access to the prospective highway is not at 90 degrees to the kerb line and the size of the vehicles using the access is unclear”.*

9.4 In addition, WCC state that they have received revised drawing submissions, which have been appraised, and have the following advice (of which WCC have significant concerns regarding points 8 and 9):

1. *The 25m forward visibility and visibility splays shown are acceptable however there will be a need to slightly widen the footway at the junction to facilitate the whole of the splay*
2. *The block paving within the carriageway turning head and at entrance are not necessary and should be removed*
3. *If Road 2 is a shared surface then the junction block paving should be removed*
4. *The provision of Road 2 as a shared surface would be dependent upon a suitably lit carriageway which may not be the case if there are ecological reasons preventing this*
5. *WCC do not wish to adopt the ped cycle link until an approved masterplan of the major development has been submitted which shows it connecting through*
6. *If the surface materials plan needs to be specific to construction, then it should refer to the WCC Standard Detail*
7. *Details of the highway surface water outfall proposals should be confirmed. It is noted that swales and balancing ponds are shown which will not be adopted by the Highway Authority*
8. *Vehicular access to the pumping station includes part of the ped/cycle route which is not acceptable*
9. *Farm access junction is still unsatisfactory*

9.5 The proposal, in addition to the comments of WCC Highways have been reviewed by the Council's Highway Consultant who endorse the recommendation that planning permission should be refused as a consequence of these deficiencies.

- 9.6 Policy RCBD1 criterion XII. Requires that “All development must be of a high quality design and locally distinctive to its surrounding rural and urban character; contribute to the areas’ identity and create a coherent sense of place; and respect and enhance the setting of any heritage asset. **There should be a continuous network of streets and spaces, including the provision of public open spaces, creating a permeable layout with well-defined streets; (my emphasis)**
- 9.7 At the time of preparing this report officers were in on-going discussions with the applicant regarding the form and position of this connection to the wider scheme, however the Highway Authority are only seeking a pedestrian/cycle link between this scheme and the wider proposal. The other measures discussed above are to improve connectivity with the established development and facilities at Webheath.

## 10.0 Heritage Assets

- 10.1 Barn House Farm comprises a collection of historic barns converted to residential use, with more modern barns to the north. The First edition of the OS of 1885 suggests that originally, the buildings, constructed in brick beneath pitched tiled roofs, were part of the Springhill Farm complex located to the south (outside the application site). The Archaeological Report submitted as part of this application shows that the buildings associated with Barn House Farm were extant at the time the Tithe Map of 1842, and Springhill Farm does not appear until 1885. It is not clear if Springhill Farm incorporated Barn House or whether they remained two separate units.
- 10.2 The proposal entails the demolition of all the existing buildings on the application site.
- 10.3 In terms of the historic environment, Policy RCBD1 criterion XV is relevant to consideration of this issue. It states:
- XV. To ensure the protection of Heritage Assets, future proposals including development boundaries should be in conformity with Policy BDP20 and informed by an understanding of the Setting of Heritage Assets set out in the most recent Setting Assessment(s) produced, or formally endorsed, by the Council in accordance with Current Historic England guidance.*
- 10.4 Policy BDP 20, parts 20.2 and 20.3 state the local authority will support development proposals which sustain and enhance the significance of Heritage Assets including their setting, this includes non designated heritage assets, and development proposals should not have a detrimental impact on the character, appearance or significance of the Heritage Assets. BDP20.17 requires that ‘Applications likely to affect the significance of known or potential Heritage Assets or their setting should demonstrate an understanding of their significance in sufficient detail to assess the potential impacts. This should be informed by available evidence and, where appropriate, further information to establish significance of known or potential Heritage Assets.’
- 10.5 The BDP policy position is supported by Paragraph 189 of the NPPF which states, “In determining applications, local planning authorities should require an applicant

*to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary."*

10.6 Paragraph 192 of the NPPF then states

*" In determining applications, local planning authorities should take account of:  
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.'*

10.7 Finally Paragraph 197 states,

*"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

10.8 The buildings are non-designated assets and your officers consider that the scale of the harm arising from their loss would not outweigh the benefit of redevelopment of the site for housing.

10.9 In terms of Archaeological Survey and Recording of Heritage Assets, the County and the Borough have a responsibility to protect, either by preservation or record, cultural remains within their jurisdiction and this is emphasised by the National Planning Policy Framework section 12, paragraph 128:

*"Where a site on which development is proposed includes or has the potential to heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation";*

10.10 Paragraph 141 states.

*".... They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted."*

10.11 Accordingly, and in conjunction with the advice from Worcestershire Archaeological Service, a condition could be imposed to secure recording of the non-designated asset prior to demolition.

10.12 It is considered that the proposed development would not conflict with the relevant legislation cited above and would accord with the requirements of the development plan in respect of RCBD1 XV and BDP20.

## **11.0 Air Quality**

- 11.1 Worcestershire Regulatory Services were consulted on the application. The site does not form part of or is situated in the immediate vicinity of a known Air Quality Management Area (AQMA)
- 11.2 Nonetheless, in order to mitigate the impact of development, air quality mitigation measures which seek to promote sustainable travel and low emission boilers are advised. It is considered that these measures could be secured by condition and would comply with Policies BDP1.4(b), BDP19 (s)(i) (ii).

## **12.0 Green Infrastructure**

- 12.1 Policy RCBD1 criterion XII. Requires that *“All development must be of a high-quality design and locally distinctive to its surrounding rural and urban character; contribute to the areas’ identity and create a coherent sense of place; and respect and enhance the setting of any heritage asset. There should be a continuous network of streets and spaces, **including the provision of public open spaces**, creating a permeable layout with well-defined streets; (my emphasis)*
- 12.2 The site includes some limited open space at the western end, but would include a link through the larger site in order for future residents to make use of the public open space.

## **13.0 Ecology**

- 13.1 Policy RCBD1.9 (V) states that

*“Both sites will have an overall Strategy and Management Plan for Green Infrastructure which maximises opportunities for biodiversity and recreation, whilst protecting existing biodiversity habitats and landscape geodiversity. Green Corridors should be created around Spring Brook in Site 1 Foxlydiate and the Red Ditch in Site 2 Brockhill. Both sites should be sensitively designed to integrate with the surrounding existing environment and landscape. In particular, development should be respectful and sympathetic to the topography of the sites, with no development on prominent ridge lines and where appropriate retain tree lined boundaries”*

- 13.2 Subject to the recommendations of the Council’s Ecological consultant there are no objections on ecological grounds that would warrant refusal of the application.

## **14.0 Water Management and Flood Risk**

- 14.1 Policy RBCD.1 criterion VIII. states *“SuDS proposals on Site 1 must provide an appropriate level of treatment to avoid pollution risks to controlled waters, and be designed to achieve the greenfield rate of run-off, maximise recharge to the underlying aquifer and support water levels in the Bow Brook. In accordance with the objectives of the Water Framework Directive, development should ideally contribute towards the improvement of, but as a minimum not have a deteriorative effect on, the water bodies associated with the site;”*

- 14.2 A ground conditions assessment has been undertaken (in accordance with relevant planning and technical guidance) in relation to potential impacts on human health from soil contamination, risks from ground gas, and the potential effects on Controlled Waters receptors.
- 14.3 Based upon the information available at this stage, there are no potential issues or concerns at the site that cannot be successfully managed and/or mitigated that would preclude the possibility of the proposed development. An appropriate investigative condition is recommended to address this issue.
14. The Sustainable Drainage Systems (SuDS) is incorporated into the drainage strategy. The benefits of SuDS can be split into four pillars: water quantity, water quality, amenity and biodiversity – so the inclusion of SuDS within the drainage design will ensure that surface water runoff from the site is treated prior to outfalling into the Spring Brook. In offering water quality benefits, SuDS help manage the quality of runoff from a site in order to prevent pollution.
14. The surface water runoff from the site is passed through appropriate levels of treatment prior to leaving the site. The detention basin will provide one level of treatment, by allowing particulates and pollutants to naturally settle out by gravity. Additionally, some particulates will break down as the basin dries between events, hence pollutants will not reach the Spring Brook.
14. The use of pervious paving across car parking areas and private driveways will provide further water quality treatment benefits. Such surfaces have been shown to reduce the pollutant loading to the downstream receiving watercourse, by contributing to the reduction in elements such as heavy metals, oils and grease. The exact benefits of pervious paving vary according to its construction, but water quality benefits can be achieved by either the filtration or absorption of pollutants.

## **15.0 Landscape, Visual Impact**

- 15.1 Policy BDP 1.4 states that *“In considering all proposals for development in Bromsgrove District regard will be had to... f) The impact on visual amenity”*
- 15.2 The site is not subject to any special landscape designation and is well screened from the public highway. Peripheral trees and hedgerows are largely retained and would soften the appearance of the two-storey development. Accordingly. The proposal would accord with the development plan in this respect.

## **16.0 Design**

- 16.1 Policy RCBD1 criterion XII states that *“All development must be of a high quality design and locally distinctive to its surrounding rural and urban character; contribute to the areas’ identity and create a coherent sense of place; and respect and enhance the setting of any heritage asset. There should be a continuous network of streets and spaces, including the provision of public open spaces, creating a permeable layout with well-defined streets”*

- 16.2 The proposed dwellings incorporate a variety of designs which follow a 1930's architectural aesthetic and follow the principles set out in the Council's adopted Design SPD. There is no objection to the proposal in terms of the character and appearance of the development.

## **17.0 Residential Amenity and Public Safety**

### Construction Phases

- 17.1 The primary source of potential harm to residential amenity would arise during the construction phase of the development, both to existing residents in the established residential dwellings surrounding the site, and predominantly along Foxlydiat Lane, but also to future occupiers of the development as the development progresses and new residents move into homes which will border parts of the development still under construction.
- 17.2 In order to mitigate harm during the construction phase, a robust Construction Environmental Management plan is required which will seek to mitigate matters such as hours of working / deliveries of materials and mitigation measures for noise, dust and vibration. Inevitably with any development there will be an element of disruption. That is not a reason to withhold planning permission, otherwise no residential development could be delivered. Neither the Highway Authority or the Council's independent highway consultant has raised explicit objection with respect to the existing access being used for construction purposes. Any grant of permission would be subject to a construction environmental management plan being submitted to and approved by the Local Planning Authority before development commences. A condition is recommended to address this issue.

### Privacy Sunlight and Scale

- 17.3 The spatial relationship of any new development juxtaposed with the established development, at Springhill Farm, would not result in loss of amenity to the occupiers of that property and would therefore comply with the criteria based elements of BoRLP4 Policy 40 and BDP19.

## **18.0 Infrastructure Requirements**

- 18.1 Policy RCBD1 criterion XIII states that-  
*XIII. Development proposals should incorporate provision for any necessary infrastructure to be delivered in parallel with the implementation of new development;*
- 18.2 In broad terms the s106 would secure funding for a range of consequential requirements. These requirements are summarised in the following section of the report.
- 18.3 Paragraph 54 of the NPPF states that:  
*"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning*



*obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."*

18.4 Financial contributions to mitigate the impact of the development cannot be secured by condition, and consequently an obligation is required

18.5 Paragraph 56 of the NPPF states that :  
*"Planning obligations must only be sought where they meet all of the following Tests" (Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010):*

*a) necessary to make the development acceptable in planning terms;*

*b) directly related to the development; and*

*c) fairly and reasonably related in scale and kind to the development.*

### **Education Provision**

18.6 In response to the planning application the education obligation is calculated on 45 dwellings, allowing for the demolition of an existing property and 27 affordable rent properties. 8 x one-bedroomed dwellings are proposed as affordable rent properties and are discounted in the affordable rent properties. A re-assessment will be required if the number and/or tenure of the dwellings change.

18.7 An education contribution towards first school and middle school infrastructure will be sought. No obligation is sought towards Early Years, SEND school specific or High School provision.

18.8 First School Contribution

$45 \times 0.05 = 2.25$

$2.25 \times 5 \text{ year groups in the primary phase} = 11.25$

$11.25 \text{ rounded up to } 12 \times \text{£}17,008 = \text{£}204,096$

3 Subject to school places being available

18.9 Middle School Contribution

$45 \times 0.05 = 2.25$

$2.25 \times 2 \text{ year groups in the primary phase} = 4.5$

$4.5 \text{ rounded to } 5 \times \text{£}17,008 = \text{£}85,040$

Plus

$45 \times 0.04 = 1.8$

$1.8 \times 2 \text{ year groups in the secondary phase} = 3.6$

$3.6 \text{ rounded up to } 4 \times \text{£}23,302 = \text{£}93,208$

18.20 Total Contribution = £382,344

18.21 The contribution will be used to support improvements which may include additional or extended toilet accommodation, additional or extended classrooms, new or improved educational sports playing fields and/or infrastructure at:

- 18.22 First School Phase – at either Tardebigge CE First School, Webheath Academy, Our Lady of Mount Carmel Catholic First School or a new First school and nursery serving the Foxlydiate area
- 18.23 Middle School Phase – at either Birchensale Middle School, St Bedes Catholic Middle School or Walkwood CE Middle School
- 18.24 The contribution rate is applicable as at August 2019. Indexation will be charged from the date of the initial assessment.
- 18.25 Contribution to be paid on or before occupation of one third of dwellings. Payment in instalments will be considered but first payment must be received before occupation of one third of the dwellings and full payment must be received before occupation of the final dwelling.

#### Education Contributions CIL test compliance

#### *Necessary to make the development acceptable in planning terms*

- 18.26 All types of housing development will create additional households in the community in which they are situated. Except for developments aimed at specific sub-sections of the population, such as retirement apartments and one bed dwellings, these new households are likely to include children at some stage in the lifespan of the property. This increase in the child population will create additional demands on schools in the local area.
- 18.27 The mainstream Pupil Product Ratio (PPR) is based on evidence from recent housing developments, matching school census data and known children numbers to housing developments to determine average pupil numbers and characteristics over time. In Worcestershire, this equates to an average of 0.05 children per dwelling per year group in the primary phase of education (Year R - Year 6) and an average of 0.04 children per dwelling per year group in the secondary phase of education (Year 7 - Year 13).
- 18.28 Additionally, all new developments are assessed for the impact on SEND provision. The SEND PPR is based on the average percentage of pupils in Worcestershire requiring specialist education provision. This is based on the average percentage of pupils in Worcestershire with an Education Healthcare plan over the last 5 years, which is 3%. This percentage is significantly lower for children under the age of 5, therefore SEND provision will not be sought for early education places.

#### *Directly related to the development*

- 18.29 The County Council has identified the schools directly related to this development where they operate a catchment area as part of their admission criteria which covers the area in which the development is situated. Where schools are in close proximity to the development but do not operate a catchment area they may still be considered as related schools if they also meet the capacity criteria and can demonstrate a likely demand from families moving on to the development.

*Fairly and reasonably related in scale and kind to the development*

- 18.30 Education planning obligations will either be in the form of a financial contribution or as an in-kind payment by way of provision of land and/or school buildings. The level of contribution sought is determined by reference to a cost per pupil place, assessed on the size and type of dwellings proposed. One bedroom dwellings and specialist accommodation are exempted in recognition of their low pupil yield. Affordable housing that is specifically for the rental market and classified as affordable rent will be exempt however, all other dwellings will be chargeable.

### **Highway Contributions**

- 18.31 Without prejudice to the objection to the proposal in its present form, the County Highway Authority would seek an obligation for a contribution towards a range of off site highway improvements if Members would have been minded to grant planning permission. Without prejudice to the Council's position, the appeal process would entail the drafting and submission, of a s106 legal agreement to secure CIL compliant contributions in the event the Inspector decided to allow the appeal.

### **Outdoor Sports Facilities**

- 18.32 A contribution towards off site sports and recreation provision will be required as there is no on site provision. The details of which are to be confirmed.

### **Waste Collection**

- 18.33 Provision for the collection of waste

- i) Refuse Collection Vehicle (RCV) £88,536 prior to first occupation
- ii) refuse bins (1 x green bin / 1 x grey bin)  
£60 per dwelling  
Payable prior to occupation of 75% of dwellings on each Reserved Matter

### **Redditch Town Centre (Enhancement Contribution)**

- 18.34 The RBC endorsed Town Centre strategy, demonstrated a need for projects to take place to improve the town centre for residents. -
- 18.35 This need is set in the context of the town centre needing to maintain and enhance its role. Therefore for this development proposal to be as sustainable as possible, the future residents will rely on the town centre for a large proportion of their work, access to the train, shopping and leisure activities.
- 18.36 Therefore it is considered appropriate for new residential development to contribute to a these important town centre projects.
- 18.37 In concluding, the planning obligations to be collected as part of the scheme meet the tests in Regulation 122 of the CIL Regulations.

## **Worcestershire Acute Hospitals Trust (WAHT)**

18.38 In their representation of 24<sup>th</sup> April 2020, the WAHT seek a contribution of £42,223.80.

## **19.0 Planning Balance**

- 19.1 The delivery of housing is viewed by Government as being important and a critical component of delivering economic growth. Consequently, the benefits that would be secured through housing delivery must be given substantial weight.
- 19.2 The proposed development would deliver construction based jobs and would also create opportunities within the local supply chain and as a result of increased (induced) economic activity, derived from expenditure from new residents.
- 19.3 In addition to direct construction job creation, there would also be an indirect effect through the supply of materials and the expenditure of wages in the local economy.
- 19.4 The development would also generate additional household expenditure from new residents which would deliver direct benefits to local firms, as well as the wider economy.
- 19.5 The development would result in the loss of a non designated heritage asset in the form of a number of barns. This must be weighed against the significant social and economic benefits that delivery of residential led development could provide. Your officers do not consider that the harm resulting from the loss of this heritage asset is sufficient to warrant refusal on that ground, so do not advocate pursuing that as a putative reason at appeal.
- 19.6 Whilst the proposed development will result in loss of some BMV, again that is not considered to be a reason to withhold permission mindful of the sites allocation.
- 19.7 Whilst there would be significant benefits to be gained from the proposal these would not outweigh the harm identified in representations made by Worcestershire County Highway Authority and accordingly should be granted in accordance with the advice set out in paragraph 11 of the NPPF.

## **20.0 Conclusions**

- 20.1 The Foxlydiate site is a strategic mixed-use allocation in Bromsgrove District, located on the northwest edge of Redditch. It is allocated through policy RBCD.1 of the adopted Bromsgrove District Plan, for 2,800 dwellings and other supporting uses. As part of the plan-making process supporting the BDP, Bromsgrove District Council agreed through the Duty to Cooperate to assist Redditch Borough Council in delivering its housing target. In addition to the 2,560 dwellings already earmarked for the substantive scheme, this site has the potential to make a further significant contribution to towards the allocation being realised, with the balance in the number of dwellings from the allocation to be made up on sites outside of the control of the current applicant.

- 20.2 However, having regard to the NPPF, BDP and all other material considerations that have become evident through consideration of this application, it is concluded that the highway harm identified significantly and demonstrably outweighs the benefits, as set out in terms of the presumption in favour of sustainable development test in paragraph 11 of the Framework, such that it is concluded that the application should be refused in line with the adopted Local Plan and National Planning Policy Framework.
- 20.4 It is recommended that permission be Refused.

**RECOMMENDATION:** that Full Planning permission be **REFUSED**

1. The proposed highway design would conflict with Policy BDP1.4(a), Policy RCBD1 and Policy BDP16.1 and BDP19 of the Bromsgrove District Plan paragraphs 109 and 110 of the National Planning Policy Framework resulting in an unacceptable impact on highway safety.

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19/01356/FUL

Barn House Farm, Foxlydiate Lane

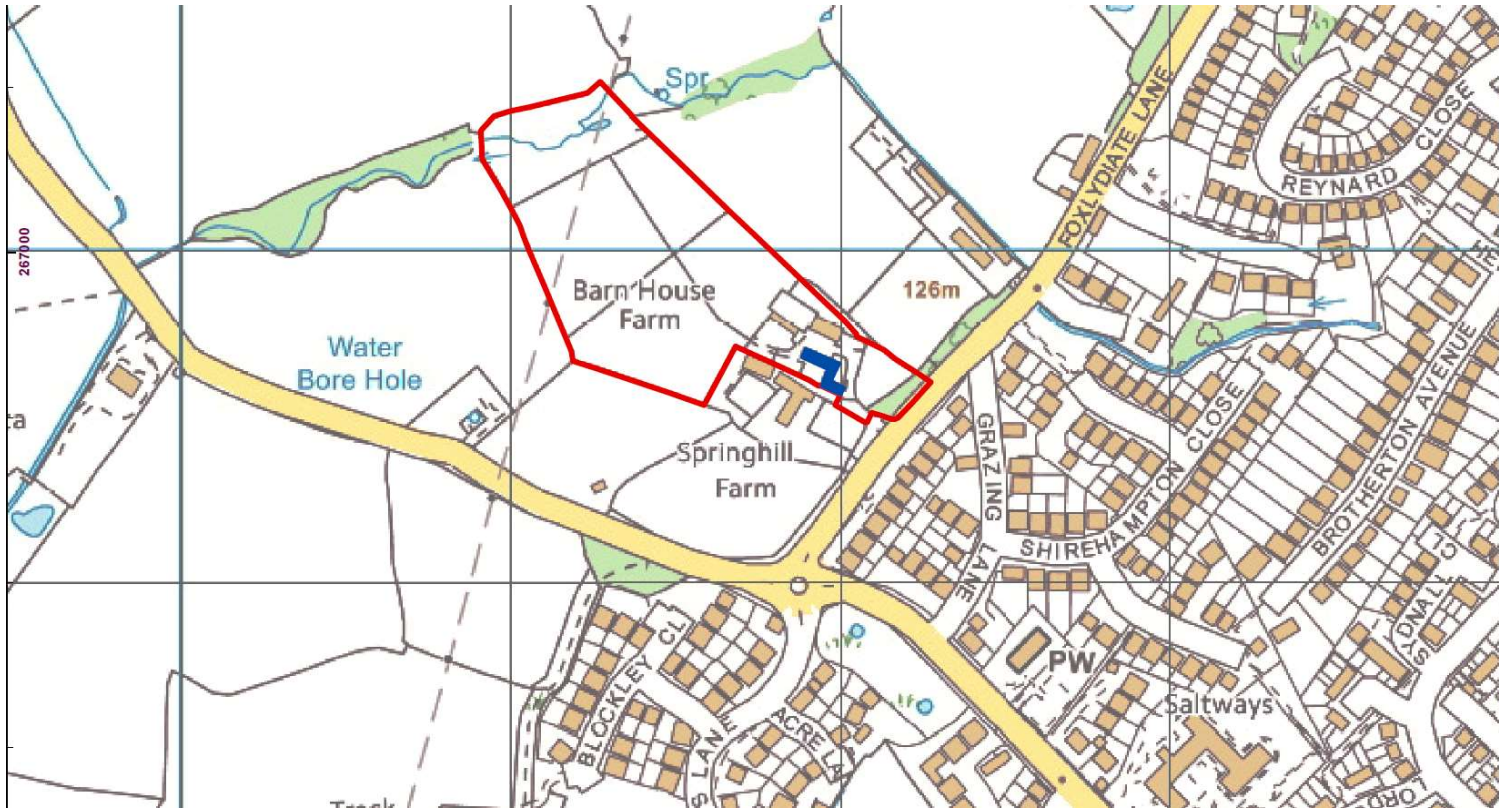
Redditch Worcestershire

B97 5PB

Full Planning Application for the demolition of existing buildings and the development of 63 dwellings with associated public open space and infrastructure

Recommendation: Refuse

# Location Plan





# Aerial Photograph

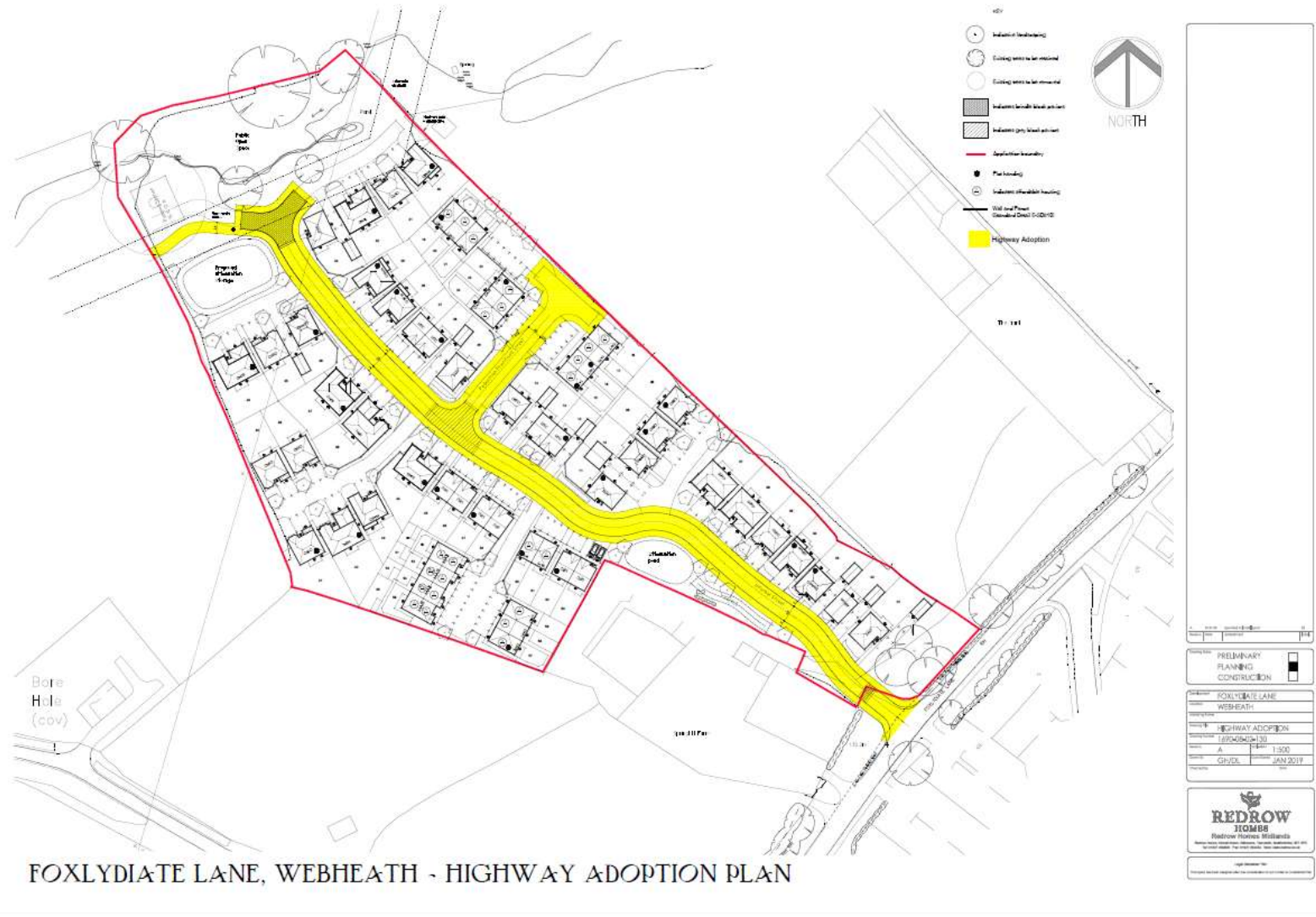






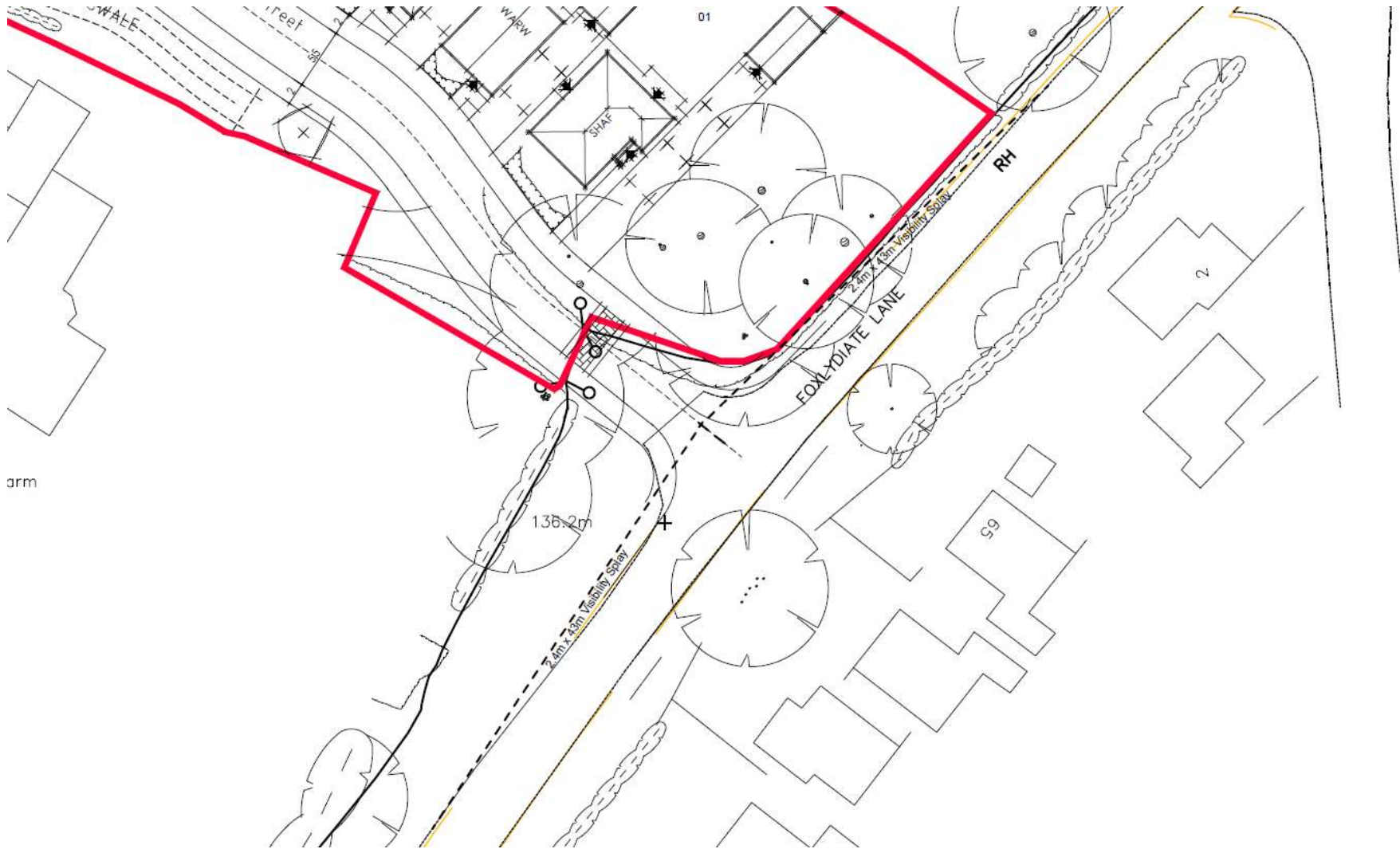
# Highway Adoption Plan

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FOXLYDIATE LANE, WEBHEATH - HIGHWAY ADOPTION PLAN

# Visibility Splay



# View looking north on Foxlydiate Lane with access to left



# View looking south on Foxlydiate Lane with access to right



# Street Scenes

SCENE A-A



SCENE B-B



SCENE C-C

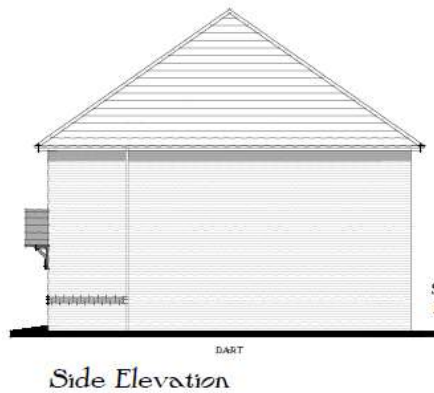
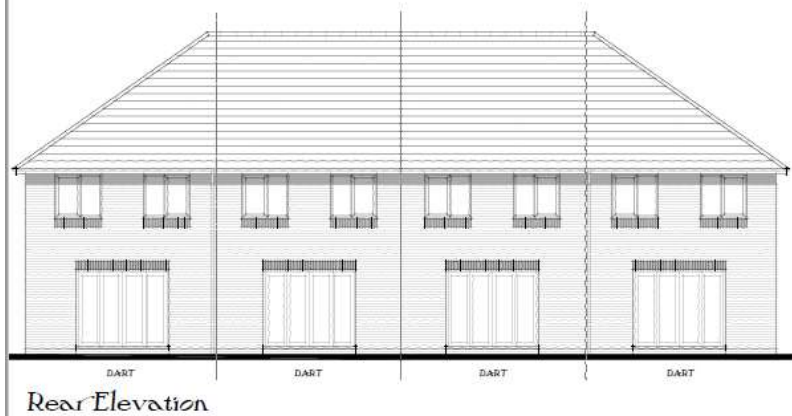
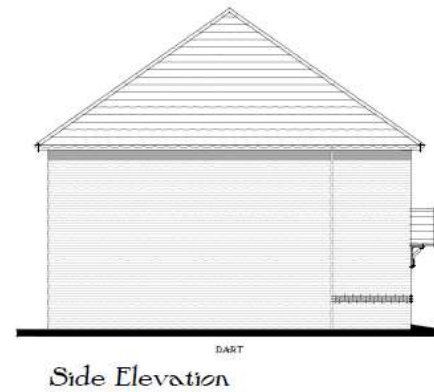


SCENE D-D





# House Types



The Dart  
Heritage Collection  
"2017 Edition"

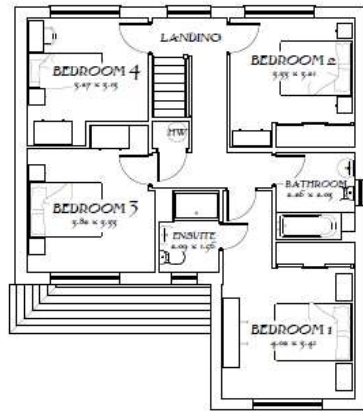
EF Series  
Dart  
Structural finish: 905sqft 84.09m<sup>2</sup>  
Internal finish: 890sqft 82.72m<sup>2</sup>  
DATE: May 2017  
REV: -

EF\_D04\_M.2  
EF\_DART\_EM.3  
EF\_DART\_MM.3

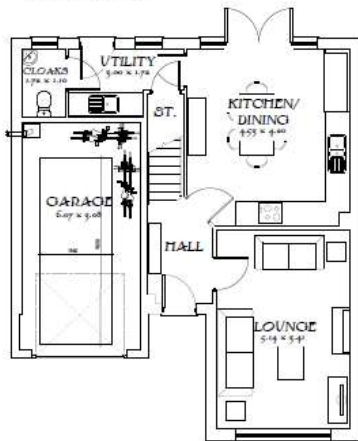
Drawing Scale 1:100 @ A3



# House Types



First Floor



Ground Floor



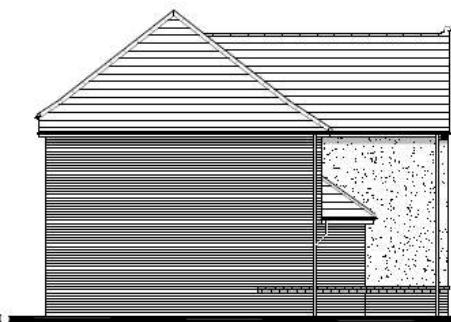
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

The Marlow  
Heritage Collection  
"2017 Edition"

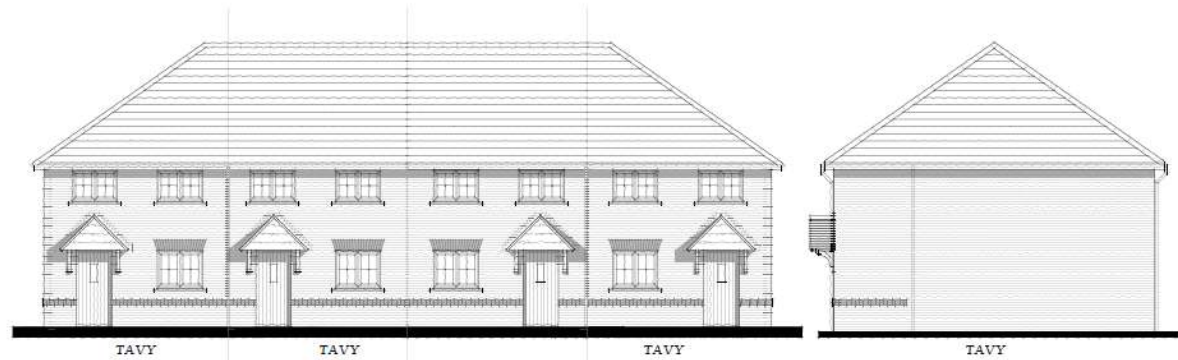
EF Series Render (A1)  
1289sqft 119.79m<sup>2</sup>  
DATE: November 2017  
REV: -

EF\_MARO\_DM1

Drawing scale 1:100 @ A3

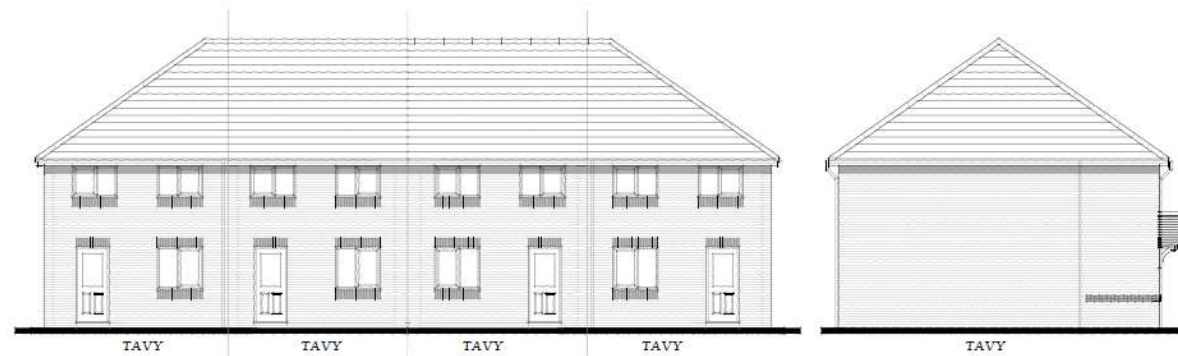


# House Types



Front Elevation

Side Elevation



Rear Elevation

Side Elevation

The Tavy  
4 Block  
Heritage Collection  
"2017 Edition"

EF Series  
TAVY  
Structural finish: 832sqft 77.33m<sup>2</sup>  
Internal finish: 818sqft 76.02m<sup>2</sup>

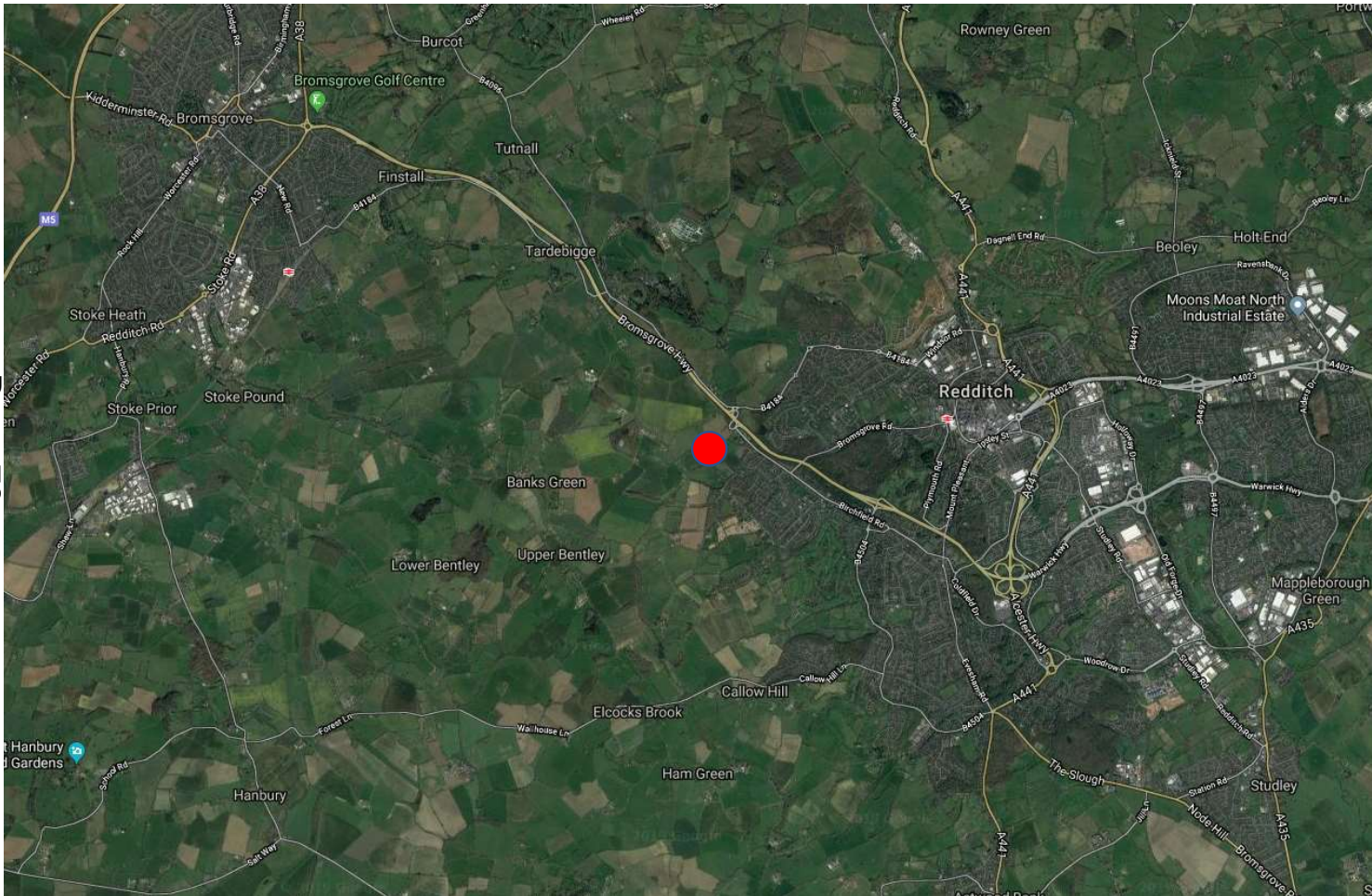
DATE: May 2017  
REV:

EF\_TTV\_M3  
EF\_TAVY\_EM3  
EF\_TAVY\_MM3

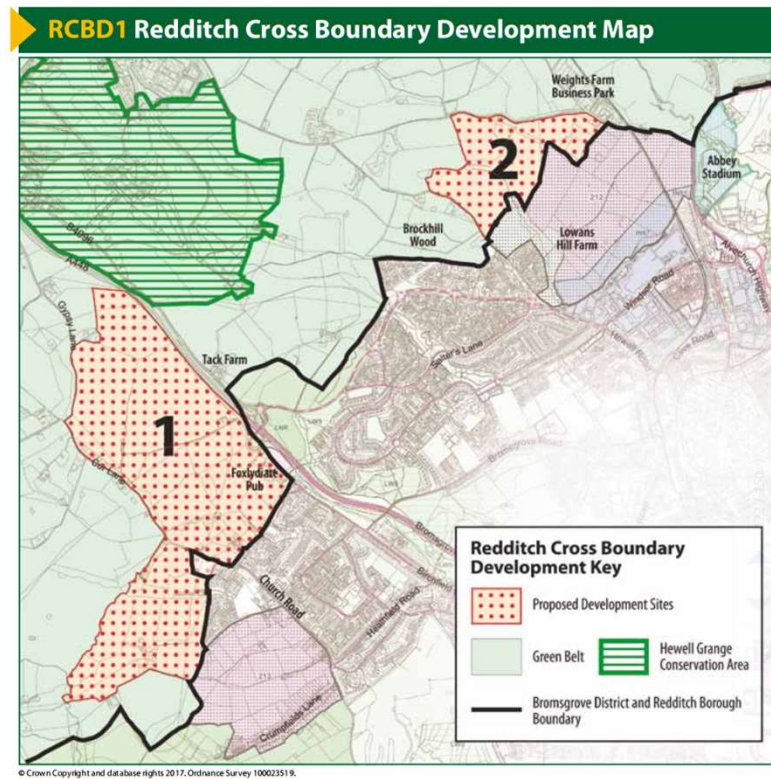
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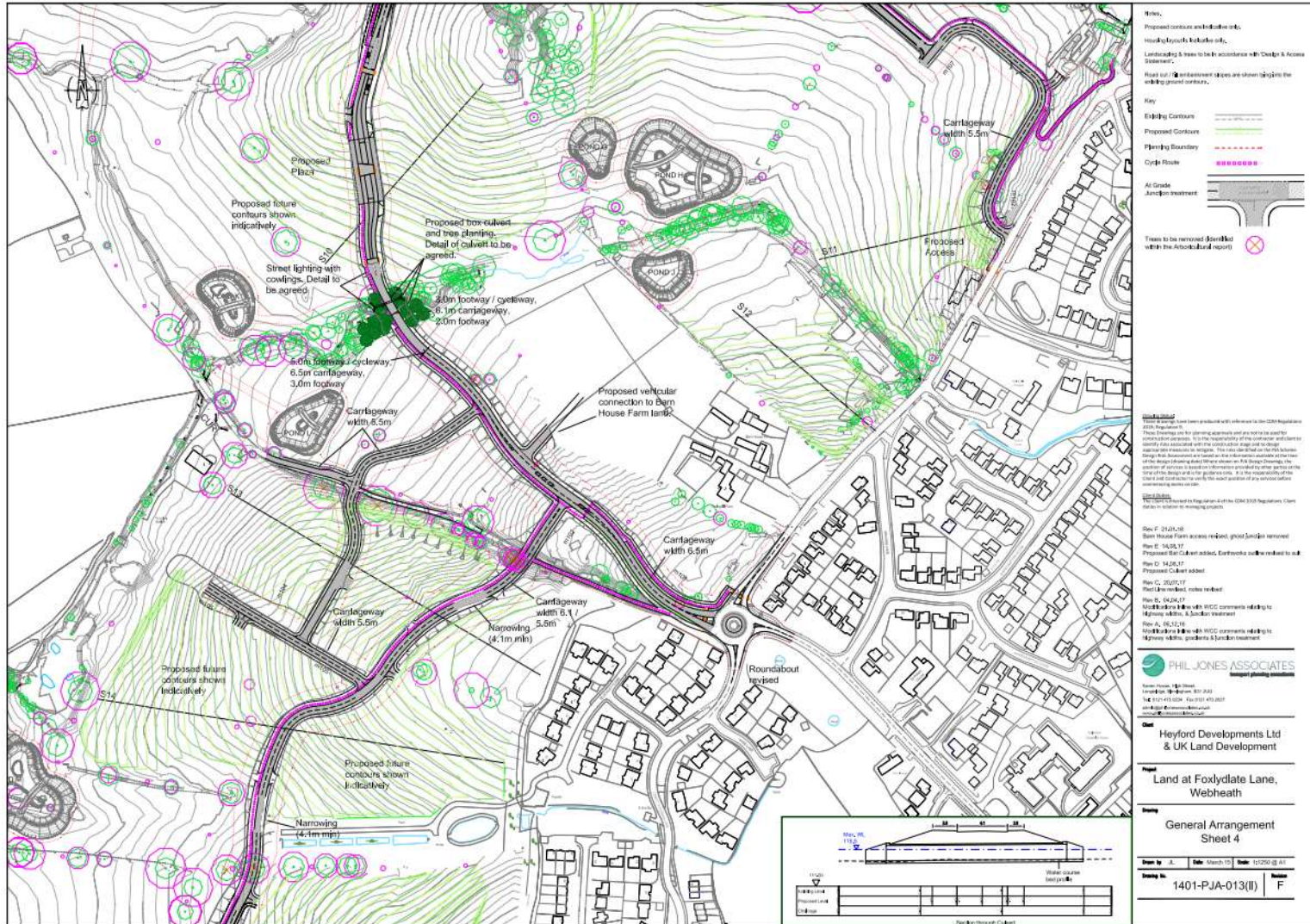
# Context



# Extract from Bromsgrove District Plan



# Plan showing potential connection point from Larger Scheme



Looking north-east at the eastern elevation (bays 2-4) and gabled-end of Barn House.



Looking west at the western elevation of Barn House (centre bays 2 and 3), the attached stable block (LHS), detached outbuilding on (RHS) and small yard.





Looking south from Barn House yard towards the northern (rear) elevations of Springhill Farmhouse, attached nineteenth-century cowhouse (RHS) and c.twentieth-century outbuilding (LHS).



Looking west at the western elevation of Barn House -showing the surviving timber-frame on the second bay.



Looking roughly north at the southern extension (mid-to-late nineteenth century) to Barn House. Modern access to Barn House (RHS) and historic access to Springhill Farm (LHS).



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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Emma Whitehouse	Demolition of function room to the rear and erection of up to 20 apartments with associated infrastructure.  Rubery Social Club 141 New Road Rubery	14.8.20	20/00198/OUT

## **RECOMMENDATION:**

(a) Minded to **GRANT** outline planning permission

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

1. A contribution towards off-site public open space (£40 per square metre of created floor space);
2. Contribution to provision of refuse and recycling bins;
3. £7,570 to meet additional demand on local GP practices;
4. A financial contribution of up to a maximum of £3,478.44 to meet annual shortfalls in NHS Service revenue
5. Affordable housing provision in the event of the proposed gross floor area exceeding that of the existing building proposed for demolition (following application of Vacant Building Credit);
6. S106 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 Agreements are met).

(c) And that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report

## **Consultations**

### **Highways - Bromsgrove**

No objections subject to conditions to secure electric vehicle charging points, cycle parking, a Residential Welcome Pack and a Construction Environmental Management Plan.

### **Waste and recycling**

No objection subject to details of bin storage and collection areas.

### **WRS – Noise**

The submitted noise assessment appears satisfactory. The assessment predicts that with the installation of suitable glazing and mechanical ventilation products internal noise

levels will be acceptable. In terms of external noise levels, the installation of the proposed acoustic fence will minimise noise levels in the external amenity area and is also considered acceptable.

A noise mitigation strategy should be secured by way of planning condition.

When the applicant has decided which glazing and ventilation products are to be installed the applicant shall confirm, via their acoustic consultant, that they will meet the required sound reduction performance detailed in Table 14 and the final paragraph of Section 7.4. Additionally a review of mechanical noise from external system elements should be carried out to ensure that noise levels do not adversely impact upon existing nearby residential properties.

Full details of the height, extent, construction and surface density (min 12kg/m<sup>2</sup>) of the proposed acoustic fence shall be submitted for approval.

### **Affordable Housing**

Is a relatively small site, so some concerns re the affordable housing. However, the need for affordable units has been recognised at the outset and also that the idea of low-cost discounted sale has been proposed as a practical solution to overcoming the issues of shared access and hallways etc. There is nothing of similar tenure in Rubery and I think this would be a welcome addition to the affordable housing being delivered in this specific area. Alternatively, no objection to application of Vacant Building Credit.

### **WRS – Land Contamination**

Due to the proximity to the historic Callowbrook landfill and two areas of unknown filled ground, it is considered necessary to condition the application requiring the applicant to incorporate gas protection measures within the foundations of the proposed new structure; or to undertake a gas risk assessment to ascertain if gas protection measures are required.

### **Bromsgrove and Redditch CCG**

Redditch and Bromsgrove CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The proposed development is likely to have an impact on the services of 2 GP practices (Cornhill Surgery and New Road Surgery). The GP practices do not have capacity for the additional growth resulting from this development. CCG calculates the level of contribution required in this instance to be £7,570, which will be towards physical expansion across existing premises or towards new and additional premises.

### **Worcestershire Acute Hospitals NHS Trust**

The contribution requested for this proposed development of 20 dwellings is £3,478.44. This contribution will be used directly to provide additional services to meet patient demand.

### **County Education**

The proposal as submitted sits in the educational district of Rubery and in the school catchment areas of Beaconside Primary School & Nursery and Waseley Hills High School. It is estimated that the proposed pupil yield from one bedroomed apartments will be low and have minimal impact on early years provision and primary, secondary and

SEN phases of education infrastructure. Therefore, a S106 obligation will not be sought towards education contribution on the proposals as submitted.

## **Leisure Services**

Anecdotal requests for outdoor fitness in Rubery - existing small provision in St Chads Park but no provision in Callowbrook Park. Both parks are within easy walking distance to the development.

Financial contribution funding would support the age appropriate group for apartments. Outdoor fitness provides opportunity for all age ranges to participate in fitness outdoors which is free of charge and engages communities to be outdoors and active the outdoor space and provision will potentially have higher demand in future.

## **Council's appointed ecologist**

No objection to the conclusions of the submitted Preliminary Ecology Appraisal and that artificial bird and bat roost boxes are incorporated as part of the development, to be secured by way of planning condition.

## **Tree Officer**

No objection to the proposed development with regards to tree related issues with the following conditions:

- Should the development seek to lift and re-lay the existing car parking it should be done using a 'no-dig' method of construction where the carpark encroaches into the BS5837:2012 RPA of the 2 Oak trees, using a suitable grade of cellular confinement material twinned with a porous top surface.
- The two Oaks are protected throughout all phases of development in accordance with BS5837:2012

## **Crime Prevention**

No objection

## **North Worcestershire Water Management**

The site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding. The site lies adjacent to the Callow Brook, but as the adjacent land is at a lower elevation the site is not deemed to be at risk of flooding. That said, it is still important that access to the watercourse remains in order to allow for future maintenance, and ideally a minimum of 5m should be left between the watercourse and any building or structure.

Since this application is classed as a major development there is an expectation for the use of SuDS (sustainable drainage techniques), and a reduction in the rate and volume of surface water leaving the site, ideally through a reduction in impermeable surfaces and the introduction of some landscaped areas.

Porous paving for the parking bays and attenuation crates to manage surface water should be considered. It is understood that the underlying soils will not be suitable for infiltration, and due to known flood risk in the area NWWM would be willing to overlook

the usual drainage hierarchy and allow an attenuated flow of storm water into the storm sewer network provided STW are in agreement. However NWWM would not be comfortable with storm water entering the foul network, and in this case storm water may - again subject to attenuation - be discharged into the adjacent Callow Brook.

A development, with carefully designed drainage, could go ahead without any drainage or flood risk impact, therefore no objections, subject to approval of a site drainage strategy to be secured by way of planning condition.

## **Cadent Gas**

It is likely that Low or Medium pressure (below 2 bar) gas pipes and associated equipment is in the vicinity of the proposed works.

## **Publicity**

A total of 18 letters were originally sent on 28<sup>th</sup> February 2020 which expired on 23<sup>rd</sup> March 2020.

A site notice was displayed on 2<sup>nd</sup> March 2020 and expired on 26<sup>th</sup> March 2019.

The application was advertised in the Bromsgrove Standard on 6<sup>th</sup> March 2020, expiring on 23<sup>rd</sup> March 2020.

No representations received.

## **Relevant Policies**

### **Bromsgrove District Plan**

- BDP1 – Sustainable Development Principles
- BDP2 – Settlement Hierarchy
- BDP6 – Infrastructure Contributions
- BDP7 – Housing Mix and Density
- BDP8 – Affordable Housing
- BDP12 – Sustainable Communities
- BDP16 – Sustainable Transport
- BDP18 – Local Centres
- BDP19 – High Quality Design
- BDP21 – Natural Environment
- BDP22 – Climate Change
- BDP23 – Water Management
- BDP25 – Health and Well Being

### **Others**

- NPPF – National Planning Policy Framework
- NPPG – Planning Practice Guidance
- National Design Guide
- High Quality Design SPD
- SPG 11 – Outdoor Play Space (2004)

## **Relevant Planning History**



No relevant planning history

## **Assessment of Proposal**

### **Site and surroundings**

Rubery Social Club is on level ground on the north side of New Road and is set within the Local Centre shopping frontage. Bounding the rear of the site is the A38 and Callow Brook

### **Proposal**

The application is in outline with all matters reserved except means of access. The proposal will involve the demolition of the main function room building at the rear of the social club. An illustrative plan has been submitted to show how the site could be developed with a single block of 20, 1xbed apartments and associated parking, utilising the existing access off New Road.

#### **Principle of development**

The application site is on previously development land within the settlement boundary of Rubery, identified as a 'large settlement'. The proposal is therefore in a sustainable location and acceptable in principle in accordance with Policy BDP2 – Settlement Hierarchy.

#### **Loss of a community facility**

Policy BDP12 – Sustainable Communities seeks to ensure provision is made for services and facilities to meet the needs of the community. It also seeks to retain existing services and facilities that meet local need or ensure adequate provision is provided. It looks to resist the loss of existing facilities unless it can be demonstrated that;

- i) there is no realistic prospect of the use continuing for operational and/or viable purposes;
- ii) the service or facility can be provided effectively in an alternative manner or on a different site;
- iii) the site has been actively marketed for a period of not less than 12 months or made available for a similar or alternative type of service or facility that would benefit the local community
- iv) there are overriding environmental benefits in ceasing the use of the site.

The applicant has submitted that the large function room proposed for demolition is capable of seating 450 people, which, they say, makes it unattractive for social functions, weddings and other similar events. They describe it as having become a "white elephant", causing excessive financial pressure on the club itself. The main club is retained in the front buildings, which includes a smaller function room, bars and snooker facility.

Policy BDP12.3 says that when applying the tests to specific proposals the Council will have full regard to the specific characteristics, needs, service priorities and objectives of the service and/or organisation concerned.

I am satisfied that there is no realistic prospect of the function room continuing and that a more economically viable facility will be retained as part of the social club for the benefit of the community. I see no benefit in requiring the facility to be marketed for 12 months and a further delay may threaten the future viability of the social club itself.

I therefore raise no objection to the loss of the function room.

### Affordable Housing

The normal requirement under Policy BDP8 – Affordable Housing, is that 30% of the dwellings on-site should be affordable. The applicant has suggested two approaches in their submission. The first to provide six affordable dwellings (discounted market value), which is supported by the housing officer and the second to rely on vacant buildings credit, which effectively removes the requirement to provide affordable housing, an approach also supported by the housing officer.

I have accepted the latter option as there appears to be no clear reason why this should not apply. In order to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, paragraph 63 of the Framework says that the affordable housing contribution due should be reduced by a proportion equivalent to the existing gross floorspace of the existing buildings. As this is an outline application with layout reserved for subsequent approval, the final proposed floor space is not yet known. Provision should be made within the S106 Planning Obligation for when it is known, at which time any residual quantum of affordable housing can be calculated and secured as part of the development.

### Amenity

Policy BDP2 – Sustainable Development principles, seeks to ensure compatibility with adjoining uses with regards to impacts on residential amenity and Policy BDP 19 – High Quality Design makes specific reference at criterion (t) to maximising the distance between noise sources and noise sensitive uses, such as residential. The High Quality Design SPD also requires care to be taken in siting residential development where noise disturbance may be caused.

WRS have taken account of the submitted noise report in relation to the neighbouring A38 and concluded that with appropriate noise mitigation measures as recommended in the report, acceptable living conditions for future occupiers will be achieved. The proposal would therefore be acceptable in this regard.

### Highways

Policy BDP16 requires that development should comply with Worcestershire County Council's Transport policies, design guide and car parking standards as well as a series of more specific development requirements. In addition, paragraph 109 of the National Planning Policy Framework is clear that "*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*"

The Highway Authority, as statutory consultee, has raised no objection from a highway safety point of view and therefore I conclude the proposal would not reach the 'severe' threshold in terms of highway safety and therefore would not represent sufficient grounds for refusal.

## Flooding and Drainage

Policy BDP23 seeks to ensure, amongst other things, that development addresses flood risk from all sources and do not increase the risk of flooding elsewhere

The site lies adjacent to the Callow Brook, but as the adjacent land is at a lower elevation the site is not deemed to be at risk of flooding.

Since this application is classed as a major development there is an expectation for the use of SuDS (sustainable drainage techniques), and a reduction in the rate and volume of surface water leaving the site, ideally through a reduction in impermeable surfaces and the introduction of some landscaped areas.

Porous paving for the parking bays and attenuation crates to manage surface water should be considered. Given the understanding that the underlying soils will not be suitable for infiltration, and due to known flood risk in the area NWWM are willing to overlook the usual drainage hierarchy and allow an attenuated flow of storm water into the storm sewer network provided STW are in agreement. However NWWM would not be comfortable with storm water entering the foul network, and in this case storm water may - again subject to attenuation - be discharged into the adjacent Callow Brook.

A development, with carefully designed drainage, could go ahead without any drainage or flood risk impact, therefore no objections, subject to approval of a site drainage strategy to be secured by way of planning condition.

## Ecology

Given that demolition of a building is proposed, the Council's appointed ecologist requested a Preliminary Ecology Appraisal (PEA) be submitted. A PEA prepared by Worcestershire Wildlife Consultancy was submitted on the 9<sup>th</sup> September. It concluded that there were no obvious and immediate issues for the proposed works with regards to any protected species and no further dedicated surveys for any species were recommended.

It recommended that opportunities to enhance the ecology of the site should be in the form of bird and bat boxes and the northern boundary, which is adjacent to woodland, where it is possible bats may fly over/along, should be kept as free from artificial light as possible.

## Public Open Space

Policy BDP25 requires all new residential developments meet and contribute towards the qualitative, quantitative and accessibility standards set for the open space, sport and recreation facilities.

The proposal includes no on-site POS provision and therefore an off-site financial contribution would be required provided it satisfies the tests for a planning obligation, namely:

- necessary to make the development acceptable in planning terms;
- directly related the development; and
- fairly and reasonably related in scale and kind to the development

The Council works on the basis of £40 per square metre of created floor space, secured by way of S106 Planning Obligation. Leisure Services have reported anecdotal requests for outdoor fitness in Rubery – with existing small provision in St Chads Park but no provision in Callowbrook Park. Both parks are within easy walking distance to the development.

### Planning Obligations

In accordance with Policy BDP 6 – Infrastructure Contributions and Paragraph 56 of the Framework, planning obligations are sought to mitigate the impact of the development, if the application were to be approved.

The applicant has agreed in principle to the following contributions, to be secured by way of Section S106 Planning Obligation:

- A contribution towards off-site public open space (£40 per square metre of created floor space);
- Contribution for refuse and recycling bins;
- £7,570 to meet additional demand on local GP practices;
- A financial contribution of up to a maximum of £3,478.44 to meet annual shortfalls in NHS Service revenue
- Affordable housing provision in the event of the proposed gross floor area exceeding that of the existing building proposed for demolition (following application of Vacant Building Credit);
- S106 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 Agreements are met).

Bromsgrove District Plan BDP6 requires the provision of infrastructure to meet the demands of new development within the community.

### **Overall planning balance and conclusion**

The Framework requires that for decision taking a presumption in favour of sustainable development should apply, which means approving development proposals that accord with an up-to-date development plan without delay. The policies most important for determining the application are up-to-date and therefore the development should be approved.

### **RECOMMENDATION:**

(a) Minded to **GRANT** outline planning permission

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

1. A contribution towards off-site public open space (£40 per square metre of created floor space);
2. Contribution to provision of refuse and recycling bins;
3. £7,570 to meet additional demand on local GP practices;

4. A financial contribution of up to a maximum of £3,478.44 to meet annual shortfalls in NHS Service revenue
5. Affordable housing provision in the event of the proposed gross floor area exceeding that of the existing building proposed for demolition (following application of Vacant Building Credit);
6. S106 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 Agreements are met).

(c) And that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report

### **Suggested Conditions:**

1. Application(s) for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
  - (i) The expiration of three years from the date of this permission; or
  - (ii) The expiration of two years from the final approval of the reserved matters; or,
  - (iii) In the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Details of the appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development commences and the development shall thereafter be in accordance with the approved details.

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

3. The development hereby approved shall be carried out in accordance with the following plans and drawings –
  - Location Plan 1912.01A
  - Block Plan 1912.02C (note: the illustrative housing layout is not approved)
  - Refuse freighter tracking plan 1912.03D

Reason: To define the permission and in the interests of proper planning.

4. Prior to the first installation, details of the form, colour and finish of the materials to be used on the external surfaces of the development shall be submitted to and

approved in writing by the Local Planning Authority. The development shall then be carried out accordance with the approved details.

Reason: To ensure a high quality appearance is achieved, to safeguard the visual amenities of the area.

5. Further to condition 2 a scheme of hard and soft landscaping detailing treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall include:

(a) planting plans (to a recognized scale) and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting;

(b) written specifications including cultivation and other operations associated with tree, plant and grass establishment;

(c) the position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings,), where appropriate;

(d) a timetable for the implementation of the soft and hard landscaping scheme.

The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits, and to enhance the setting within the immediate locality

6. If within a period of five years from the date of the completion of the building works or completion of the landscaping scheme pursuant to condition 5 (whichever is later), any planted tree, hedge or shrubs are felled, removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged, diseased or defective, it/they shall be replaced by planting as originally approved, unless the Local Planning Authority gives its written approval 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.

7. No works or development above foundation level shall take place until a final scheme for foul and surface water drainage 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. This scheme should be indicated on a drainage plan and

the approved scheme shall be completed prior to the first use of the development hereby approved.

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

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

Or

b) A risk assessment shall be undertaken to establish whether the proposed development is likely to be affected by landfill or ground gas or vapours. The risk assessment must be provided to and approved in writing by the Local Planning Authority, prior to the commencement of development. The assessment shall be carried out in accordance with current UK guidance and best practice.

c) Where the approved risk assessment (required by condition (b) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, the remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

d) Following implementation and completion of the approved remediation scheme (required by condition (c) above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

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

9. The reserved matters application shall include details of bin storage and collection points and secure cycle storage facilities and shall be implemented in accordance with the approved details prior to first occupation.

Reason: In the interest of safeguarding residential amenity and to encourage sustainable means of travel

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 operatives 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.

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 on the site in locations approved by in writing by the Local Planning Authority. The hours of construction shall be 8am-6pm Monday to Friday; 8am to 1pm Saturday and no working Sunday or Bank Holidays or public holidays.

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

11. The residential 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.

12. The development hereby approved shall not be brought into use until an electric vehicle charging space for each of the dwellings has been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To encourage sustainable travel and healthy communities.

13. No part of the development hereby permitted shall be commenced until details of the construction, surfacing and drainage of the access, parking and vehicle manoeuvring areas have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure safe access to the site in the interests of highway safety and public convenience.

14. Notwithstanding the submitted Walnut Acoustics Noise Assessment, prior to first occupation of the development hereby approved full details of a noise mitigation strategy along with technical specifications shall first be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. The approved measures shall remain in place thereafter. Additionally a review of mechanical noise from external system



elements shall be carried out and form part of the submission, along with full details of the height, extent, construction and surface density (min 12kg/m<sup>2</sup>) of the proposed acoustic fence shall be submitted for approval.

Reason: To safeguard the amenities of existing and future occupiers.

15. No demolition, site clearance or building operations of any type shall commence or equipment, machinery or materials brought onto site until a scheme for the protection of all existing trees has been submitted to and approved in writing by the Local Planning Authority. The tree protection measures within the scheme shall include and make reference to:

(a) the submission of a Tree Protection Plan and appropriate working methods – the Arboricultural Method Statement in accordance BS5837:2012 Trees in relation to design, demolition and construction – Recommendations;

(b) details of the erection of stout protective fencing in accordance with British Standard BS5837:2012, Clause 6.2; and

(c) fencing shall be shown on the Tree Protection Plan and installed to the extent of the tree Root Protection Area (RPA) as defined in BS5837:2012 and as agreed in writing by the Local Planning Authority.

The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed from the site.

Furthermore, the following work shall not be carried out within the Root Protection Area (RPA) of any retained tree or hedgerow, except with the prior written approval of the Local Planning Authority:

- (i) No materials, equipment, machinery or structure shall be attached to or supported by a retained tree or hedgerow, nor stored or stacked within said RPA;
- (ii) No mixing of cement or use of other contaminating materials or substances shall take place within, or close to, a RPA that seepage or displacement could cause them to enter a RPA;
- (iii) No fires shall be lit within any RPA or in a position where the flames could extend to within 5 metres of the foliage, branches or trunk of any retained tree or hedgerow within or adjacent to the site as per the requirements of BS5837 :2012;
- (iv) Levels shall not be raised or lowered in relation to the existing ground level within the RPA of any retained tree or hedgerow;
- (v) No roots shall be cut, trenches dug or soil removed within the RPA of any retained tree or hedgerow;
- (vi) No buildings, roads or other engineering operations shall be constructed or carried out within the RPA of any retained tree or hedgerow; and
- (vii) No vehicles shall be driven over the area within the RPA of any retained tree or hedgerow.

Reason: This is a pre-commencement condition and is imposed to ensure the wellbeing of the two trees to be retained.

16. Prior to commencement of the development, details of new bat and bird roosting/nesting boxes to be placed on/incorporated into the approved building, in accordance with the advice detailed under Section 7 of the Worcestershire Wildlife Consultancy Report of 4<sup>th</sup> September 2020, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the first occupation of the approved development and the approved bat and bird boxes maintained and retained thereafter in perpetuity, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of local biodiversity gain, having regard to the Wildlife and Countryside Act 1981, Natural Environment and Rural Communities Act 2006, the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017).

Case Officer: Anthony Young Tel: 01527 881234  
Email: anthony.young@bromsgroveandredditch.gov.uk

# 20/00198/OUT

Demolition of function room to the rear and erection of up to 20 apartments with associated infrastructure.

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Rubery Social Club

141 New Road

Rubery

Recommendation: Approve
















Agenda Item 6

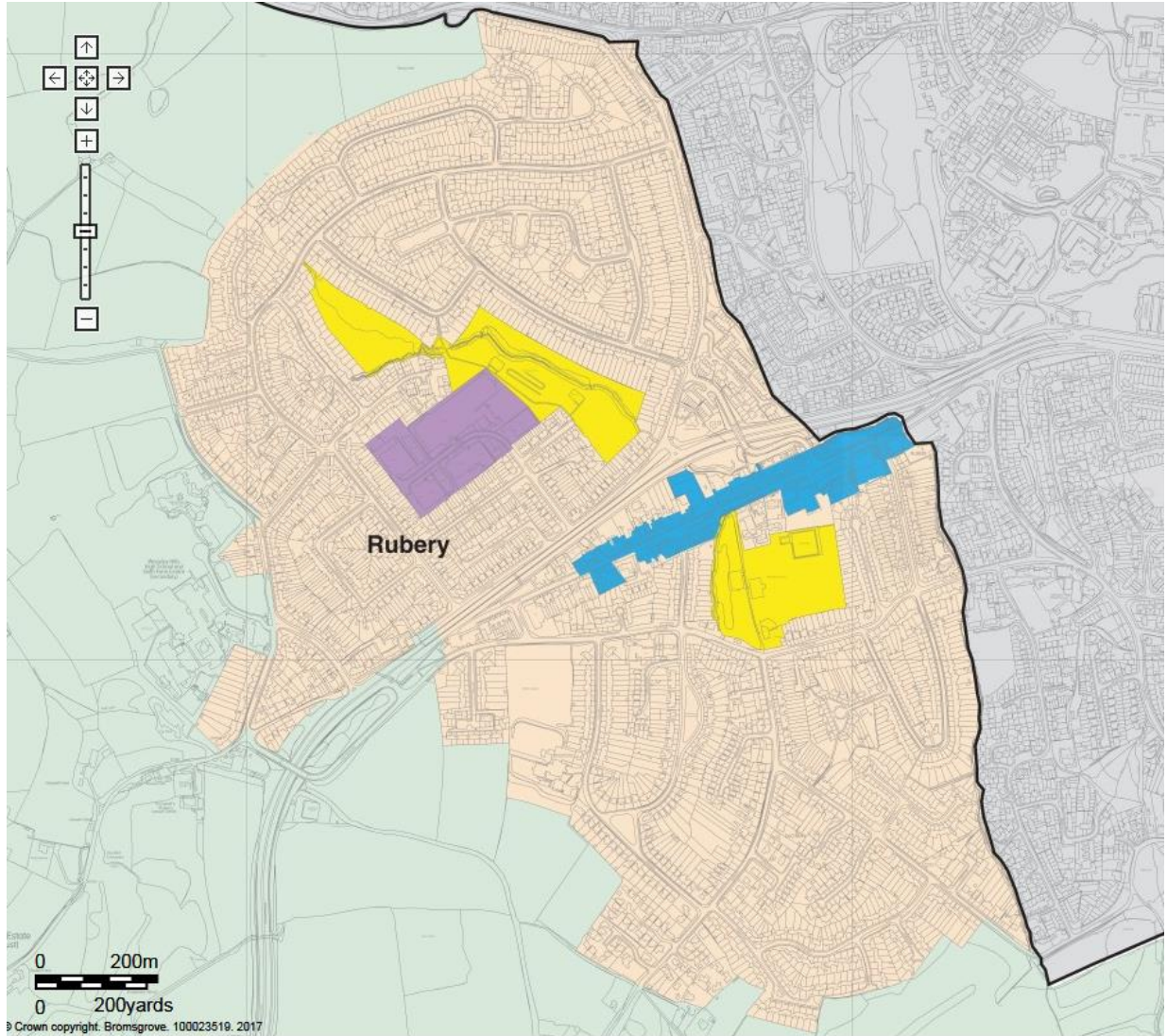
# Site Location



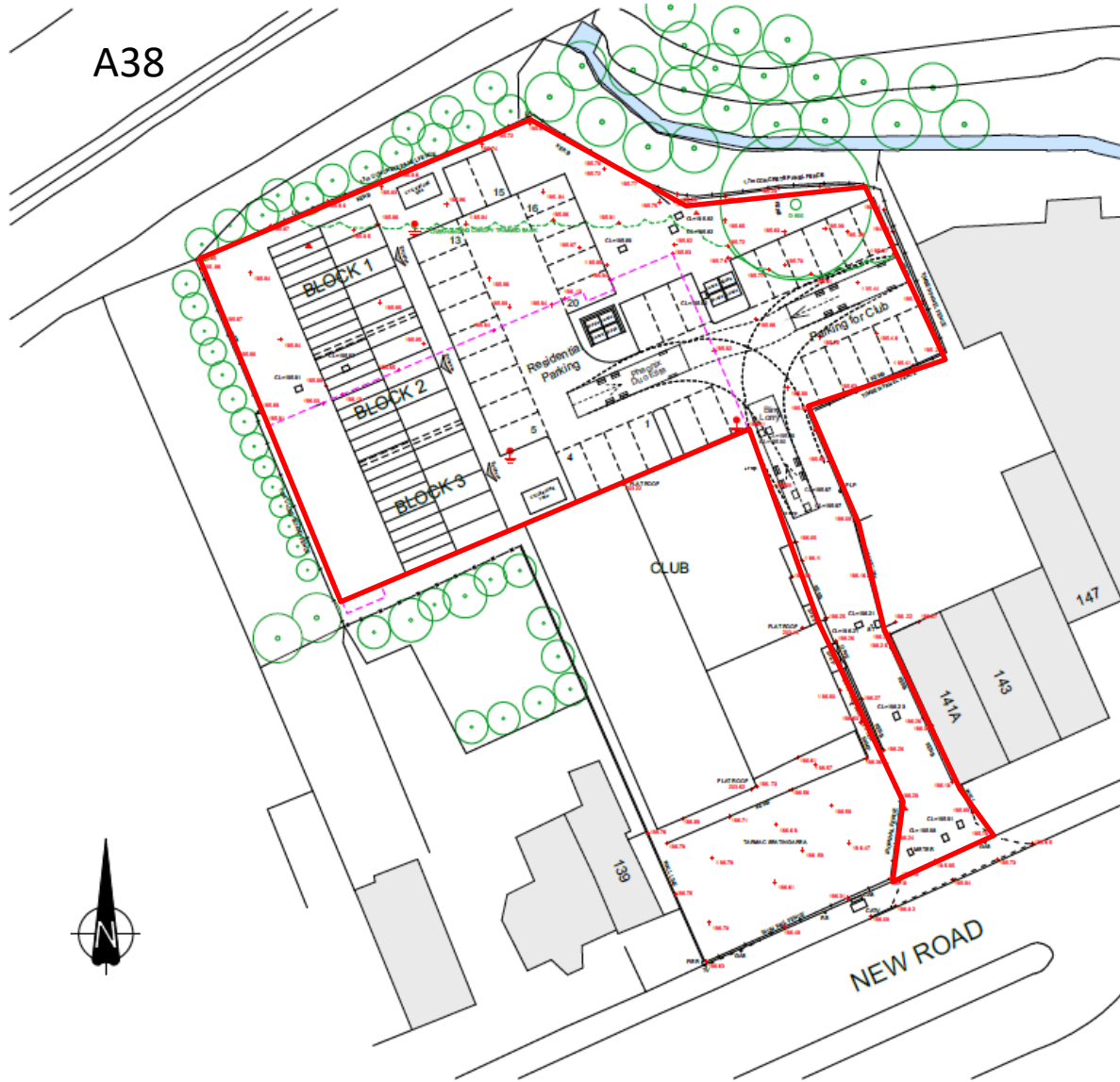
# Extract from Bromsgrove District Plan Map

## Legend

-  Residential Development Sites **BDP5A , BDP5B , RCBD1**
-  Employment Development Sites **BDP5B**
-  Longbridge AAP **BDP13**
-  District Boundary
-  Employment **BDP13 , BDP14**
-  Green Belt **BDP4**
-  Conservation Area **BBDP20**
-  Open Space **BDP25**
-  Residential Area **BDP19 , BDP7**
-  Shopping **BDP18**
-  Village Envelopes **BDP4**
-  Town Centre Zone **BDP17**
-  Primary Shopping Streets **BDP17**
-  Secondary Shopping Streets **BDP17**
-  Development Opportunities **BDP17 , BDP19**



# Site Plan (illustrative apart from access)











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Tree to be retained



Agenda Item 6

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Mike Fletcher	Reserved matters application for the erection of 14 no. dwellings following outline planning permission 18/00119/OUT (Matters for approval: access, appearance, landscaping, layout and scale)  Stoke Works, Pumping Station, Weston Hall Road, Stoke Prior, Bromsgrove B60 4AL		20/00684/REM

## **RECOMMENDATION:**

- a) MINDED to **APPROVE** Reserved Matters
- b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the Reserved Matters subject to the satisfactory views of Worcestershire Highways
- c) And that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report

## **Consultations**

### **Stoke Parish Council**

The Parish Council has no comment to make on this application. However, they do ask that a requirement be included on the site for a plaque in relation to the historic Pumping Station which was on that site and formed part of the former Salt Works.

### **Canal and River Trust**

Following initial comments received, the scheme was revised, the Canal and River Trust updated comments are as follows:

The design and layout of the houses have been improved by the alterations to materials and the revised layout for plots 1 & 2 which now front the canal and the removal of some of the car parking facing the canal. However, the scheme could be improved further by the removal of the access road and parking from the Canalside and a redesign of the layout.

The removal of the boundary wall may not be in accordance with the council's local plan policies BDP20.2, BDP20.3 or BDP20.9 or the Draft conservation Area appraisal, however the Canal & River Trust will accept guidance from the Council Conservation Officer with regard to compliance with these policies, the level of information needed to make a judgement and the Importance of retaining the wall and repairing it rather than replacing it.

Following a more detailed survey, the optimum outcome may be piecemeal demolition and the salvage and reuse of as much of the original brickwork as possible along with the

addition of a suitable heritage style brick & mortar so that then new wall is a mix of old and new.

If the Council feel that the loss of the wall is acceptable then details of the height and materials of the replacement should be provided in order to discharge condition 17 of the outline permission. The height of the wall should be designed to screen parked vehicles behind it. The railings fixed on top should ideally be black painted and straight bars rather than hooped. The proposal does not include details of the towpath access and any gate should have brick piers either side to create a focal point on the towpath access within the boundary.

It is also noted that during our discussions the idea of planting adjacent to the railings was discussed in order to minimise views through them. This does not seem to have been incorporated in the revised plan. This would improve the appearance of the development from the canal and further details of landscaping, to include alongside the canal boundary should be included to discharge condition 15.

### **North Worcestershire Water Management**

The site falls within flood zone 1 (low risk of fluvial flooding), however it does appear to be susceptible to surface water flooding in places, particularly around the Eastern part of the site. This has potential to reach above 300mm in places. As a major application, there is an expectation for SuDS drainage to be incorporated on site to manage the quantity and quality of surface water on site.

If appropriate to do so NWWM have requested a drainage condition.

### **Conservation Officer**

The Stoke Works Pumping Station site is located to the south of The Worcester and Birmingham Canal Conservation Area at Stoke Works, just to the east of Westonhall Road, and to the west of the Corbett Salt works site, latterly owned by ICI and recently redeveloped for housing. Access to the site is from Westonhall Road. Until a couple of years ago the only structure on the site, backing on to the Canal, was Brine Pump Cottage. A 19<sup>th</sup> century house which was unfortunately damaged by a fire and subsequently demolished rather than repaired. Reference was made at the time of the 2018 application to disused brine extraction points being present on the site but no further information was been provided then or as part of this application, as to the nature or significance of these. The site is clearly within the setting of the Conservation Area.

The applicant has not submitted a heritage statement as part of the application, although the Design and Access Statement makes some reference to the character of the Conservation Area and the applicant also refers to the draft Conservation Area Appraisal. The canal side dwellings within the conservation Area generally front the canal, being set back behind a small garden with a brick garden wall separating the garden from the towpath. There are also a couple of dwellings which are sideways onto the canal, one where the side elevation is immediately adjacent to the canal, and the other where the side elevation is separated from the towpath by a high hedge. The houses here will be separated from towpath by small front gardens but also by an access road, which is at odds with the historic positioning of buildings in relation to the canal. It would be preferable to have the access drive sited to the rear of the dwellings.

The site is currently separated from the towpath by a low brick wall of some age. It would appear that it is proposed to replace the wall with a white picket fence. Again, this is at odds with the character of the Conservation Area where brick walls generally form the boundary treatment as noted above.

It is appreciated that there is outline permission for a residential scheme on this site. The site is clearly within the setting of the W&B Canal Conservation Area, however the detailed proposals for the scheme do not reflect the character and appearance of the Conservation Area. It is considered the scheme will detract from the immediate setting of the Conservation Area, and due to the close proximity of the site to the Conservation Area, fronting the towpath running alongside the Canal, will harm the significance of the Area, as the proposed development in terms of siting and materials will be at odds with the character of buildings within and in close proximity of the Area. The scheme would therefore not comply with the requirements of the Bromsgrove District Plan as noted above or the requirements of the NPPF. The harm to the significance of the Conservation Area would amount to less than substantial which would have to be weighed against the planning benefits of the scheme. Although in this balancing exercise great weight is attached to the conservation of heritage assets.

The Conservation officer has also commented on the updated proposals and comments as follows:

It is good to see that the revised proposals show a wider use of brick for the houses nearer to the canal, although I note that 13 is still proposed to be rendered, which will detract from the setting of the canal especially as the neighbouring houses are all proposed to be constructed in brick. The relocation of units 1 and 2 to a position directly fronting the canal is also welcomed. It is disappointing that units 8, 9, 10, 12, 13 and 14 remain separated from the Canal by the service road. Overall it is considered that the scheme will detract from the setting of the CA and will harm its significance as noted in the earlier comments.

### **Highways – Bromsgrove**

The application as submitted did not comply with the design guide (in terms of the layout as being unacceptable due to the issues which would be created to the highway user).

The applicant revised the proposal to comply with the issues raised by County Highways. At the time of writing this report there is ongoing discussions regarding these matters. Final comments awaited.

### **Waste Management**

No objection

### **Publicity**

31 letters sent to surrounding properties on 22<sup>nd</sup> June 2020 (expired 16<sup>th</sup> July 2020).

1 site notice was displayed on 18<sup>th</sup> June 2020 (expired 12<sup>th</sup> July 2020).

An advert was placed in the Bromsgrove Standard on 26<sup>th</sup> June 2020 (expired 13<sup>th</sup> July 2020).

1 objection has been received raising concern regarding the development exacerbating on street parking issues along Weston Hall Road.

## 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  
 BDP20 Managing the Historic Environment  
 BDP21 Natural Environment  
 BDP24 Green Infrastructure  
 BDP25 Health and Well Being

### **Others**

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

## Relevant Planning History

18/00119/OUT Residential development comprising 14 units providing a mixture of 2-4 bed homes Approved 14.12.2018

## Assessment of Proposal

### **Proposal Description**

Members may recall that outline approval for 14 dwellings was granted permission under an outline application reference 18/00119/OUT at 10<sup>th</sup> September 2018 planning committee subject to the signing of a s106 agreement. A copy of the outline decision notice is included in Appendix 1 of the committee report. This reserved matters application for the development provides details regarding Access, Appearance, Landscaping, Layout and Scale for 14 dwellings (including 5 affordable). The layout plan shows the provision of one means of access to the scheme off Weston Hall Road.

The development comprises the following dwellings:

<b>Unit</b>	<b>Unit Nos.</b>	<b>Storey Height</b>	<b>No.</b>	<b>Mix %</b>
2 Bed	3,4,5	2	3	21.3
3 Bed	1,2,8,13,14	2	5	35.8
4 Bed	6,7,9,10,11,12	2	6	42.9
		<b>Total</b>	<b>14</b>	<b>100</b>

The dwellings would be a mix of detached, semi-detached and terraced units. Car parking has been provided as in curtilage or grouped car parking.

## Site Description

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

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

The site is bordered by Westonhall Road to the south, The Birmingham to Worcester Canal to the north west and the former Polymer Latex Works to the east, where Barratt Homes are currently building homes under planning permissions 15/0687 and 17/00761/FUL for a total of 216 dwellings.

## Principle

Members will recall that the principle of residential development was considered favourably at Planning Committee in 2018. This application is the reserved matters application for the scheme.

## Layout

The proposed layout shows 14 dwellings arranged around a shared surface. The site can be read distinctly in two parts, the canal side and Westonhall Road frontage. The access is to be taken directly from Westonhall Road in the form of a shared surface, which creates a social space for new and existing users of the area. Both Westonhall Road and the internal access road (shared surface) creates a front road frontage, with parking set back or behind the road where possible. The shared surface then creates a road link running parallel to the Canal and Tow path. The dwellings off this new road create a Canal side frontage, again with parking to the side or rear of the properties to allow the hard and soft landscaping to take precedence. The dwellings all benefit from car port or garages, with external stores for bins and cycles that are set back from the main frontage(s) within the site. All plots would be provided with landscaped gardens. A shared parking area serves the dwellings to the west of the site, from a private access drive.

The layout of dwellings arranged around the internal site access road in a cul-de-sac type layout is supported. The development would relate well to the existing pattern of development in the new housing estate.

In terms of the location of the affordable houses, these would be arranged in a terrace facing onto Weston Hall Road (units 3,4 and 5) and two semidetached dwellings (units 1 and 2) further into the site facing onto the canal. It is considered that on a small site such this, pepper potting throughout the site would create a less satisfactory layout and could result in less units (including affordable) to be located on the site. It is also less desirable for affordable housing providers to have units dispersed throughout a site from a management and maintenance perspective. As such, I find that the siting of the affordable houses in the form of a terrace and in the other location satisfactory.

Overall, the development would have a suitable layout which would harmonise with the surrounding area in accordance with Policies BDP1 and BDP19 of the BDP and the High Quality Design SPD.

## **Appearance & Scale**

The proposals include for a variety of different house types, reflecting both housing mix requirements and the built and natural context at the site. The scheme proposes 7 different house types across the 14 units creating a vibrant and mixed built environment. All the dwellings would be two storey in height.

The proposed external appearance of the dwellings responds in a contemporary manner to both the existing residential area and the wider Canal conservation area context. The houses proposed include steeply pitched roofs with a mix of material finishes (including brickwork plinth, in a local blue brick use of render and brickwork finishes), the use of brick detailing at eaves, rise and fall rainwater bracketry, verge and reveal, and large expanses of glazing to provide a cue to the Georgian and Victorian context within the conservation area.

The affordable houses would be smaller than the market houses on site reflecting the need for smaller units in the area. The submitted plans indicate that the market houses and the affordable houses, notwithstanding their difference in size, would have a similar design and materials and would not be visually distinguishable. In my view the affordable houses would successfully integrate into the site and would not stand out as noticeably different.

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.

## **Effect of the Proposal on Heritage Assets**

As this proposal is situated adjacent to and within the setting of, The Worcester and Birmingham Canal Conservation Area, the development must be considered against paragraph 196 of the NPPF in terms of its impact on the significance of designated heritage assets.

The comments of the Conservation Officer and Canal and River Trust are noted in relation to this matter in relation to the design of the scheme and the proposed works to the boundary wall. The proposed canal boundary treatment is now proposes a new wall along the entire frontage. This is paired with a railing at a height that will provide both a sense of enclosure and security along the tow-path, but also allow views to the canal from within the site. The applicant considers the change is in line with the discussions and conclusions made at our meeting with the C&RT. The sectional information details the proposed levels and wall have been provided.

In terms of the NPPF any harm which is considered to occur would amount to less than



substantial harm and would have to be weighed against the public benefits of the scheme in accordance with Paragraph 196. The significant public benefits in this case include:

- Helping to address the significant identified shortfall in deliverable housing land across the District;
- The delivery of 5 affordable dwellings on-site
- Economic benefits in the construction stage in terms of jobs and expenditure;
- Increased revenue spending from new residents;

Taking into consideration the impact of the scheme on heritage assets, by virtue of the developments location, layout, design and scale, any 'less than substantial harm' to the significance of the heritage asset is considered to be outweighed by the significant public benefits identified, in particular the provision of on-site affordable housing.

## **Highways and access**

Final comments regarding highways are awaited and will be provided as part of a written update. It is considered that sufficient car parking will be provided on site and as such there is no reason to consider that this development would result in additional on-street car parking in the area.

## **Amenity**

The Council's High Quality Design SPD recommends that private amenity space will be required to be of a useable size, with a minimum of 70 sq m. In total therefore 3 dwellings across the application site have garden areas which do not meet the SPD guidance albeit that some only marginally fall below the guidance. Whilst it is recognised that the proposal does not fully comply with the Design SPD in respect of amenity areas, it is also recognised that the individual requirements for a private garden area do vary significantly between residents. Considering the scheme holistically, it is not considered that this matter is significant enough to warrant a refusal of planning permission. Furthermore, the apartments are located immediately adjacent to an area of public open space.

The SPD suggests that a distance of 21m should be considered the minimum separation between the rear elevations of dwellings to achieve an appropriate degree of privacy. The layout largely achieves this requirement. However, there are a few minor breaches in terms of the distances between units 13 and 14 and units 3,4 and 5. The breaches noted are considered to be minor. Each proposal should be judged on its own merits and good design in new housing layouts will not be achieved solely by adherence to the guidelines suggested. The proposed houses have adequate separation distances from existing houses within the Barratts development.

Overall the level of amenity achieved across the site is considered to be acceptable having regard to Policy BDP1 and the High Quality Design SPD.

## **Drainage**

A drainage condition was included within the outline permission, this would still have to be formally discharged, therefore it does not need to be included as part of any reserved matter permission.

## **Planning Obligations**

Members will recall that a Section 106 Agreement formed part of the outline application, Therefore, matters such as affordable housing, contributions towards open space enhancements and education have already been secured for this residential scheme

## **Conclusion**

Overall, the submitted details of access, layout, scale, appearance and landscaping are considered to be acceptable as set out above and in accordance with the policies listed above.

## **RECOMMENDATION:**

- a) MINDED to **APPROVE** Reserved Matters
- b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the Reserved Matters subject to the satisfactory views of Worcestershire Highways
- c) And that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report

## **Conditions:**

- 1) The approval must be read in conjunction with outline planning permission 18/00119/OUT 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 listed in this notice:

P01\_LOCATION\_PLAN-827900  
08 EXISTING SITE SECTIONS  
09C PROPOSED SECTIONS  
10 VISIBILITY SPLAY  
22328-01A TRACKING  
SK01F UNITS 1 2 PLANS  
SK07E UNIT 13 14 PLANS

SK11E UNIT 1 2 ELEVATIONS  
SK12E UNIT 3 4 5 ELEVATIONS  
SK13D UNIT 6 10 ELEVATIONS  
SK14D UNIT 9 12 ELEVATIONS  
SK15G UNIT 8 ELEVATIONS  
SK16E UNIT 11 ELEVATIONS  
SK17F UNIT 13 ELEVATIONS  
SK18B UNIT 7 ELEVATIONS  
SK20A UNITS 6 12 13 CAR PORT  
SK21A UNIT 10 GARAGE  
SK22A UNIT 11 GARAGE  
SK23A UNIT 9 CAR PORT  
SK24A UNIT 8 CAR PORT  
SK25A UNIT 14 SHED  
SK27A UNIT 14 ELEVATIONS  
SK2C UNITS 3 4 5 PLANS  
SK3C UNITS 6 10 PLANS  
SK4C UNITS 9 12 PLANS  
SK5D UNIT 8 PLANS  
SK6D UNIT 11 PLANS  
SK8A UNIT 7 PLANS  
05J PROPOSED SITE PLAN

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

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

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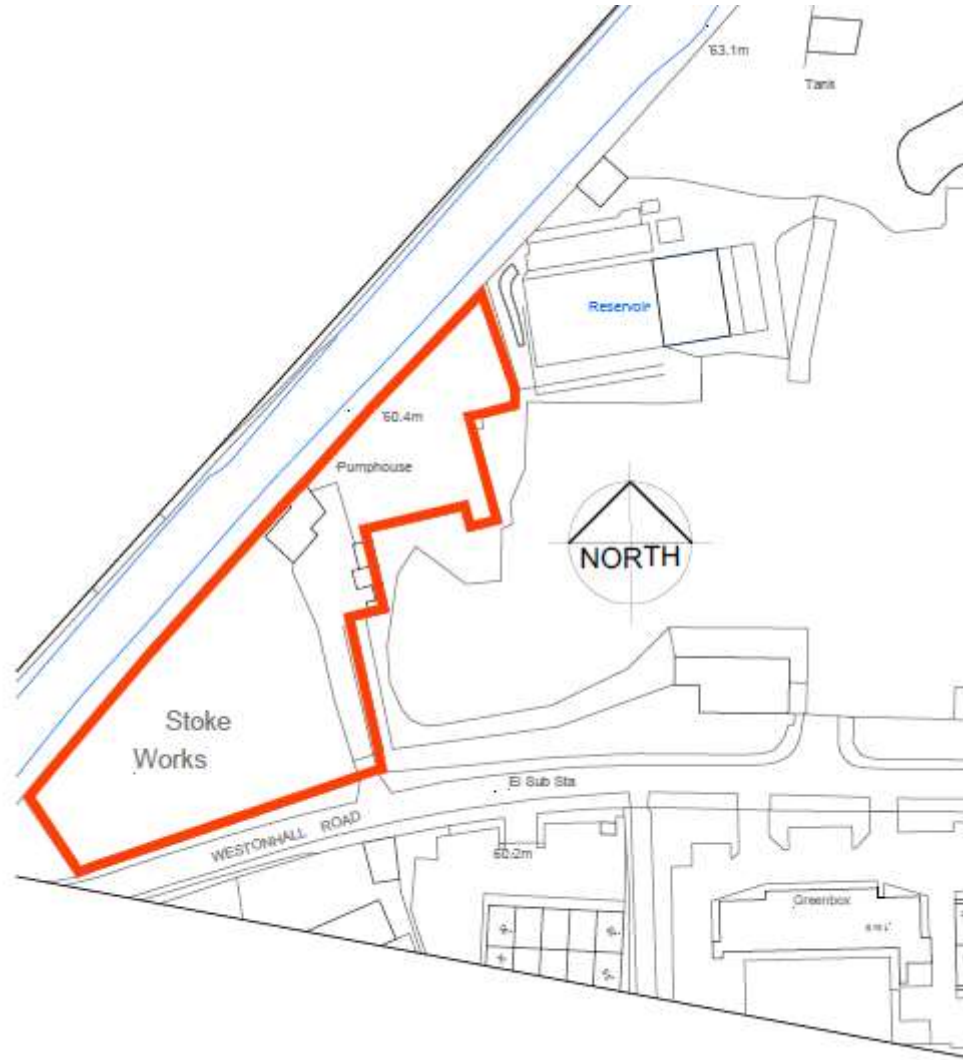
# 20/00684/REM

Stoke Works, Pumping Station, Weston Hall  
Road, Stoke Prior, Bromsgrove, B60 4AL

Reserved matters application for the erection of  
14 no. dwellings following outline planning  
permission 18/00119/OUT (Matters for  
approval: access, appearance, landscaping,  
layout and scale)

Recommendation: Grant subject to conditions

# Site Location Plan





# Photographs



View of the southern boundary of the site (along Westonhall Road)



View of the site looking north, with the canal frontage and new housing along the north and east boundaries



# Photographs



A view north-east  
at the proposed  
access onto  
Westonhall Road.




The site looking  
East, with the  
new housing in  
the background.

# Proposed Site Layout

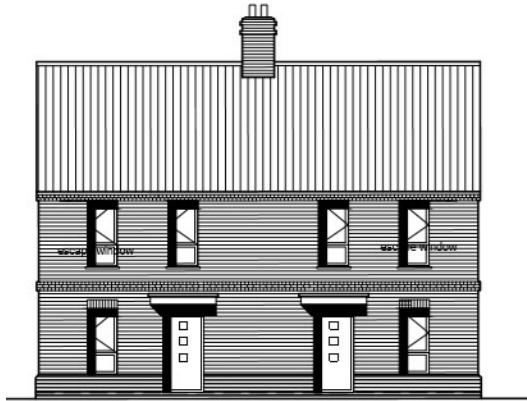


**KEY**

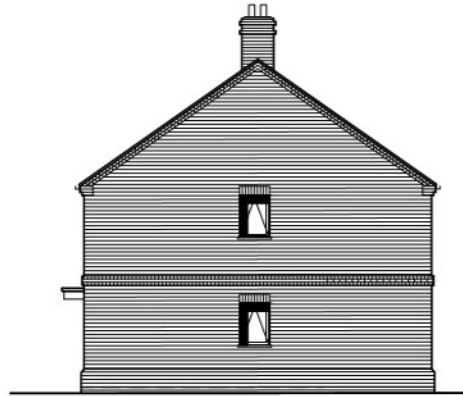


Hatching indicates shared ownership and social housing units

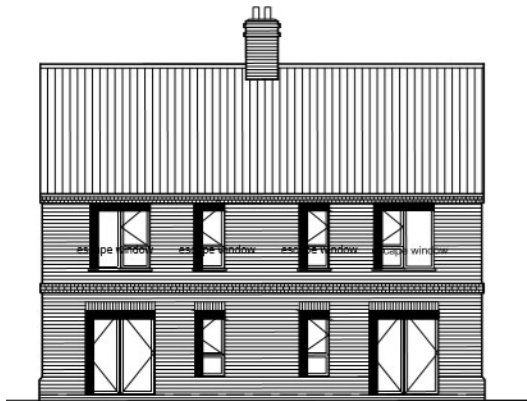
# Plot 1 and 2 (Affordable units)



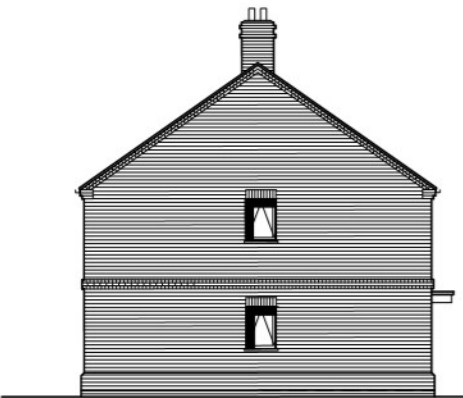
FRONT- ELEVATION 1



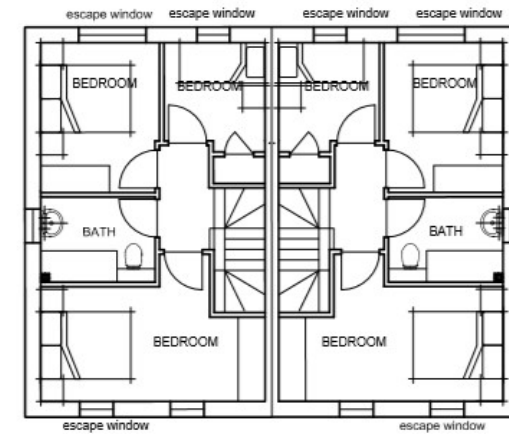
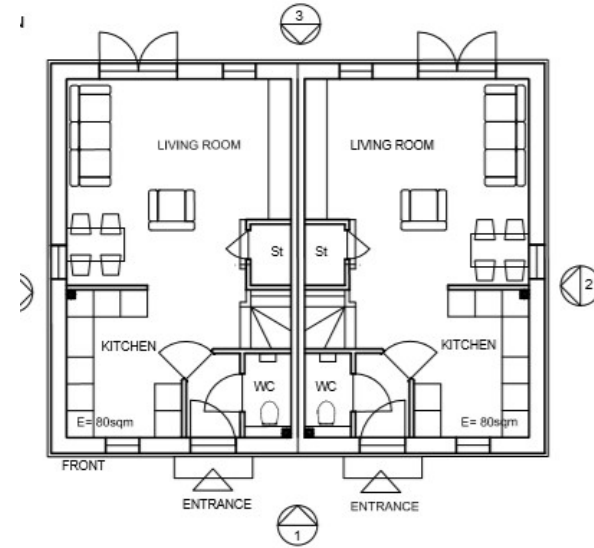
SIDE- ELEVATION 2



REAR- ELEVATION 3



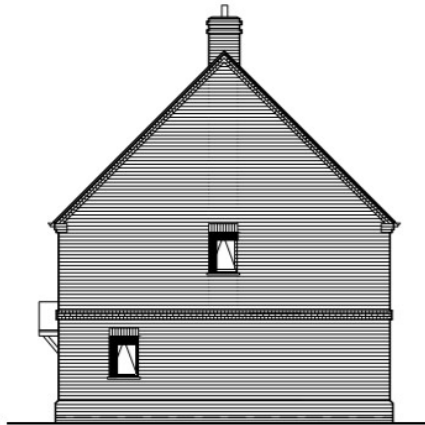
SIDE- ELEVATION 4



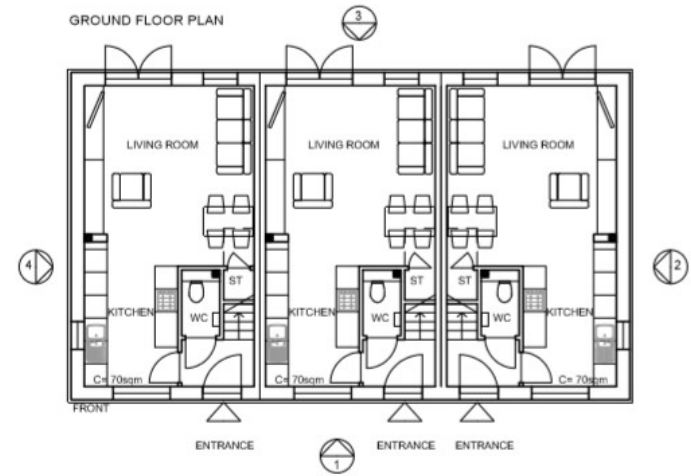
# Plot 3,4,5 (Affordable Units)



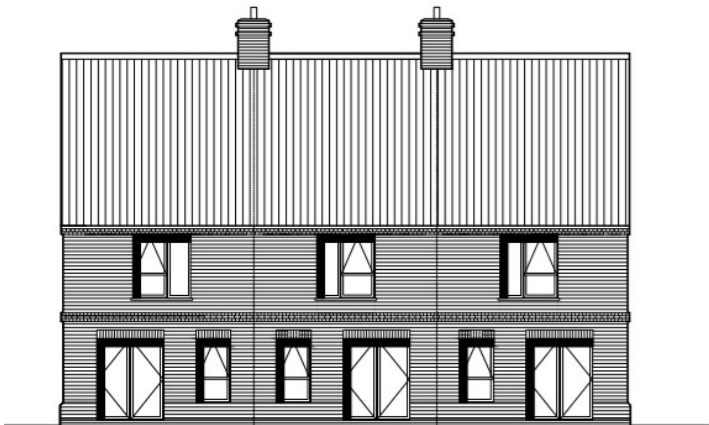
FRONT- ELEVATION 1



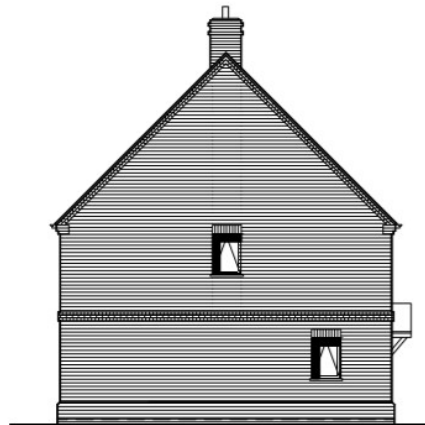
SIDE- ELEVATION 2



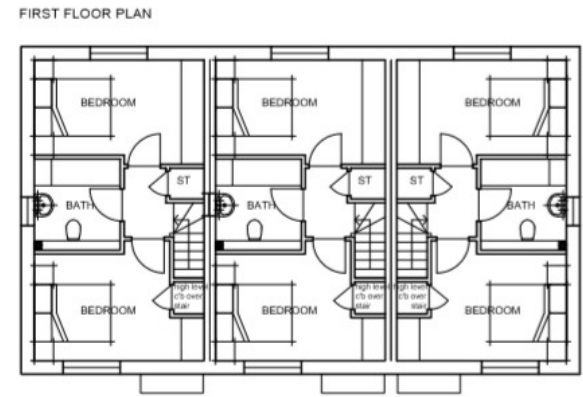
GROUND FLOOR PLAN



REAR- ELEVATION 3

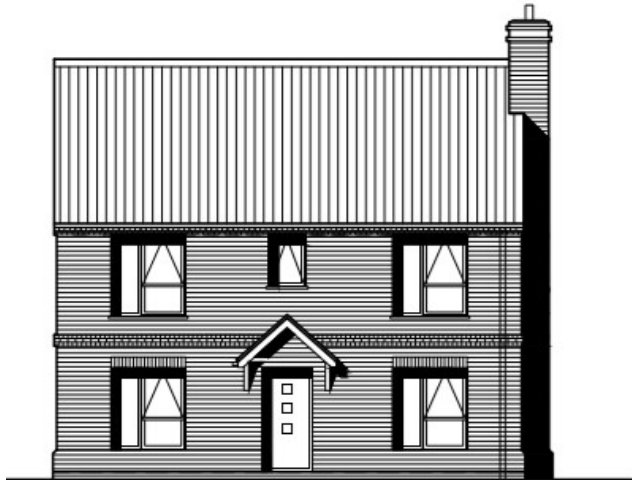


SIDE- ELEVATION 4

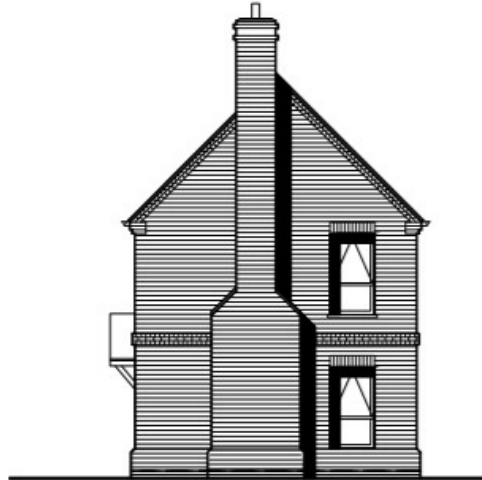


FIRST FLOOR PLAN

# Plot 8 (Example of 3 bed unit)

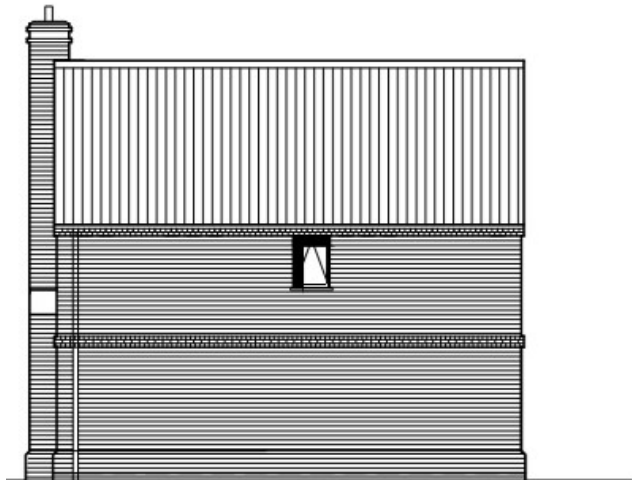
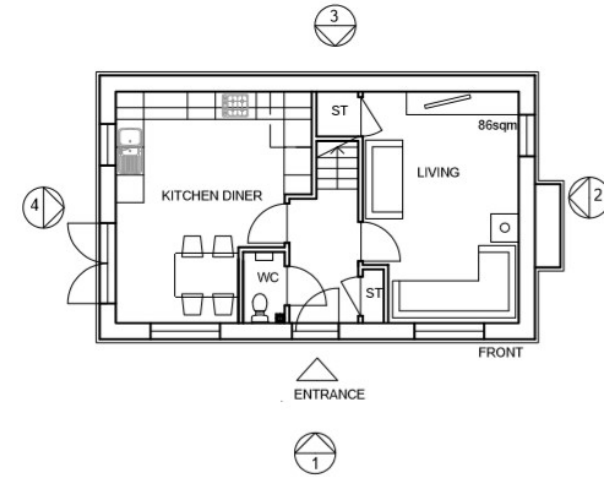


FRONT- ELEVATION 1



SIDE- ELEVATION 2

GROUND FLOOR PLAN

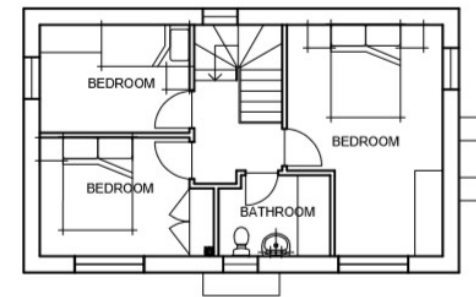


REAR- ELEVATION 3



SIDE- ELEVATION 4

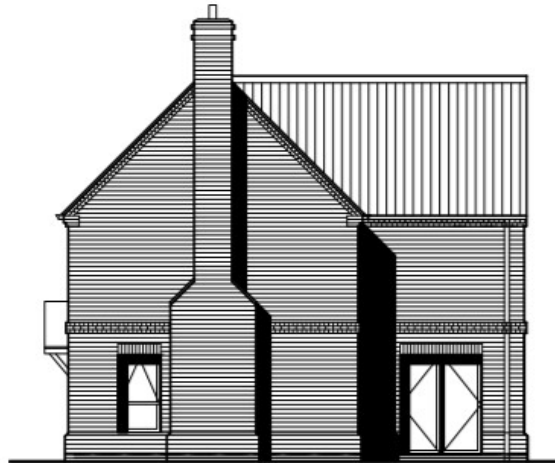
FIRST FLOOR PLAN



# Plot 9 & 12 (Example of 4 bed units)

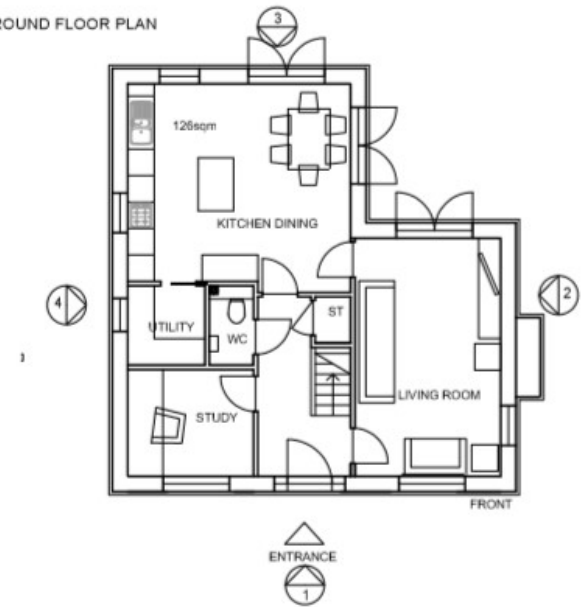


FRONT- ELEVATION 1

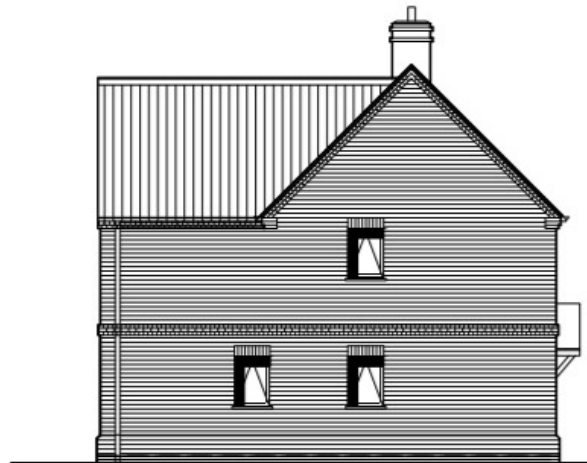


SIDE- ELEVATION 2

GROUND FLOOR PLAN

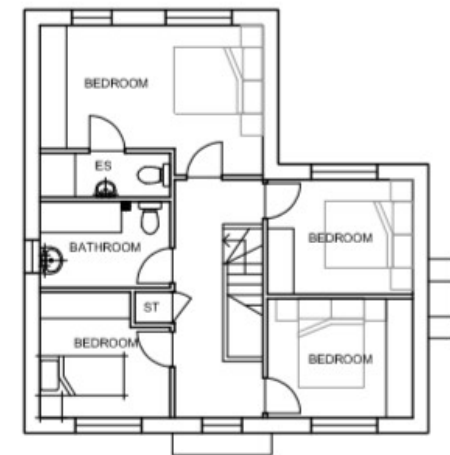


REAR- ELEVATION 3

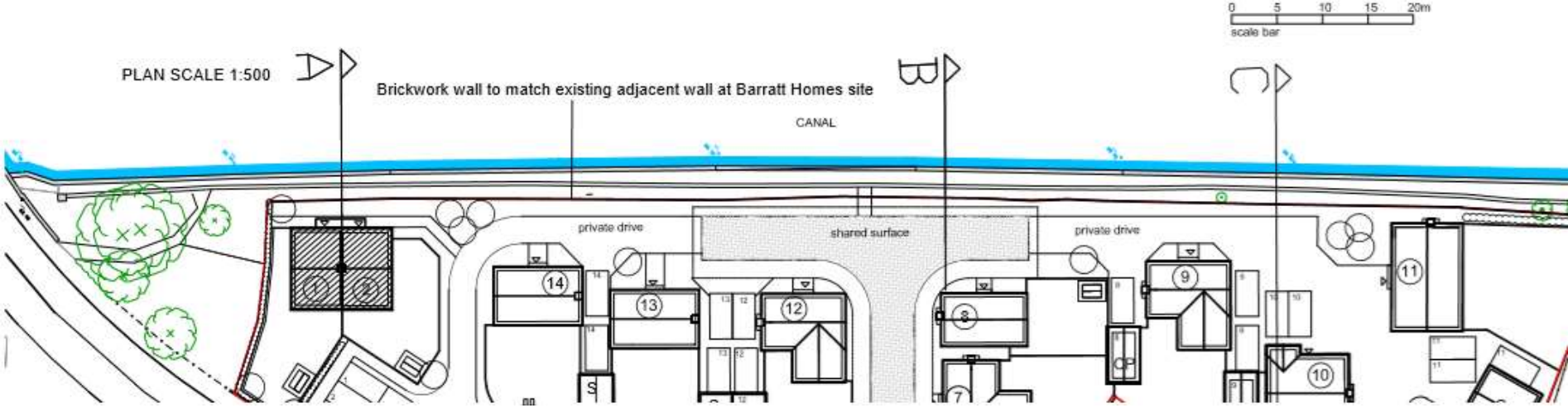


SIDE- ELEVATION 4

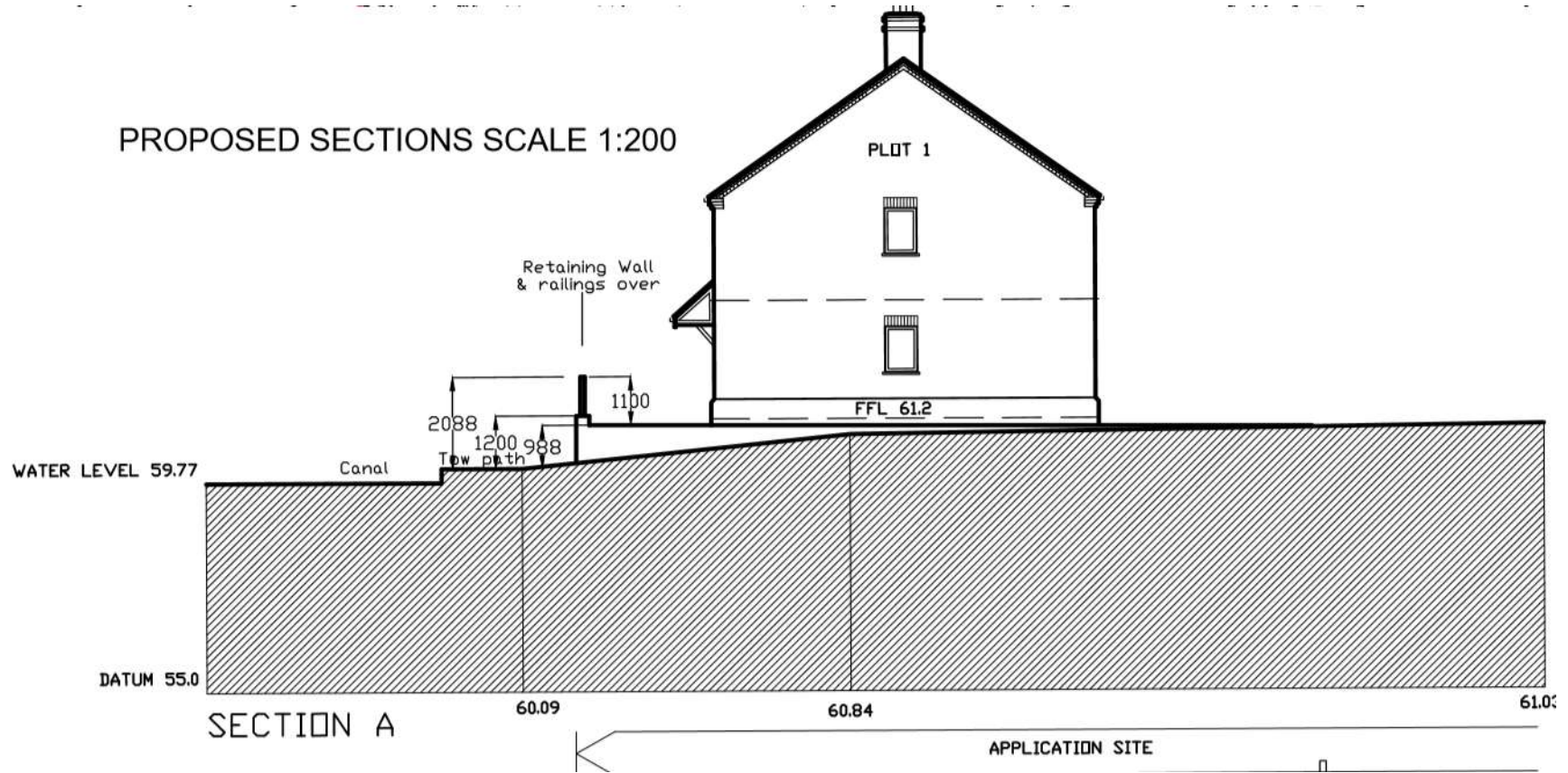
FIRST FLOOR PLAN



# Proposed Sections

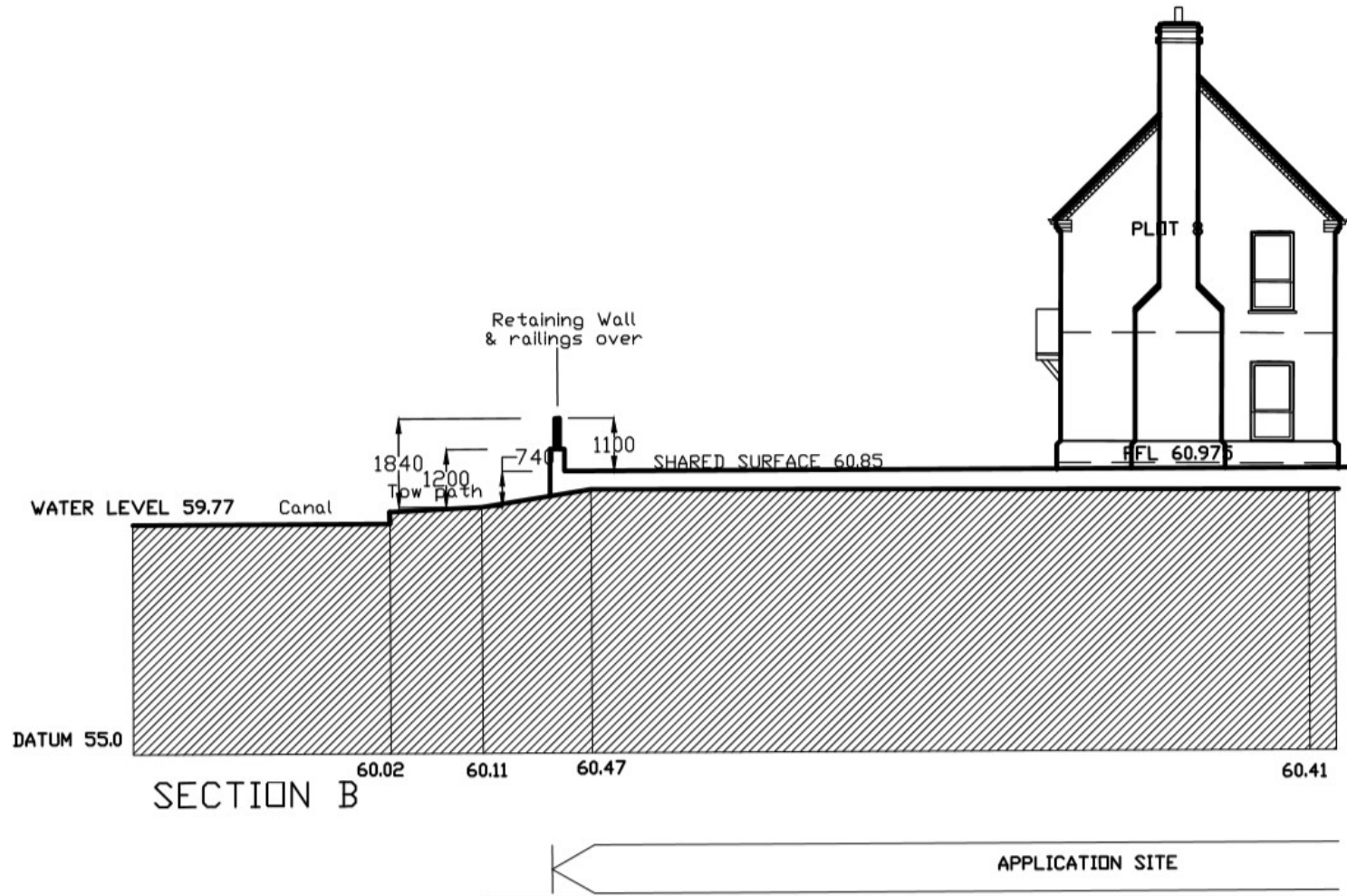


# Proposed Sections -A



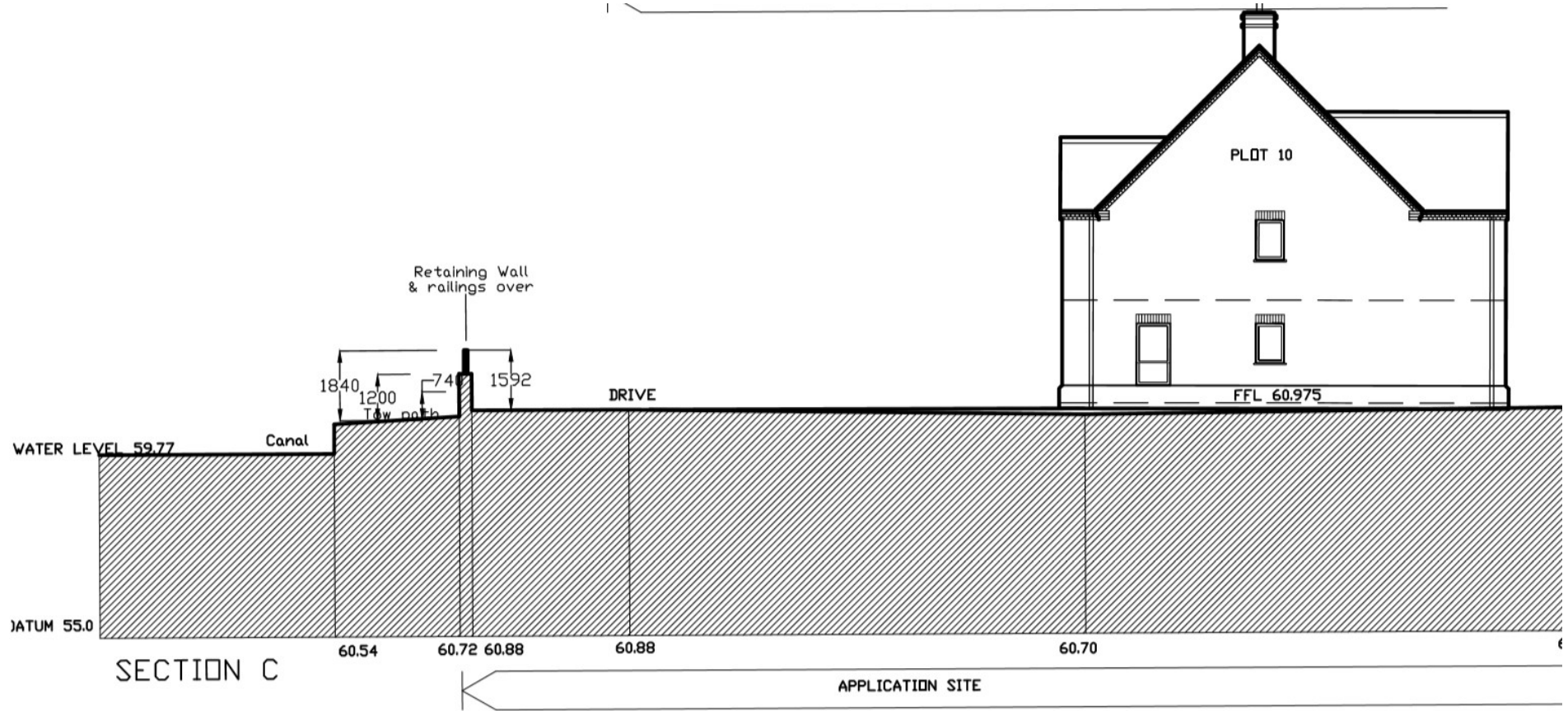


# Proposed Sections -B



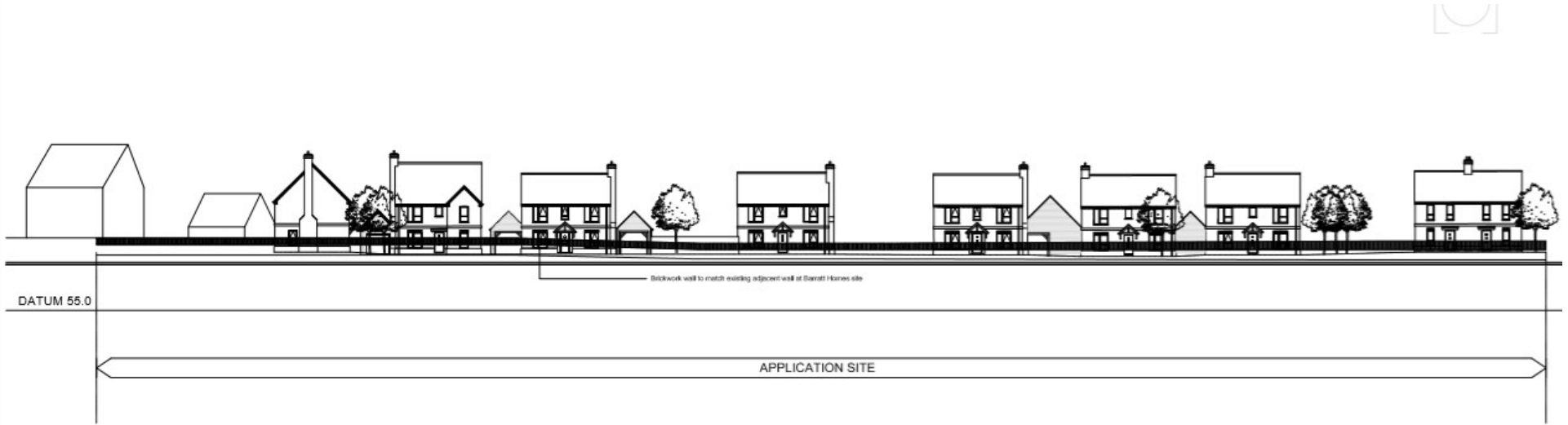
# Proposed Sections -C

Page 124



Agenda Item 7

# Canal side elevation



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# Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Steve Holland	Proposed extension to form corridor link.  The Byre, 2 Bittell Farm Barns, Bittell Farm Road, Barnt Green	06.10.2020	20/00942/FUL

**RECOMMENDATION:** That planning permission be **Refused**

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

## Consultations

### **Conservation Officer**

Objection. It is concluded that the proposed corridor link would harm the significance of the curtilage listed building, as it would be odds with the original plan form of the barn and detract from its simple appearance. The proposal would therefore be contrary to the Planning(Listed Buildings and Conservation Areas) Act 1990.

### **Worcestershire County Council Countryside Service**

No objection

### **Alvechurch Parish Council** Consulted 12.08.2020

Objection. The proposal does not accord with Policy HDNE1 of the Alvechurch Neighbourhood Plan and Section 8: Examples of detail design from within the parish of the Alvechurch Parish Design Statement.

## Publicity

3 neighbour letters were sent on 14<sup>th</sup> August 2020 and expired 7<sup>th</sup> September 2020.

A site notice was placed onsite on 17<sup>th</sup> August 2020 and expired on 10<sup>th</sup> September 2020. A Press Notice was placed in the Bromsgrove Standard on 21<sup>st</sup> August 2020 and expired 7<sup>th</sup> September 2020.

No comments received.

### **Councillor Hotham**

This application has been called into Committee for members to consider the Conservation assessment

## Relevant Policies

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment

## Others

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

### Relevant Planning History

19/01125/FUL	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Withdrawn	15.10.2019
19/01126/LBC	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Withdrawn	15.09.2019
20/00006/FUL	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Approved	21.02.2020
20/00007/LBC	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Approved	21.02.2020

### Assessment of Proposal

The application site is located within the Green belt and comprises of a converted barn which is curtilage listed with the main dwelling Bittell Farmhouse. This application follows the granting of planning permission and listed building consent to extend the barn to the north east end, following the linear form of the original building. The current application is looking to enlarge the accommodation further, by constructing a small extension to create a short corridor running along part of the front of the north west elevation connecting the south west part of the 'L' to the lobby adjacent to the dining room in the centre of the north east range, thereby avoiding the need to walk through the living room to access the lobby. The proposed structure would comprise a flat roofed box clad in waney edged boarding to match the finish to the new extension with a rooflight and a door and simple metal framed window to the north west elevation.

New buildings within the Green Belt are considered to be inappropriate development subject to a closed list of exceptions. The relevant exception to this application is the extension of a building provided the extensions are proportionate to the original. BDP4 of the Bromsgrove District Plan quantify a proportionate addition to be 40% above the original. The proposed extension does not exceed this limitation and is therefore considered to be appropriate development within the Green Belt. Furthermore given the courtyard form of development and the low lying height of the extension it is not considered to have a detrimental impact on openness.

2 The Byre comprises an 'L' shaped 19th century barn in a much larger complex, originally forming the agricultural buildings to the adjacent Bittell Green Farmhouse (listed Grade II). The north east south west part of the 'L' comprises a linear range which is a continuation of the adjacent and separately occupied Dove Barn immediately to the south west. The other part of the 'L' lies at a right angle to the north west. The barns, which are constructed in local redbrick beneath pitched clay tile roofs, were converted in the late 1980s to residential use. From this historic maps it is clear that the buildings are very linear in form and have been since originally constructed.

The farmstead comprising the farmhouse to the south and the surviving barns, provide evidence of the past working arrangements of the farm, from the 17th century when the farmhouse was originally constructed and through to the early 20th century, the barns dating from the 19th century. The significance of the barns is derived from their architectural and historic interest, including their simple utilitarian, linear form, their contribution to local distinctiveness, and the fact that they provide a tangible reference to the county's past agricultural heritage.

Section 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is supported by the Historic Environment policies in BDP20 of the Bromsgrove District Plan, which, amongst other things, state that development affecting heritage assets, should not have a detrimental impact on the character, appearance or significance of the heritage asset or heritage assets. In addition, guidance in the NPPF must also be considered. Paragraph 189 requires applicants to describe the significance of any heritage asset affected, the level of detail being proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposals on significance; Paragraph 190 requires LPAs to take account of the significance of affected heritage assets when considering the impact of a proposal, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal; Paragraph 193 requires great weight to be attached to the conservation of designated heritage assets, irrespective of the level of potential harm. Any harm to or loss of, the significance of a designated heritage asset, including its setting, requires clear and convincing justification, Paragraph 194; and Paragraph 196 requires less than substantial harm to designated heritage assets to be weighed against the public benefits of the proposal.

In addition, guidance in respect of rural buildings is contained within the adopted High Quality Design SPD, this replaced the previous SPG 4, 'The Conversion of Rural Buildings'. The guidance in this document highlights that barn conversions should retain the original, utilitarian character of the building and that they should be capable of conversion to a new use without significant enlargement and alteration. Section 3.10.1 states that 'Extensions will not normally be permitted as these would detract from the plain, simple and utilitarian appearance of most rural buildings.' Section 3.10.2, states that where extensions are proposed they 'must reflect the form, character and utilitarian nature of the building and proposed openings should reflect the character and scale of the original building'. Further considerations are required within policy HDNE1 of the Alvechurch Neighbourhood Plan which states that all development proposals for Alvechurch Parish should continue to maintain, conserve and enhance the designated built heritage assets of the parish and their settings.

The proposed corridor link would alter the simple linear plan form of the existing building, forming an obvious projection from the original L-shape structure. The flat roof, and the use of the waney edged boarding against the brick of the original structure would also draw attention to the structure and would be at odds with the simple appearance of the original building eroding its existing agricultural character. It would contrast with the extension to the north east end of the building which, continues the linear form of the barn. The corridor extension would therefore undermine the character of the original barn contrary to the policies outlined above.

Appeal Ref: APP/P1805/D/18/3218845 for a similar scheme at The Barn, Holy Cross Lane, Belbroughton DY9 9SP was dismissed recently at Appeal. In dismissing the Appeal, the Inspector stated 'The proposed extension would be attached to the rear elevation and comprise a lean-to structure. Despite the use of sympathetic materials, the extension would depart from the simple form of the existing building and detract from its character. It would introduce an, albeit small, domestic extension to a currently unadorned elevation of a converted building, that is readily appreciable as a former agricultural building. The introduction of this domestic element would be at odds with the unfussy appearance of the barn and would erode its existing agricultural character'. It is noted that the applicant has suggested that as the corridor is proposed for a rear elevation which is not visible from public views that this will reduce its impact on the significance of the curtilage listed barn. A similar argument was put forward in another appeal case, Appeal A: APP/P1805/W/16/3165990 & Appeal B: APP/P1805/Y/16/3165991 The Granary, Dagnell End Farm, Dagnell End Road, Beoley. In this case the Inspector concluded 'The harm to the listed building (as a result of the proposed extension) would not be mitigated by restricted views or landscaping because listed buildings are safeguarded for their inherent architectural and historic interest. This applies to all listed buildings irrespective of any individual site context.'

The harm is considered to be less than substantial in terms of paragraph 196 of the NPPF and therefore the harm should be weighed against the public benefits of the proposal. The corridor link would not be required to guarantee the future of the barn as it has clearly been in residential use since the late 1980s when it was converted. Although it is accepted that the applicants wish for a corridor to improve the internal layout of the dwelling, barn conversions by their very nature do not always produce perfect residential layouts. This would not constitute a public benefit and therefore would not weigh in favour of this application.

The Conservation Officers comments have been sought on this application and an objection raised. It is also noted that Alvechurch Parish Council have also raised objection.

Given the spacious nature of the plots, orientation and distance achieved to the neighbouring dwellings no concerns are raised in respect of neighbour amenity. No objections have been received from any third parties or consultees on this application and no other planning considerations have been raised.

Give the age, character and rural location of the building it is considered possible that the site may be host to protected species such as bats. BDP21 of the Bromsgrove Plan requires the Council take appropriate steps to maintain the favourable conservation status of protected species. Furthermore, the Wildlife and Countryside Act 1981 (WCA)



protects a number of species and their habitats in England, Scotland and Wales. The Local Planning Authority are obligated by law (Natural Environment and Rural Communities (NERC) Act 2006) to make sure that they have all the information on the presence of protected species at a site before they make a decision on a planning application. In the absence of such definitive information the Local Planning Authority are unable consider the likely impact on protected species and their habitat and would be failing in its legal duty if it was recommended that planning permission was granted until this information was forthcoming. In this instance the applicants have undertaken a Bat Survey by Wildlife Consultants Ltd dated September 2019. The survey has not identified any bat roosts within the building and has put forward some recommendations to provide a net gain in biodiversity. Subject to conditioning the recommendations outlined this report no concerns are raised to the proposal on these grounds.

In conclusion, taking all these matters into consideration, it is determined that the proposed corridor link would harm the significance of the curtilage listed building, as it would be odds with the original plan form of the barn and detract from its simple appearance. The proposal would therefore be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, BDP20 Bromsgrove District Plan and Section 5 of the Councils High Quality Design Guide SPD and Policy HDNE1 of the Alvechurch Neighbourhood Plan.

**RECOMMENDATION:** That planning permission be **Refused**

### **Reasons for Refusal**

1. The proposed corridor link would alter the simple linear plan form of the existing building, forming an obvious projection from the original L-shape structure. The flat roof, and the use of the waney edged boarding against the brick of the original structure would also draw attention to the structure and would be at odds with the simple appearance of the original building eroding its existing agricultural character. The harm is considered to be less than substantial in terms of paragraph 196 of the NPPF, but it is not considered that any public benefits exist to justify the harm to these heritage assets. Therefore the proposal fails to preserve the historic and architectural interest of the listed building contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraph 196 of the NPPF and BDP 20 of the District Plan and Policy HDNE1 of the Alvechurch Neighbourhood Plan.

**Case Officer:** Emily Farmer Tel: 01527 881657  
Email: emily.farmer@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Steve Holland	Proposed extension to form corridor link.  The Byre, 2 Bittell Farm Barns, Bittell Farm Road, Barnt Green	06.10.2020	20/00943/LBC

**RECOMMENDATION:** That Listed Building Consent be **Refused**

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

### Consultations

#### **Conservation Officer**

Objection. It is concluded that the proposed corridor link would harm the significance of the curtilage listed building, as it would be odds with the original plan form of the barn and detract from its simple appearance. The proposal would therefore be contrary to the Planning(Listed Buildings and Conservation Areas) Act 1990.

#### Publicity

A site notice was placed onsite on 17<sup>th</sup> August 2020 and expired on 10<sup>th</sup> September 2020. A Press Notice was placed in the Bromsgrove Standard on 21<sup>st</sup> August 2020 and expired 7<sup>th</sup> September 2020.

No comments received.

#### **Councillor Hotham**

This application has been called into Committee for members to consider the conservation assessment

### Relevant Policies

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP20 Managing the Historic Environment

#### **Others**

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

### Relevant Planning History

19/01125/FUL	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Withdrawn	15.10.2019
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19/01126/LBC	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Withdrawn	15.09.2019
20/00006/FUL	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Approved	21.02.2020
20/00007/LBC	Domestic extension to form new kitchen, utility and circulation corridor. Conversion of garage block.	Approved	21.02.2020

## **Assessment of Proposal**

The application site comprises of a converted barn which is curtilage listed with the main dwelling Bittell Farmhouse. This application is for Listed Building Consent alongside planning application 20/00943/FUL. This application is for a small extension to create a short corridor running along part of the front of the north west elevation connecting the south west part of the 'L' to the lobby adjacent to the dining room in the centre of the north east range, thereby avoiding the need to walk through the living room to access the lobby. The proposed structure would comprise a flat roofed box clad in waney edged boarding to match the finish to the new extension previously approved onsite with a rooflight and a door and simple metal framed window to the north west elevation.

2 The Byre comprises an 'L' shaped 19th century barn in a much larger complex, originally forming the agricultural buildings to the adjacent Bittell Green Farmhouse (listed Grade II). The north east south west part of the 'L' comprises a linear range which is a continuation of the adjacent and separately occupied Dove Barn immediately to the south west. The other part of the 'L' lies at a right angle to the north west. The barns, which are constructed in local redbrick beneath pitched clay tile roofs, were converted in the late 1980s to residential use. From this historic maps it is clear that the buildings are very linear in form and have been since originally constructed.

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Section 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is supported by the Historic Environment policies in BDP20 of the Bromsgrove District Plan, which, amongst other things, state that development affecting heritage assets, should not have a detrimental impact on the character, appearance or significance of the heritage asset or heritage assets. In addition, guidance in the NPPF must also be

considered. Paragraph 189 requires applicants to describe the significance of any heritage asset affected, the level of detail being proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposals on significance; Paragraph 190 requires LPAs to take account of the significance of affected heritage assets when considering the impact of a proposal, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal; Paragraph 193 requires great weight to be attached to the conservation of designated heritage assets, irrespective of the level of potential harm. Any harm to or loss of, the significance of a designated heritage asset, including its setting, requires clear and convincing justification, Paragraph 194; and Paragraph 196 requires less than substantial harm to designated heritage assets to be weighed against the public benefits of the proposal.

In addition, guidance in respect of rural buildings is contained within the adopted High Quality Design SPD, this replaced the previous SPG 4, 'The Conversion of Rural Buildings'. The guidance in this document highlights that barn conversions should retain the original, utilitarian character of the building and that they should be capable of conversion to a new use without significant enlargement and alteration. Section 3.10.1 states that 'Extensions will not normally be permitted as these would detract from the plain, simple and utilitarian appearance of most rural buildings.' Section 3.10.2, states that where extensions are proposed they 'must reflect the form, character and utilitarian nature of the building and proposed openings should reflect the character and scale of the original building'. Further considerations are required within policy HDNE1 of the Alvechurch Neighbourhood Plan which states that all development proposals for Alvechurch Parish should continue to maintain, conserve and enhance the designated built heritage assets of the parish and their settings.

The proposed corridor link would alter the simple linear plan form of the existing building, forming an obvious projection from the original L-shape structure. The flat roof, and the use of the waney edged boarding against the brick of the original structure would also draw attention to the structure and would be at odds with the simple appearance of the original building eroding its existing agricultural character. It would contrast with the extension to the north east end of the building which, continues the linear form of the barn. The corridor extension would therefore undermine the character of the original barn contrary to the policies outlined above.

The harm is considered to be less than substantial in terms of paragraph 196 of the NPPF and therefore the harm should be weighed against the public benefits of the proposal. The corridor link would not be required to guarantee the future of the barn as it has clearly been in residential use since the late 1980s when it was converted. Although it is accepted that the applicants wish for a corridor to improve the internal layout of the dwelling, barn conversions by their very nature do not always produce perfect residential layouts. This would not constitute a public benefit and therefore would not weigh in favour of this application.

The Conservation Officers comments have been sought on this application and an objection raised.

In conclusion, taking all these matters into consideration, it is determined that the proposed corridor link would harm the significance of the curtilage listed building, as it

would be odds with the original plan form of the barn and detract from its simple appearance. The proposal would therefore be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, BDP20 Bromsgrove District Plan and Section 5 of the Councils High Quality Design Guide SPD and Policy HDNE1 of the Alvechurch Neighbourhood Plan.

**RECOMMENDATION:** That Listed Building Consent be **Refused**

### **Reasons for Refusal**

1. The proposed corridor link would alter the simple linear plan form of the existing building, forming an obvious projection from the original L-shape structure. The flat roof, and the use of the waney edged boarding against the brick of the original structure would also draw attention to the structure and would be at odds with the simple appearance of the original building eroding its existing agricultural character. The harm is considered to be less than substantial in terms of paragraph 196 of the NPPF, but it is not considered that any public benefits exist to justify the harm to these heritage assets. Therefore the proposal fails to preserve the historic and architectural interest of the listed building contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraph 196 of the NPPF and BDP 20 of the District Plan and Policy HDNE1 of the Alvechurch Neighbourhood Plan.

**Case Officer:** Emily Farmer Tel: 01527 881657  
Email: emily.farmer@bromsgroveandredditch.gov.uk

# **Bromsgrove District Council**

## **Meeting of the Planning Committee**

**5<sup>th</sup> October 2020**

# 20/00942/FUL & 20/00943/LBC

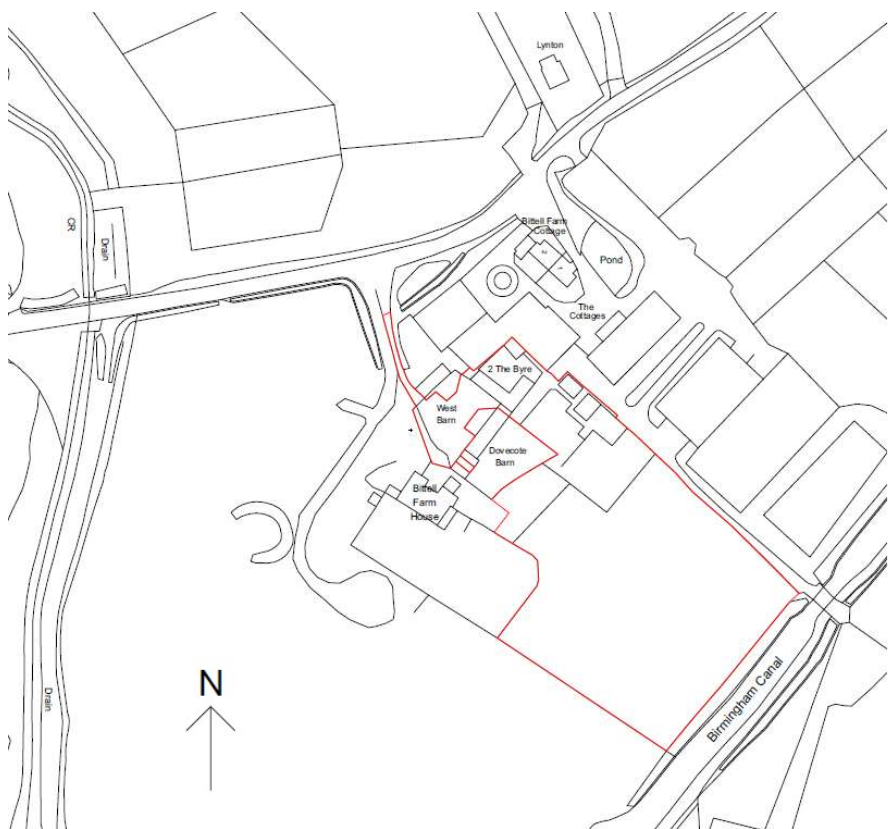
The Byre, 2 Bittell Farm Barns, Bittell Farm Road,  
Barnt Green, Worcestershire, B45 8BJ

Proposed extension to form corridor link.

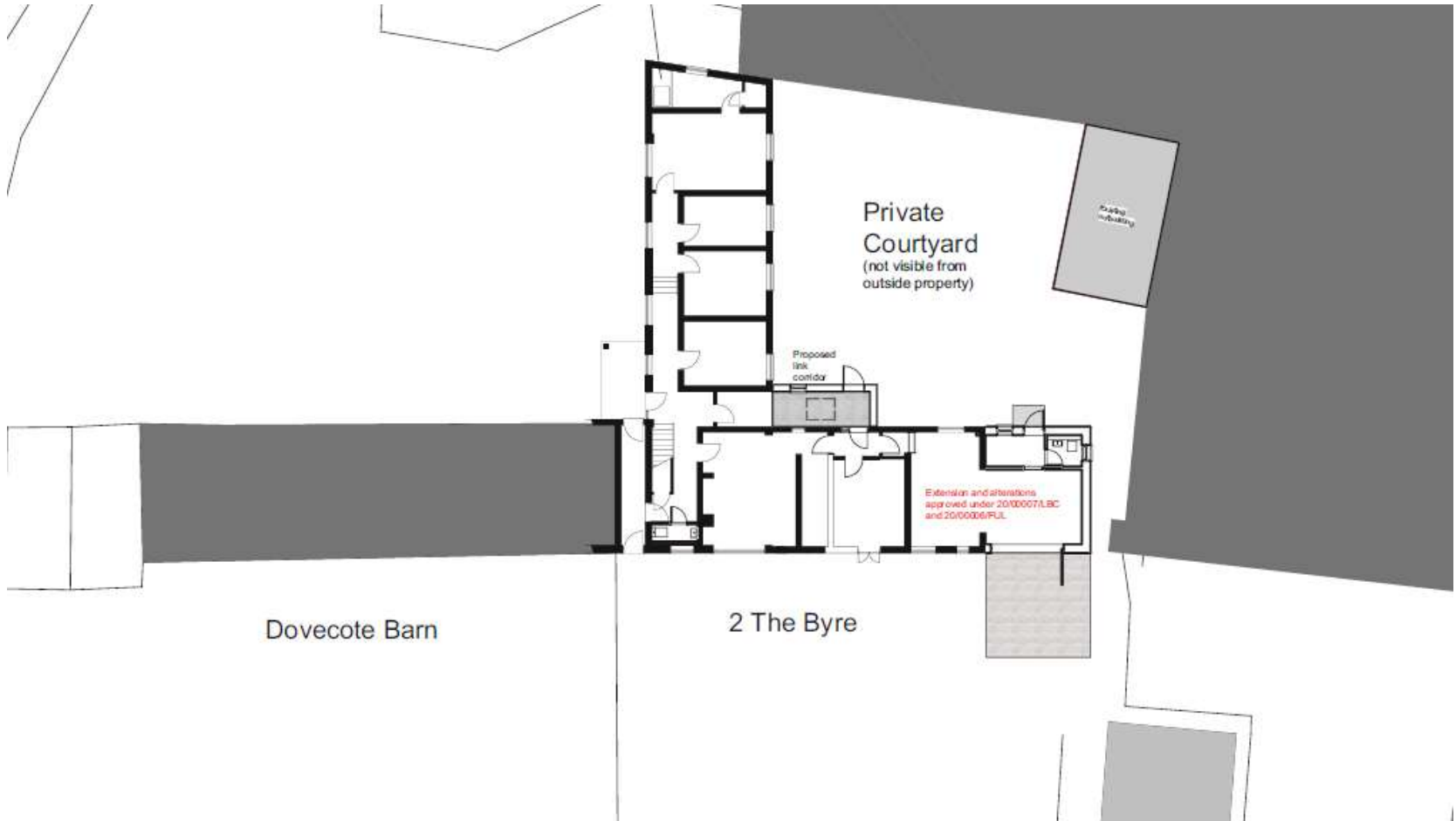
Recommendation: Refuse



# Location Plan



# Site Plan



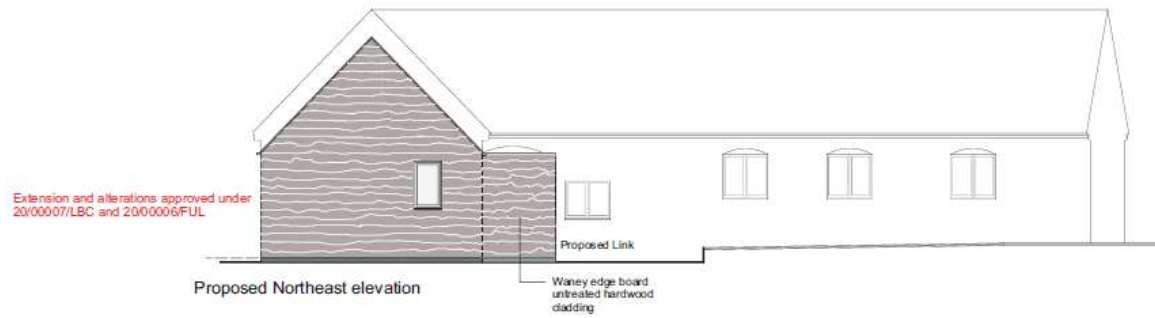
# Elevations



Proposed Southeast elevation

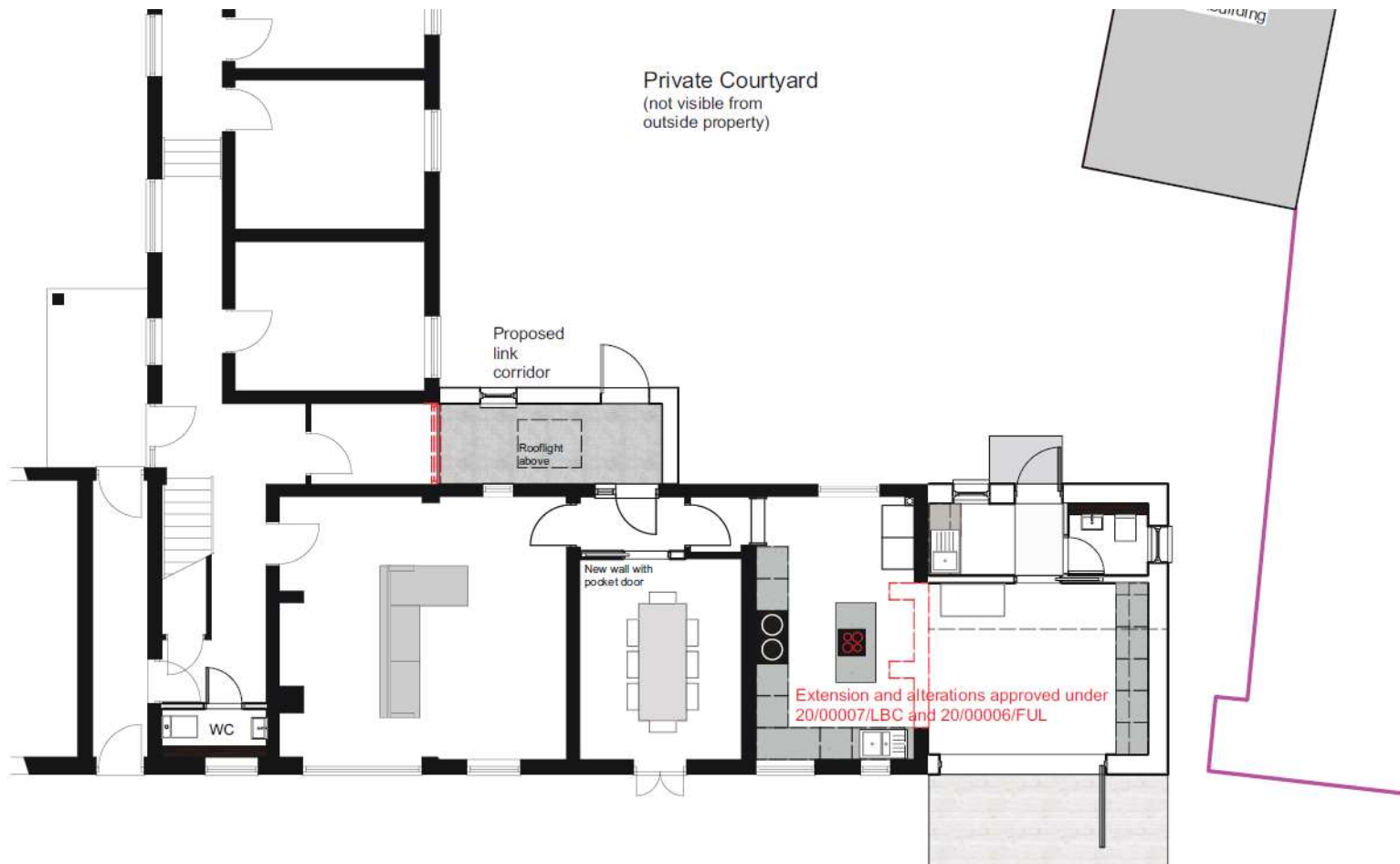


Proposed Northwest elevation

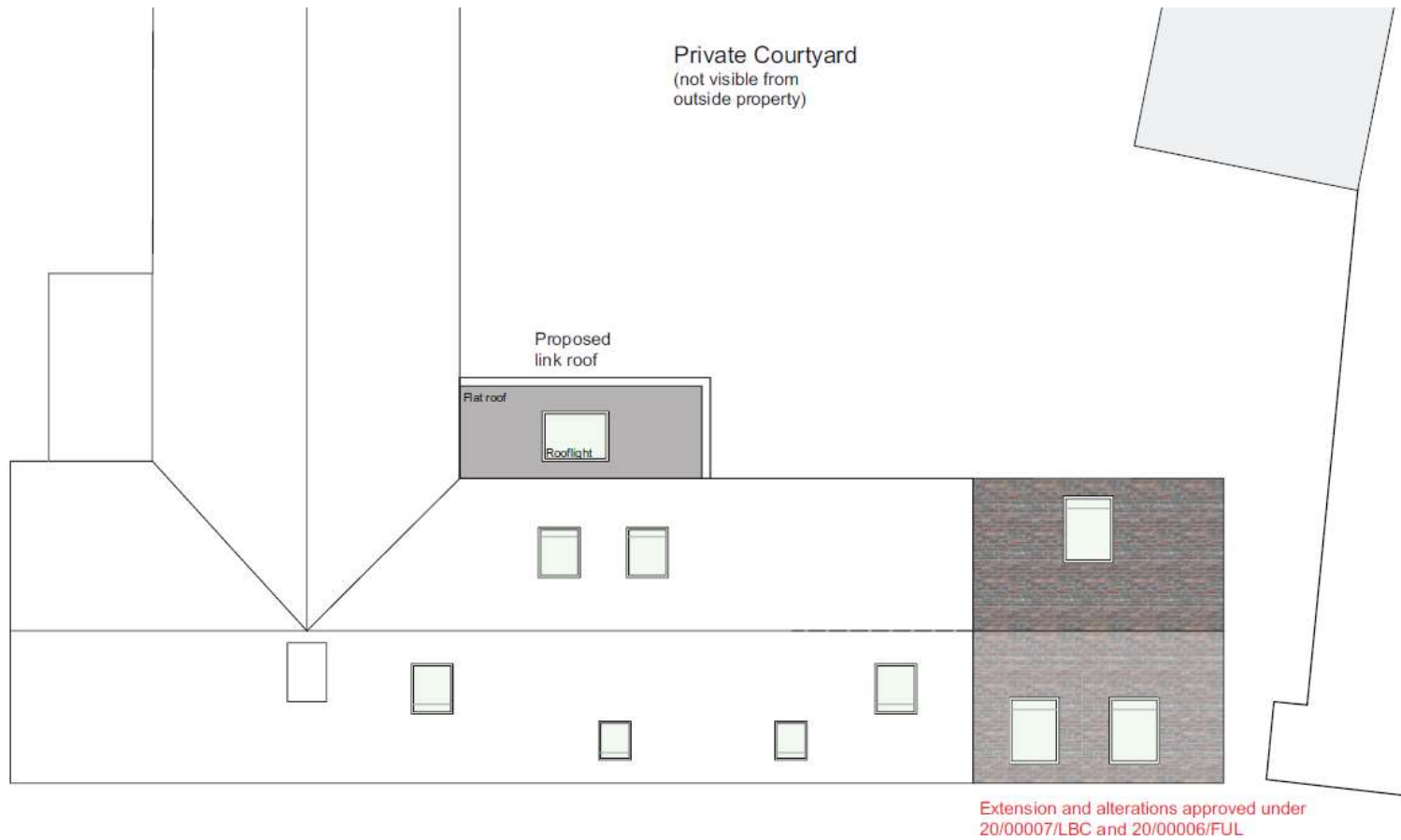


Proposed Northeast elevation

# Floor Plans



# Roof Plan



# Site Photos





# Site Photos



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