



BROMSGROVE DISTRICT COUNCIL

VIRTUAL MEETING OF THE PLANNING COMMITTEE

MONDAY 18TH JANUARY 2021
AT 6.00 P.M.

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

AGENDA

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
4. 19/01152/FUL - Full planning permission for residential development consisting of 22 dwellings (phase 3a) together with access, parking, landscaping and associated works - Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett - St. Modwen Homes Ltd (Pages 1 - 18)
5. 19/01153/REM - Application for the approval of Reserved Matters (appearance, landscaping, layout and scale) pursuant to outline permission ref. 16/1085 for residential development consisting of 146 dwellings together with access, parking, landscaping and associated works (Phase 3) -

Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett - St. Modwen Homes Ltd (Pages 19 - 60)

6. 20/01208/FUL - Extend existing roofline at first floor with dormer to create home office. Alterations to 2 no. dormers to front elevation and 1 to rear in existing roof, addition of 1 dormer to rear - Kinard, Barkers Lane, Wythall, Worcestershire, B47 6BS - Mr. P. Mannion (Pages 61 - 74)
7. 20/01482/FUL - The development of a single dwelling together with associated parking, driveway and landscaping - 7 Marlborough Avenue, Bromsgrove, Worcestershire, B60 2PG - Ihuoma Properties (Pages 75 - 94)
8. 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

7th January 2021

If you have any queries on this Agenda please contact

**Pauline Ross
Democratic Services Officer**

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

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BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

GUIDANCE ON VIRTUAL MEETINGS AND PUBLIC SPEAKING

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 Microsoft Teams, 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 Microsoft Teams.

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

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Officer on 01527 881406 or by email at p.ross@bromsgroveandredditch.gov.uk before 12 noon on Thursday 14th January 2021.
- 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 Microsoft Teams invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by Microsoft Teams, 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 14th January 2021.
- 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
- 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.
St Modwen Homes Ltd	Full planning permission for residential development consisting of 22 dwellings (phase 3a) together with access, parking, landscaping and associated works Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett	19.01.21	19/01152/FUL

Procedural Update

At the request of Members of Planning Committee, this application was deferred at the meeting of Planning Committee on 7 September 2020. The deferral was made to facilitate further discussions to take place between the District Council and the applicants in order to seek further detailed information to address the concerns raised by the Committee during the course of the meeting.

These discussions have taken place and the scheme now presented to Member includes the following changes:

- The number of units have increased from 18 to 22.
- No vehicular through route to the reserved matters scheme (Ref 19/01153/REM).
- Repositioning of dwellings so that they front Groveley Lane.

This report incorporates the information contained in the Update Sheet issued to Members on 7 September 2020, together with additional representations received by the District Council after the Planning Committee meeting held on 7 September 2020.

Members are requested to have regard to the above when considering matters. However, following consideration of the additional information as detailed, the Head of Planning and Regeneration is of the view that there has been no alteration to the recommendation of minded to approve full planning permission.

RECOMMENDATION:

(a) MINDED to **GRANT** full planning permission

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

- (i) £1,149.28 as a contribution towards the provision of wheelie bins for the scheme.
- (ii) £ £8,510 as a contribution towards the extension of New Road Surgery, Rubery and/or Cornhill Surgery, Rubery.
- (iii) £2,385.00 as a contribution to be paid to the Worcestershire Acute Hospitals NHS Trust (WAHT) to be used to provide services needed by the occupants of the new homes and the community at large. Agreement of a final sum to be Delegated to the Head of Planning and Regeneration

Services (subject to verifying any deductions based on services already provided by the WAHT).

- (iv) The securing of 35% provision (8 units) of on-site affordable housing.
- (v) Planning Obligation Monitoring Fee: £TBC. Revised Regulations have been issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of Full Council on 25 September 2019.

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

Consultations

Cofton Hackett Parish Council

Revised comment October 2020

Cofton Hackett Parish Council has no further comments on this application.

Highways - Bromsgrove

No objections subject to conditions.

Birmingham City Council - Highways

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

October comments

As above. The inclusion of a footpath/cycle route from Groveley Lane through the site is acceptable. The applicant should ensure that motor vehicles or motorcycles cannot gain access through it by appropriately positioned bollards.

Bromsgrove Strategic Planning And Conservation

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

Housing Strategy

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

Waste Management

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

Sports and Leisure Services Manager

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

Birmingham City Council

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

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

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

Environment Agency

No objections and recommend conditions.

North Worcestershire Water Management

No objection.

Severn Trent Water Ltd

No objections to the proposals subject to a drainage condition.

Node – Urban Design

We support the re-development of this key brownfield site. Design revisions such as addressing the issues of scale and transition along Groveley Lane are welcomed and we are happy with the design of the apartments.

Notwithstanding committee's previous concerns about 'rat running', our fundamental concern from an urban design perspective still exists which is that the cul-de-sac development as shown, dominated by turning heads, should be amended to provide a connected street layout which would remove the need for the central turning head and allow all properties to front onto the highway.

We have been consistent on our advice that the provision of parking should not dominate the street scene and that high-quality public spaces should be provided as part of the proposals.

West Mercia Constabulary

No objection.

Community Safety

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

Education Department At Worcestershire

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

Network Rail

No objection

Cadent Gas Ltd

No objection

WRS - Contaminated Land

No objection subject to conditions.

WRS – Noise

No objection subject to conditions.

NHS/Medical Infrastructure Consultations

The proposed development is likely to have an impact on the services of 2 GP practices. The GP practices do not have capacity for the additional growth resulting from this development. The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. Redditch & Bromsgrove CCG would therefore expect these impacts to be fully assessed and mitigated.

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

NHS Acute Hospitals Worcestershire

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

Public Consultation

Site notice erected 10.9.19

Press notice 13.9.19

5 separate sets of public consultation (10.9.19, 20.12.19, 20.3.20, 27.4.20 and 22.10.20) have taken place over the processing of the application which is reflected in the number of comments received.

26 letters submitted

24 letters of objections raising concerns summarised as follows:

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

2 representations

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

October 2020 consultation

2 letters of objection

- Proposal not in keeping with the area.
- Existing infrastructure is already congested.
- Issues with waterlogging issues experienced by existing occupiers.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP3 Future Housing and Employment Development

BDP6 Infrastructure Contributions

BDP7 Housing Mix and Density

BDP12 Sustainable Communities

BDP19 High Quality Design

BDP21 Natural Environment

BDP24 Green Infrastructure

BDP25 Health and Well Being

Others

Longbridge Area Action Plan

Bromsgrove High Quality Design SPD

Blackwell and Lickey and Cofton Hackett Neighbourhood Plan

SPG11 Outdoor Play Space

NPPF National Planning Policy Framework (2019)

NPPG National Planning Practice Guidance

National Design Guide

Relevant Planning History

19/01396/ADV 5no. flags on poles

Approved 29 January 2020

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

Approved 29 January 2020

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

Pending.

16/1087 Erection of 185 dwellings, including details of access, landscaping and open space, drainage and other associated infrastructure.

Land off East Works Drive, Cofton Hackett
Approved 27 July 2017

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

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

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

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

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

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

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

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

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

Proposal Description

The application is phase 3a of the overall redevelopment of Longbridge East. This scheme provides 22 additional units and comprises of the following mix of development:-

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

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

The proposed layout shows two vehicular access points off Groveley Lane each serving 5 units. The other units that form part of this application would be served by access roads that form part of the layout of the reserved matters application under reference 19/01153/REM (phase 3) that appears elsewhere on this agenda.

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

Site Description

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

Assessment of Proposal

Principle

Members may recall that outline planning permission was granted for 150 dwellings on this area of land under a hybrid application ref: 16/1085. Condition 4 was imposed on the hybrid application which restricted the reserved matters application to a total number of no less than 145 dwellings and no more than 150 dwellings.

Members will also recall that very recently a reserved matters application (19/01153/REM) and a full application for residential development (19/01152/FUL) were considered and deferred at Planning Committee in September 2020. The applicant has considered the comments raised at Committee and made some changes to the schemes overall.

The key changes to this application are as follows:-

- Number of units have increased from 18 to 22.
- There is no longer a vehicular access that runs through to the reserved matters scheme. However, cycle and pedestrian access (active travel route) is still provided in order to maintain some connectivity between the two schemes and the other phases of the East Works development. The active travel route has been designed to be overlooked providing surveillance, the scheme works cohesively as one development as a result of the inclusion of a pedestrian link from the reserved matters site to the full application site off Groveley Lane.
- The changes to the scheme now result in a better streetscene with additional units fronting Groveley Lane.

Some of the units that form part of this application will still be served off the proposed access arrangements under the reserved matters application and therefore, part of this scheme still relies on the approval of the reserved matters application.

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

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

East Works site

Phase 1 scheme	= 229 dwellings	(already built)
Phase 2a scheme	= 41 dwellings	(already built)
Phase 2b scheme	= 185 dwellings	(under construction)
Phase 3 scheme	= 146 dwellings	(reserved matters scheme pending)
Phase 3a scheme	= 22 dwellings	(this application)

Total = 623 dwellings (shortfall 77 dwellings)

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

Proposal H2 also requires that an overall density of 40 - 50 dwellings per hectare be achieved. There is an aspiration that the northern part of the East Works site be developed at a higher density enabling the southern part of the site to have been developed at a lower density, where the impact of development would be greater adjacent to rural surroundings. The density of the hybrid scheme at the time of consideration was based on 52 dwellings per hectare (dph). This proposal combined with the reserved matters application would provide a density of 54 dph overall. The proposal would be in accordance with Proposal H2 of the LAAP. Bromsgrove Strategic Planning and Birmingham City Council support the proposal and additional number of units to this area.

Proposal H2 of the LAAP requires 35% of dwellings to be affordable. The scheme includes this provision with 8 No. 2 bedroom maisonettes (equating to a 35% provision for this scheme). The design of these properties are similar to the other housetypes proposed for the overall scheme. The affordable housing in this application would be located together to the south east corner of the site. Strategic Housing is satisfied with the number of units, the positioning of, and mix of units proposed. Affordable housing provision sought under Proposal H2 of the LAAP is more than what would generally be sought under policy BDP8 of the Bromsgrove District Plan (BDP) (30% on a brownfield

site). It is considered that the affordable housing element of the scheme is acceptable and would form part of the S106 Agreement.

Policy BDP2 of the Bromsgrove District Plan encourages the delivery of housing on previously developed land. This site was formerly part of the MG Rover Works; therefore, redevelopment of this site for housing would comply with this policy.

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

In respect to the Blackwell and Lickey Hills and Cofton Hackett Neighbourhood Plan, the Plan acknowledges the anticipated number of units proposed to be built on the East Works site. Policy BD2 of the Neighbourhood Plan encourages new development to respond sympathetically to the settlement concerned. New development should respond positively to its setting through detailing, appropriate use of materials, scale, height and massing. Schemes should demonstrate how they enhance and add visual interest to the local area. This proposal would be in scale and in keeping with the surrounding development and would not have an adverse impact on local residential amenity and as such would comply with policies BD2 and H1 of the Neighbourhood Plan.

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

Layout and Scale

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

Given that the site is adjacent to the railway line, an acoustic condition is recommended to reduce any potential noise for plots close to the railway line.

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

Highways and access

Since the submission of the application, there have been revisions to the scheme resulting in 4 separate consultations with consultees and the public.

Since the application was considered at Committee in September 2020, an additional consultation has taken place. Members will recall that on the previous scheme, vehicular access flowed from this site to the reserved matters scheme in order to provide improved connectivity overall. This was encouraged by Worcestershire County Highways and the

Urban Designer. Due to concerns raised at Committee, the vehicular link has now been omitted but cycle and pedestrian access (active travel route) is still maintained between the two schemes. This does resolve concerns raised by residents/members in respect to potential rat runs etc.

Worcestershire County Highways note that changes to the scheme are to address concerns expressed by members of the Planning Committee when they considered the application on 7 September 2020. The proposed access arrangements now revert, very closely, to a layout proposed in a previous iteration of the scheme. The principal difference being the amendment of the full vehicular link between East Works Drive and Groveley Lane north east, reducing the connection at its northern end to an active travel route only.

The proposal includes revised arrangements for the active travel route and shared private driveway accesses to the north eastern arm of Groveley Lane and these connections will fall under the jurisdiction of Birmingham City Council who also support the amended access arrangements.

Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

The Urban Designer notes the committee's previous concerns about 'rat running' but expresses concerns that a cul-de-sac development is now dominated by turning heads. Whilst officers note the Urban Designers comments, given that both Highway Authorities support the revised layout and taking into account that adequate accessibility and connectivity would still be created with the active travel route between the two schemes it is considered that the access arrangements are acceptable and would provide a sustainable development.

Members will recall that there were objections to the scheme in respect to increased number of vehicles. Following a further consultation on this application in October 2020, only two letters have been submitted in respect to the revision to this application. One of the two comments refer to the current access arrangements and congestion.

Whilst access arrangements for the East Works site overall have been designed and built with the anticipation that 700 units and communal facilities would be served off East Works Drive, given that there is likely to be a shortfall of 77 units on site means that the access arrangements for the scheme would not be at capacity. Given the revised access arrangements show some 10 of the units to be served off Groveley Lane would reduce vehicular traffic using East Works Drive.

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

The general redevelopment of the Longbridge area has enabled investment in sustainable travel with contributions going towards Centro Park and Ride and

improvements to Longbridge Railway Station. Improved facilities in public transport are giving new occupiers more choice, and less reliance on their own car. In addition, wider strategic highway improvements have also been part of the Longbridge redevelopment works such as traffic lights at the junction of Lowhill Lane and Lickey Road as well as other improvements to the A38.

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

Noise and contaminated land

No objections and recommend conditions.

Neighbour objections

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

Comments submitted refer to waterlogging issues, although they seem to relate to issues experienced by existing occupiers of the earlier phases. North Worcestershire Water Management raise no objection to the scheme and recommend a suitable drainage condition.

Previous objections including a more recent letter also refer to the apartment building. However, given the apartment building does not form part of this application, those comments have not been taken into consideration in this application.

Planning Obligations

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

Affordable Housing Provision. To ensure that 8 units (60% social rent and 40% shared ownership) are provided on site and retained as such in perpetuity.

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

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

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

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

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

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

Conclusion

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

RECOMMENDATION:

- (a) MINDED to GRANT full planning permission
- (b) That DELEGATED POWERS be granted to the Head of Planning and Regeneration to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:-
 - (i) £1,149.28 as a contribution towards the provision of wheelie bins for the scheme.
 - (ii) £ £8,510 as a contribution towards the extension of New Road Surgery, Rubery and/or Cornhill Surgery, Rubery.
 - (iii) £2,385.00 as a contribution to be paid to the Worcestershire Acute Hospitals NHS Trust (WAHT) to be used to provide services needed by the occupants of the new homes and the community at large. Agreement of a final sum to be Delegated to the Head of Planning and Regeneration Services (subject to verifying any deductions based on services already provided by the WAHT).
 - (iv) The securing of 35% provision (8 units) of on-site affordable housing.
 - (v) Planning Obligation Monitoring Fee: £TBC
Revised Regulations have been issued to allow the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the Agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of Full Council on 25 September 2019.

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

Conditions

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

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

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

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

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

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area.

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

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

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

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

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

REASON: To reduce vehicle movements and promote sustainable access.

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

Reason: In the interests of sustainability.

- 8) The Development hereby permitted shall not be first occupied until sheltered and secure cycle facilities has been provided in accordance with Site Layout Plan (Dwg. No. to be finalised) and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

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

- 9) The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:
- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - Details of site operative parking areas, material storage areas and the location of site operative's facilities (offices, toilets etc);
 - The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
 - Details of any temporary construction accesses and their reinstatement.
 - A highway condition survey, timescale for re-inspections, and details of any reinstatement.
 - Proposals to minimise dust from construction
 - Construction noise suppression,
 - Piling techniques,
 - Programme of works (including measures for traffic management and operating hours),
 - Provision of boundary hoarding and lighting. The development shall be carried out in accordance with the approved management plan.

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

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

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

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

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

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

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

1. Ground investigation and vapour and gas risk assessment has identified presence of contamination requiring mitigation consisting of vapour and gas protection measures and a clean cover system to be implemented on site. Detailed proposals for these mitigation measures should be provided in a remediation strategy in order that the site be brought to a condition suitable for the intended use by removing unacceptable risks to identified receptors. This must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

3. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning

Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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

and maintenance plan”) for any longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

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

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

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

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

- 15) The proposed acoustic fencing as indicated on Dwg. No. (to be finalised) to be provided on plots 45-50 shall be implemented before the development is first brought into use and retained as such in perpetuity.

Reason: In the interests of residential amenities.

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

Reason: In the interests of residential amenities.

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

appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

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

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

Name of Applicant	Proposal	Expiry Date	Plan Ref.
St Modwen Homes Ltd	Application for the approval of Reserved Matters (appearance, landscaping, layout and scale) pursuant to outline permission ref. 16/1085 for residential development consisting of 146 dwellings together with access, parking, landscaping and associated works (Phase 3) Longbridge East And River Arrow Development Site, Groveley Lane, Cofton Hackett	19.01.21	19/01153/REM

Procedural Update

At the request of Members of Planning Committee, this application was deferred at the meeting of Planning Committee on 7 September 2020. The deferral was made to facilitate further discussions to take place between the District Council and the applicants in order to seek further detailed information to address the concerns raised by the Committee during the course of the meeting.

These discussions have taken place and the scheme now presented to Member includes the following changes:

- Number of units have decreased from 150 to 146.
- No vehicular through route to the full application scheme (Ref 19/01152/FUL).
- Revisions made to the apartment building.

This report incorporates the information contained in the Update Sheet issued to Members on 7 September 2020, together with additional representations received by the District Council after the Planning Committee meeting held on 7 September 2020.

Members are requested to have regard to the above when considering matters. However, following consideration of the additional information as detailed, the Head of Planning and Regeneration is of the view that there has been no alteration to the recommendation to approve Reserved Matters.

RECOMMENDATION: That reserved matters be **APPROVED**

Consultations

Cofton Hackett Parish Council

Object to the revised scheme. Scheme still includes a five storey apartment block fronting onto Groveley Lane

- The five storey apartments are not in keeping with the area clearly contravene the Neighbourhood Development Plan. This states that any new plans should "sensitively enhance the area", should be consistent with "the existing density and 'feel' of the area" and should be "sympathetic and appropriate to the areas in which they are sited". It notes the "semi-rural" nature of the district and that "any new

development must not spoil this aspect". The apartments are more appropriate to an urban setting, such as Longbridge town centre, rather than the semi-rural community of Cofton Hackett.

- Concern that apartments could overshadow other properties on the estate particularly late in the day in the winter solstice.
- Concern about traffic infrastructure and parking and cars parking along the pavements causing congestion.

Highways - Bromsgrove

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

Birmingham City Council - Highways

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

Birmingham City Council

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

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

Housing Strategy

No objection. The affordable housing element is acceptable.

Waste Management

No objection.

Node – Urban Design

We support the re-development of this key brownfield site. Design revisions such as addressing the issues of scale and transition along Groveley Lane are welcomed and we are happy with the design of the apartments.

Notwithstanding committee's previous concerns about 'rat running', our fundamental concern from an urban design perspective still exists which is that the cul-de-sac development as shown, dominated by turning heads, should be amended to provide a connected street layout which would remove the need for the central turning head and allow all properties to front onto the highway.

We have been consistent on our advice that the provision of parking should not dominate the street scene and that high-quality public spaces should be provided as part of the proposals.

West Mercia Constabulary

No objection or comments regarding the above application.

Community Safety

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

Education Department At Worcestershire

No objection.

Environment Agency

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

North Worcestershire Water Management

No objection.

WRS - Contaminated Land

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

WRS - Noise

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

Network Rail

No objection.

Public Consultation

Site notice 9.9.19

Press notice 13.9.19

6 separate sets of public consultation have taken place (10.9.19, 20.12.19, 20.3.20, 27.4.20, 22.10.20, and 4.12.20) over the processing of the application which is reflected in the number of comments received.

174 letters sent

170 letters of objections raising concerns summarised as follows:

- Additional housing in the area and limited car parking.
- Provision of open space?
- Overbuilt development.
- Consideration for road junction improvements and traffic calming around Cofton Park.

- Cause disruption at the entrance to the estate.
- Increase density.
- Comments referred to the apartment block, scale of the apartment building in respect to the traditional housing in the area. Consider the building to be out of keeping, spoiling the village setting. Dis not like the design of the apartment building.
- Encourage additional access off Groveley Lane as it would be too much traffic off East Works Drive only.

October 2020 consultation showing revisions to the access arrangements.

116 letters of objection

- Proposal not in keeping with the village type setting and general feel of the area.
- Existing infrastructure is already congested.
- Issues with waterlogging issues experienced by existing occupiers.
- Limited car parking.
- Area is a rural location.
- Traffic.
- No infrastructure to support the number of units.
- Size and location of the apartment building.

December 2020 consultation showing revisions to the apartment building.

70 letters of objection

- Proposal does not fit in with the Neighbourhood Plan.
- Apartment building is out of keeping with the area.
- Size and location of apartment building.
- Out of character in this village setting.
- Increase in traffic.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP3 Future Housing and Employment Development

BDP6 Infrastructure Contributions

BDP7 Housing Mix and Density

BDP12 Sustainable Communities

BDP19 High Quality Design

BDP21 Natural Environment

BDP24 Green Infrastructure

BDP25 Health and Well Being

Others

Longbridge Area Action Plan

Bromsgrove High Quality Design SPD

Lickey and Blackwell and Cofton Hackett Neighbourhood Plan

SPG11 Outdoor Play Space

NPPF National Planning Policy Framework (2019)

NPPG National Planning Practice Guidance

National Design Guide

Relevant Planning History

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

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

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

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

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

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

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

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

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

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

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

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

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

Proposal Description

Members may recall that outline approval for 150 dwellings was granted permission under a hybrid application reference No. 16/1085. The hybrid application also included a detailed scheme for the community centre which has since been built and is now functioning on site. This reserved matters application for the development provides details regarding Access, Appearance, Landscaping, Layout and Scale for 146 units. The layout plan shows the provision of two means of access to the scheme off East Works Drive.

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

The remaining units (to the south of the apartment building) would comprise of 89 dwellings 24 No. 4 bed, 37 No. 3 bed and 28 No. 2 bed dwellings served off East Works Drive. The dwellings are of a mix of 2 to 3 storeys. The dwellings would be a mix of detached, semi-detached and terraced units. Some of which have dual aspect particularly those located on corner locations in order to enhance the streetscene. Car parking has been provided as in curtilage or grouped car parking, some also have a car port for car parking.

Revised plans now show the access roads as cul de sacs and only a footpath and cycle path (active travel route) as a link to the proposed residential application to be considered under application reference 19/01152/FUL that appears elsewhere on this agenda.

Site Description

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

Assessment of Proposal

Principle

Members may recall that the principle of residential development was considered favourably at Planning Committee in 2017.

This application is the reserved matters application for the scheme. Members will recall considering this application at Planning Committee on 7 September 2020. The application was deferred due to concerns in respect to potential overshadowing from the proposed 5 storey apartment building, and whilst Members were aware of the Council's 5 year housing land supply, concerns about the size and location of the proposed 5 storey apartment building needed to be reconsidered by the applicant. Objections to the scheme referred to the apartment building as well as the access arrangements. Members resolved to defer the application to enable officers to negotiate improvements to the scheme.

Members key concerns on the apartment building related to the proposed height and potential overbearing impact on adjacent dwellings, specifically in relation to sunlight in rear gardens. They were also concerned that the apartment building would be "out-of-character" with the existing housing in the surrounding area, and there were suggestions that the building be located elsewhere on the site. Other concerns related to the introduction of a through road within the scheme, onto Groveley Lane to the north, and the potential for a "rat-run" into the wider Longbridge East scheme.

Members resolved to defer this application and the full application (19/01152/FUL) to enable the applicant to review the schemes.

The key changes to this application are as follows:-

- Number of units have decreased from 150 to 146.
- There is no longer a vehicular access that runs through to the full application scheme. However, cycle and pedestrian access (active travel route) is still provided in order to maintain good connectivity links between the two schemes and the other phases of the East Works development. The active travel route has been designed to be overlooked providing surveillance, the scheme works cohesively as one development as a result of the inclusion of a pedestrian link from the reserved matters site to the full application site off Groveley Lane.
- A landmark apartment building is still proposed to be sited on Groveley Lane overlooking Cofton Park. However, further amendments have been made to the apartment building following recommendations made by an independent advisor.
 - The revised scheme incorporates a reduction in the height of the apartment building on the corner adjacent to the Taylor Wimpey scheme, creating a better relationship and gateway into the development.
 - Introduced a series of vertical projecting bays.
 - Differentiated between living room and bedroom windows.
 - Simplified the design, fenestration and material palette.

The applicant commissioned an independent specialist advisor to critique the apartment scheme before making changes to the building. The independent advisor Bob Gosh (K4 Architects), specialises in independent design reviews and has served on a number of Local and Regional panels which include MADE, Design Midlands Urban Vision and

Birmingham City Council Conservation and Design Review panel. The specialist advisor independently reviewed the scheme and made specific initial observations.

Some of the changes cited above are those recommended by the independent advisor. Interestingly, the advisor recommended a duplex apartment at the corner of Lowhill Lane to increase height and presence on this corner. This recommendation was not pursued by the applicant given concerns raised by members of the Planning Committee that the corner would have been out of scale with the buildings on the opposite corner (the Taylor Wimpey scheme). Instead, the height of the proposed building now uses the ridge height of the neighbouring development as the approximate maximum height datum, resulting in a reduction of circa 1.5m from the previous design. Although the height has been reduced, the design of the corner has been enhanced in order to mark its importance. The fenestration has been increased and projecting wrap-around balconies have been introduced, providing a more expressive and articulated corner treatment, which has a more comfortable relationship with the Taylor Wimpey scheme.

The independent advisor concluded that the revisions made to the scheme following his recommendations provides a building that:-

- Has been adjusted with reduced parapet heights, to achieve a more comfortable relationship with the Park and the neighbouring Taylor Wimpey scheme, whilst responding to the reduced scale of the Village Hall.
- Has greater legibility, where different types of spaces have differing types of fenestration (i.e. cores, living spaces and bedrooms). There is greater degree of articulation, created by the projecting balconies. These provide a vertical emphasis and a rhythmic pattern to the principal elevation, facing the Park.
- Has a material palette that has been simplified and refined providing a more enduring quality to the building.

Siting of Apartments

Members raised concerns in respect to the positioning of the apartment building. This location was chosen due to the site levels and constraints in this area of the East Works site. There are level differences of nearly 4m between the road/footpath (Groveley Road) and the site, this dictated that undercroft parking would be an appropriate solution of making the most efficient use of the site and enable vehicles to be 'out of sight' from Groveley Lane.

Other locations were considered such as siting the apartment building to the north of the site but this was rejected as the apartment building would cast a shadow on the neighbouring Taylor Wimpey scheme all day due to the sun rising in the east and setting in the west, the frontages of the recently built dwellings along Groveley Lane are afforded a southern aspect and as such would cause considerable amenity harm. Siting the apartment building to the east of the site adjacent to the railway line would have a detrimental effect to the residents with respect noise and aspect. If all bed spaces were occupied a total of 174 residents would be hindered, other considerations would be a potential dominance of parked vehicles given that undercroft parking would not be required in this location.

Apartment Shadow Study

The applicant has produced a shadow study in response to committee members having concerns of shadows being cast by the apartment building to the immediate rear

dwellings and gardens. The visual model indicates that there is no significant shadow cast by the apartment building during the summer months to dwellings and their amenity space located to the rear of the apartment building. Winter shadowing has also been tested. Given the orientation of the site and low level of the sun in the winter, any development of the site, even a lower height building would cast shadow, which was demonstrated in the study submitted.

It is considered that the re-design of the apartment building addresses the concerns raised by members of the Planning Committee in particular the siting, scale and overshadowing issues. In addition, locating the apartment building along the western boundary would make the most efficient use of the site levels with the provision of undercroft car parking.

Members will be aware that that many objections have been submitted in respect to the initial scheme. Concerns referred to the scale of the building and that it would be out of keeping with the surrounding housing.

Since the revisions to the scheme, two further consultations have taken place. The consultation in October 2020 generated 116 objections whilst the consultation in November 2020 generated 70 objections raising similar concerns. Whilst it is accepted that the building is of a larger scale to the traditional housing in the area, I consider that the scale of the apartment building provides a well designed quality landmark building that will make a statement for the East Works Development as a whole. Members will note the Urban Designer considers the apartment building to be well designed and an appropriate scale development in this location. The use of different materials and its position, adjacent to the recently built community centre, would add interest to the streetscene in general.

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

In respect to the Blackwell and Lickey Hills and Cofton Hackett Neighbourhood Plan, the Plan acknowledges the anticipated number of units proposed to be built on the East Works site. Policy BD2 of the Neighbourhood Plan encourages new development to respond sympathetically to the settlement concerned. New development should respond positively to its setting through detailing, appropriate use of materials, scale, height and massing. Schemes should demonstrate how they enhance and add visual interest to the local area. Policy BD2 also encourages contemporary, high quality designs and that development proposals need not imitate earlier architectural periods or styles but be the stimulus for the use of imaginative modern design using high quality traditional materials such as local brick in innovative ways in order to add to the quality/character of the surrounding environment. This proposal which includes a contemporary apartment building would enhance and add visual interest to the local area and would be in keeping with the surrounding development. In addition, the scheme would not have an adverse

impact on local residential amenity and as such would comply with policies BD2 and H1 of the Neighbourhood Plan.

Given that the site is adjacent to the railway line, an acoustic condition is recommended to reduce any potential noise for plots close to the railway line.

Members may recall that Proposal H2 of the LAAP requires a target of 35% of dwellings to be affordable. This provision was included in the approved outline application for this phase. A total of 51 affordable units would need to be provided for this scheme. 19 affordable units would be provided within the apartment building, whilst the remainder of the affordable housing (4 No. 3 bed and 28 No. 2 bed dwellings) would be provided in small clusters around the rest of the site. This would comply with the requirements of the outline planning approval.

Highways and access

The original site layout plan showed access off East Works Drive that would then link up with the full application reference 19/01152/FUL providing a direct link onto Groveley Lane, this was following negotiations between the developers, officers, the Council's Urban Designer and Worcestershire County Highways to ensure good vehicular and pedestrian access is provided between the two schemes in order to improve connectivity within the scheme overall. Objections referred to the number of units being served off East Works Drive and possible rat running. The revised scheme now shows the two schemes separated in respect to vehicular access providing pedestrian and cycle links only (active travel route).

The access arrangements for the East Works site overall has been designed and built with the anticipation that 700 units and communal facilities would be served off East Works Drive. Worcestershire County Highways note that changes to the scheme are to address concerns expressed by members of the Planning Committee when they considered the application on 7 September 2020. The proposed access arrangements now revert, very closely, to a layout proposed in a previous iteration of the scheme. The principal difference being the amendment of the full vehicular link between East Works Drive and Groveley Lane north east, reducing the connection at its northern end to an active travel route only. Roads 1 and 4 are now proposed to reduce from 5.5m to 5m north of Road 3. Whilst the Highway Authority would prefer them to maintain the 5.5m width throughout the layout conforms closely to the standards set out in the adopted Streetscape Design Guide.

The proposal includes revised arrangements for the active travel route and shared private driveway accesses to the north eastern arm of Groveley Lane and these connections will fall under the jurisdiction of Birmingham City Council who also support the amended access arrangements.

Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

The Urban Designer notes the committee's previous concerns about 'rat running' but expresses concerns that a cul-de-sac development is now dominated by turning heads. Whilst officers note the Urban Designers comments, given that both Highway Authorities

support the revised layout and taking into account that adequate accessibility and connectivity would still be created with the active travel route between the two schemes it is considered that the access arrangements are acceptable and would provide a sustainable development.

Noise and contaminated land

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

Neighbour objections

Overall, objections related to the increase in traffic which has been considered above. Other concerns related to the design of the apartment building. Following recent consultations, objections still exist in respect to the principle of the building and its scale. However, officers consider that the recent revisions to the apartment building further enhance the scheme overall and whilst the overall height of the building is 5 storeys it is important to note that from the streetscene the scheme will be of a comparable height to the Taylor Wimpey apartment building. In addition, the overall mass of the building has been broken up following recommendations made by an independent advisor.

Comments submitted refer to waterlogging issues, although they seem to relate to issues experienced by existing occupiers of the earlier phases. North Worcestershire Water Management raise no objection to the scheme.

5 year land supply

Members will recall that the outline application approved 150 units. This scheme provides 146 units, maximising and making the most efficient use of the site, taking into account that the density of this area of the East Works needs to be higher to offset the densities to the previous phases 2a and 2b that are closer to the Green Belt.

Planning Obligations

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

Conclusion

The revisions to the design and layout of the residential development including the apartment building is considered to be acceptable. Adequate connectivity between this scheme and the adjoining one under ref 19/01152/FUL would be provided. The design of the apartment block, whilst still the same number of stories has been further enhanced and would provide vitality to the streetscene and an appropriate landmark building to the East Works development overall. Whilst the proposal generally adheres to the policies set out in the Longbridge Area Action Plan, Bromsgrove District Plan, Neighbourhood Plan and although there are some anomalies in respect to spacing requirements set out in the Council's High Quality Design SPD, it is considered that the slight shortfall in spacing requirements would not hinder the amenities of the proposed occupiers of the development.

RECOMMENDATION: That reserved matters be **APPROVED**

Conditions

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

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

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

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

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

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

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

3. If the further assessment of risks in 2 identifies the plume is no longer in a stable condition or if the modelling predicts levels of contaminant migration away from the Site that may put the identified receptors at significant risk then a 'remediation options appraisal' will be undertaken in accordance with the PJA Report; "Technical Note; East Works, Longbridge, Remediation Strategy. St. Modwen Developments Ltd. Version: A". Doc Ref: 03787-OUT-0009, Dated October 2019.

4. (a) The most effective remediation option developed from 3 shall be agreed in writing with the Local Planning Authority (LPA) in consultation with the Environment Agency. Once agreed a detailed remediation strategy (including a 'verification plan') for this option will be submitted to the LPA for approval, in consultation with the Environment Agency.

- (b) Any 'verification plan' shall provide details of the data that will be collected in order to demonstrate that the works set out in (4a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

5. A verification (validation) report demonstrating completion of the works set out in the approved remediation strategy (part 4). The report shall include results of any sampling and monitoring. It shall also include any plan (a "long-term monitoring

and maintenance plan”) for any longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

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

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

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

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

- 5) The proposed acoustic fencing as indicated on Dwg. No. (to be finalised) to be provided on plots 51 -77 shall be implemented before the development is first brought into use and retained as such in perpetuity.

Reason: In the interests of residential amenities.

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

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19/01152/FUL

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

Full planning permission for residential development consisting of 22 dwellings (phase 3a) together with access, parking, landscaping and associated works

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

19/01152/FUL Application Site Boundary



19/01153/REM

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

Application for the approval of Reserved Matters
(appearance, landscaping, layout and scale) pursuant to
outline permission ref. 16/1085 for residential
development consisting of 146 dwellings together with
access, parking, landscaping and associated works (Phase
3)

RECOMMENDATION: That reserved matters be
APPROVED

19/01153/REM Application Site Boundary



The revised applications combined



The two revised applications combined for consideration



The two applications combined and considered in September 2020 (for comparison purposes)



Active Travel Route



[Above]: Active Travel Route
[Below Left]: Active Travel Route from Groveley Lane
[Below Right]: Active Travel Route looking North



Number of storeys for the schemes proposed



19/01153/REM



19/01152/FUL



Materials





Selection of House Types for the two schemes



Front Elevation

Side Elevation

Rear Elevation



	Length (m)	Width (m)	Length (ft)	Width (ft)
kitchen	4.76	3.32	15'7"	10'9"
dining	1.80	1.31	5'9"	4'3"
living	5.08	3.82	16'8"	12'6"
WC	1.03	1.02	3'4"	3'3"



	Length (m)	Width (m)	Length (ft)	Width (ft)
bedroom 1	2.52	1.91	8'3"	6'3"
bedroom 2	4.31	2.55	14'2"	8'4"
bedroom 3	3.91	2.62	12'8"	8'6"
bedroom 4	3.22	2.82	10'7"	9'3"



	Length (m)	Width (m)	Length (ft)	Width (ft)
bedroom 1	2.52	1.91	8'3"	6'3"
ensuite	1.50	1.05	4'9"	3'5"



Changes to the apartment building

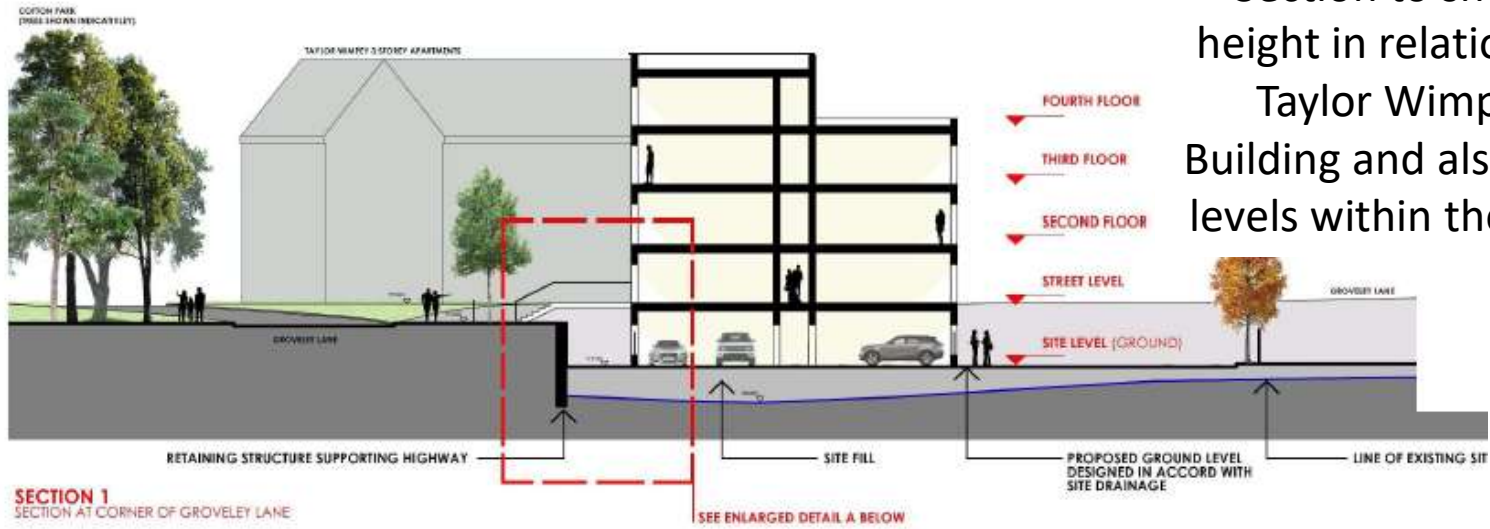


Revised apartment building proposed under 19/01153/REM

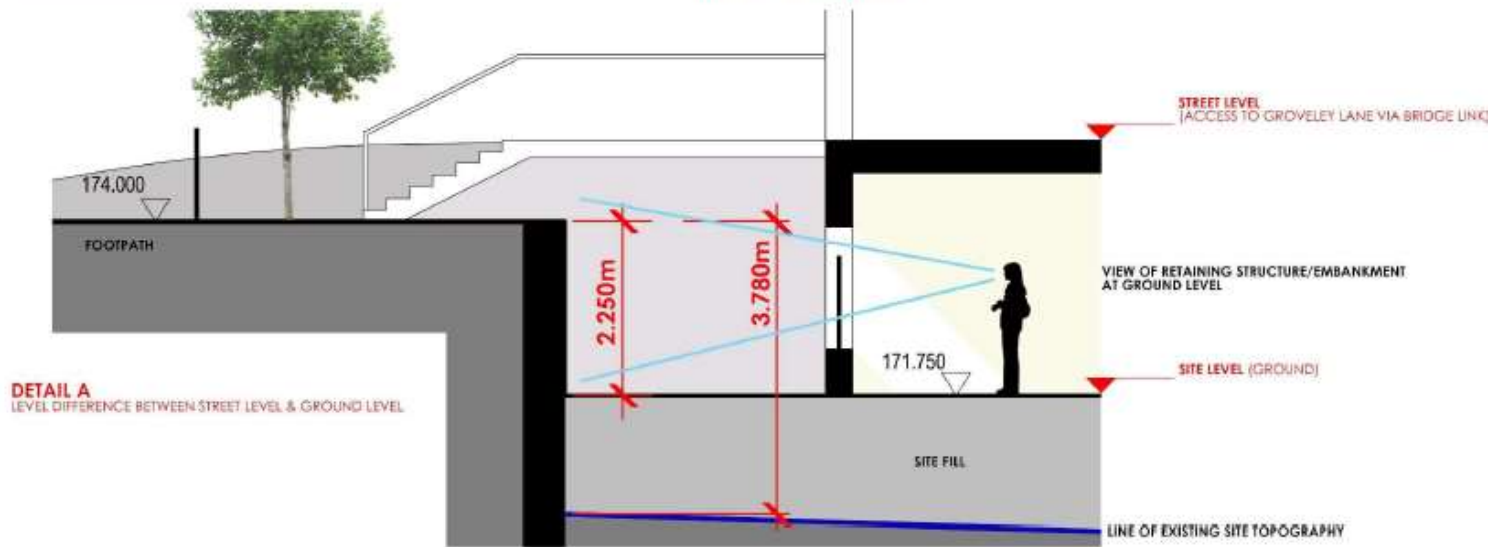


Revised apartment building floor layout





Section to show height in relation to Taylor Wimpy Building and also site levels within the site



Comparison of previous street scene and revised streetscene

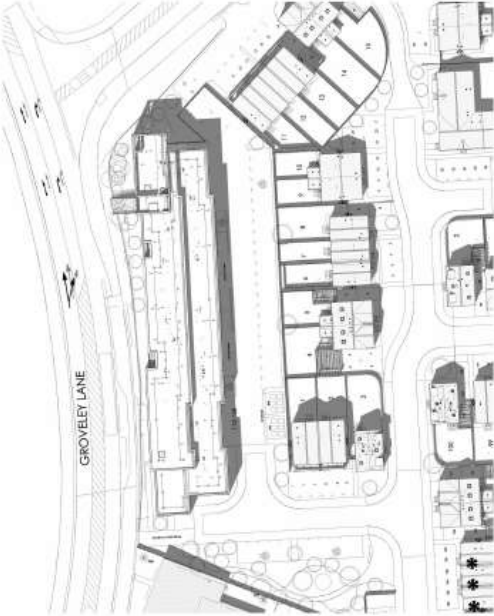


Reduced height is comparable with Taylor Wimpey scheme

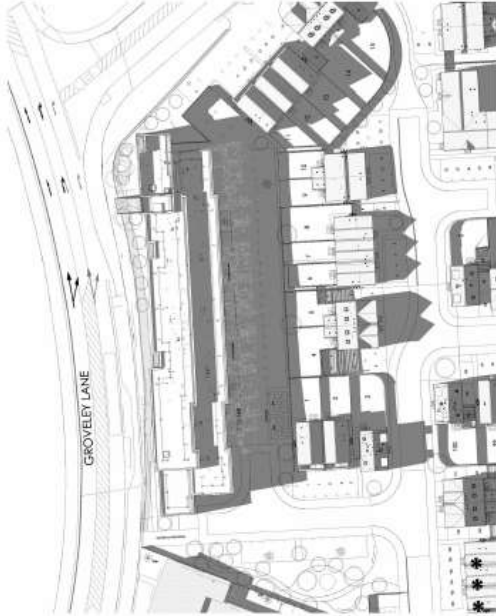
Shadow study (Summer) with apartment building



SUMMER SOLSTICE
June 20th 2020 @ 10:00am

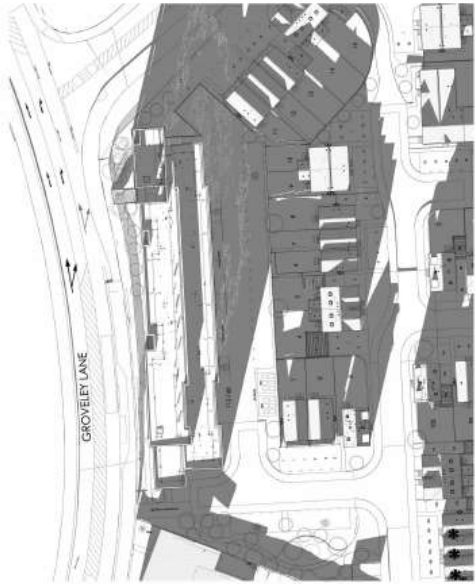


SUMMER SOLSTICE
June 20th 2020 @ 1:00pm

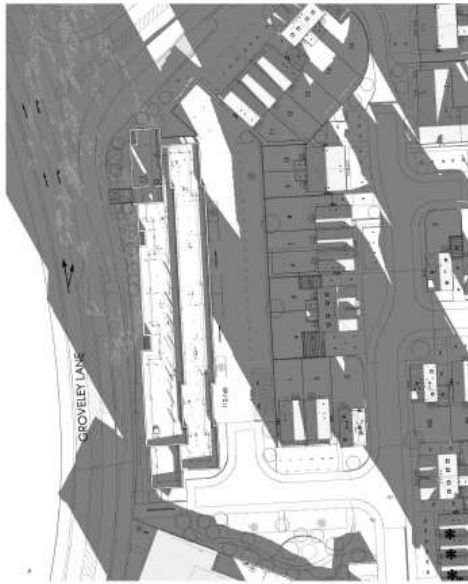


SUMMER SOLSTICE
June 20th 2020 @ 4:00pm

Shadow study (Winter) with apartment building



WINTER SOLSTICE
December 20th 2020 @ 10:00am



WINTER SOLSTICE
December 20th 2020 @ 1:00pm



WINTER SOLSTICE
December 20th 2020 @ 4:00pm

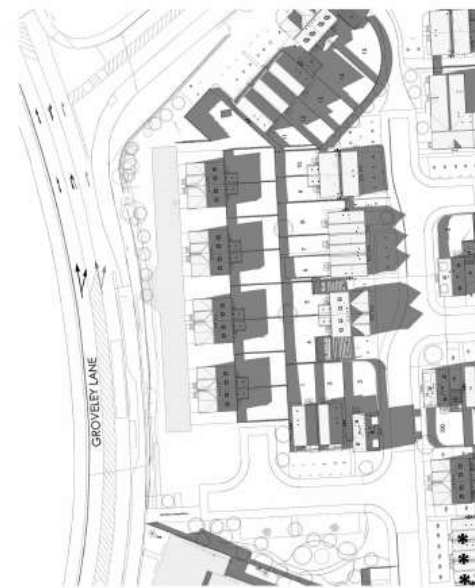
Shadow study (Summer) showing dwellings in the location of the apartment building



SUMMER SOLSTICE
June 20th 2020 @ 10:00am



SUMMER SOLSTICE
June 20th 2020 @ 1:00pm



SUMMER SOLSTICE
June 20th 2020 @ 4:00pm

Shadow study (Winter) showing dwellings in the location of the apartment building



WINTER SOLSTICE
December 20th 2020 @ 10:00am



WINTER SOLSTICE
December 20th 2020 @ 1:00pm



WINTER SOLSTICE
December 20th 2020 @ 4:00pm

Groveley Lane



East Works Drive (North)



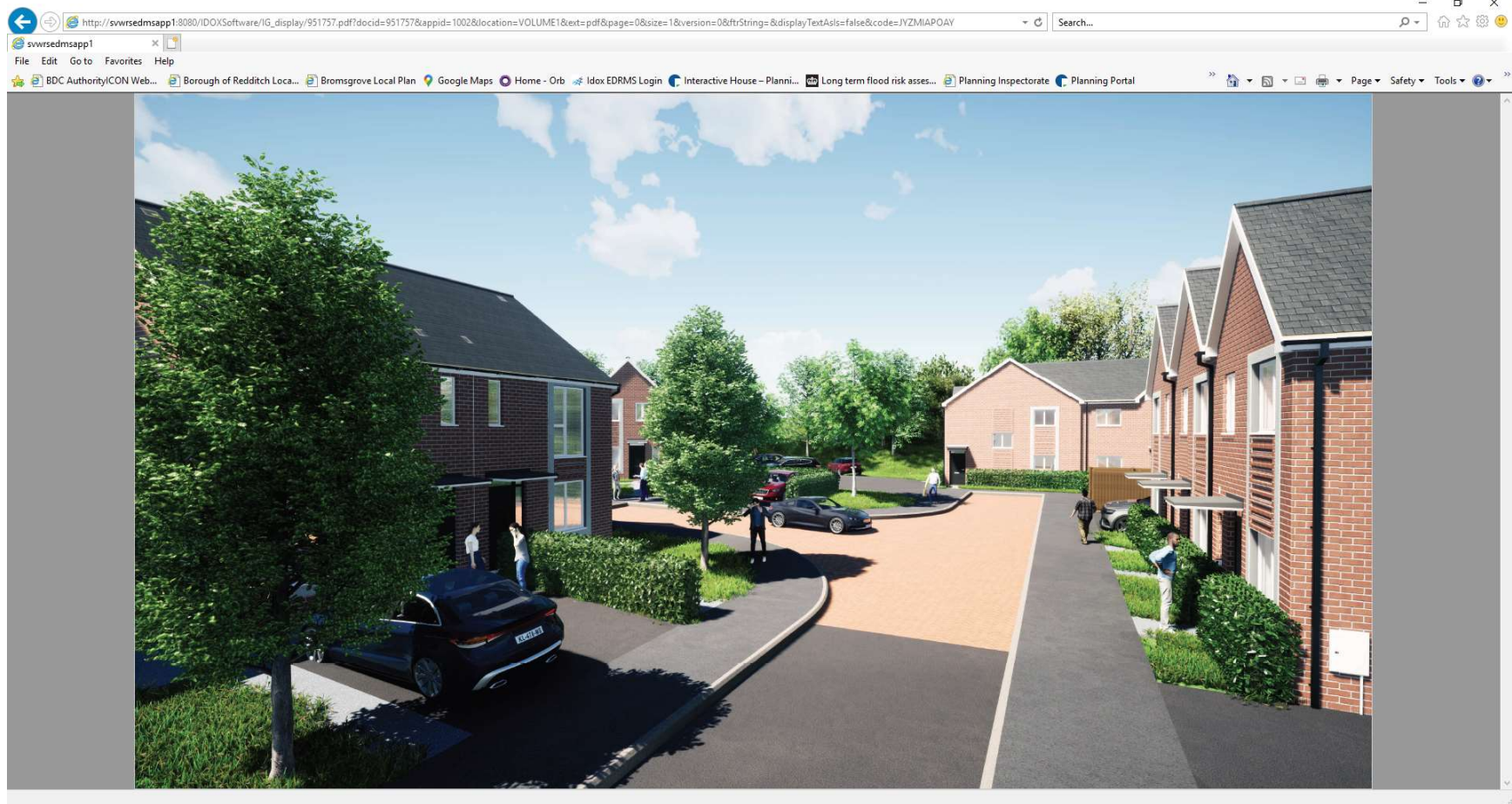
Apartment entrance



Road 3 looking East



Road 4 looking North



Groveley Lane (full application) entrance



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Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Paul Mannion	Extend existing roofline at first floor with dormer to create home office. Alterations to 2 no. dormers to front elevation and 1 to rear in existing roof, addition of 1 dormer to rear Kinard, Barkers Lane, Wythall, Worcestershire, B47 6BS	25.11.2020	20/01208/FUL

Councillor Denaro has requested that the application is considered by the Members of Planning Committee rather than being determined under Delegated Powers

RECOMMENDATION: That planning permission be **Refused**

Consultations

Wythall Parish Council

Wythall Parish Council raise no objection to the application subject to the proposal being within 40% extension allowance

Publicity

4 neighbour letters were sent on 2 November 2020 and expired 26th November 2020. No third-party representations have been received as a result of this publicity.

Councillor Denaro – response as follows – “I wish to call in the above application to Committee for clarification of points raised by the applicant”

Relevant Policies

Bromsgrove District Plan

BDP4 Green Belt

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2019)

Bromsgrove High Quality Design SPD

Relevant Planning History

20/00513/HHP RIO	Single storey rear extension extending 8 metres beyond the rear wall of the original dwelling; with a maximum height measured externally from natural ground level of 3.02 metres and with an eaves height measured externally from	Granted	05.06.2020
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natural ground level of 2.9 metres

20/00013/CPE	Two storey extension and balcony to rear and carport to side	Granted	27.02.2020
B/2006/0365	Extension to rear of existing house	Granted	02.08.2006
B/2001/0158	Side extension to dormer bungalow.	Granted	05.07.2001
B/1995/0955	Replacement bungalow -Resubmission of B95/0333- (As amended by plans received 4.3.96)	Granted	19.03.1996

Assessment of Proposal

The application site consists of a dormer bungalow, a detached garage and an outdoor swimming pool. Planning permission was granted under application B/2001/0158 for an extension to provide two further bedrooms at the ground floor level and an additional bedroom with a balcony on the first floor. A Larger Homes Extension application was submitted in January 2020 - 20/00513/HHPRIO and Prior Approval was granted for an 8m x 3m extension at the rear of the dwelling. This has not yet been implemented. A Certificate of Lawfulness was submitted for an existing two storey rear extension and a single storey extension at the side of the dwelling. The two-storey extension had been granted consent under application B/2006/0365 however, it had not been constructed in accordance with the then approved plans. The purpose of the certificate was to agree that the extensions had been constructed more than 4 years ago. The certificate was granted. This proposal is for the extension of the existing roofline at first floor with dormer to create home office, alterations to 2 no. dormers to front elevation, alterations to one dormer to the rear and the addition of one dormer to rear. The extension will be constructed of materials to match the existing.

Green Belt

The dwelling is detached and lies within an area designated as Green Belt therefore regard has to be given to Policy BDP4 of the Bromsgrove District Plan (January 2017) (BDLP) and the guidance in the National Planning Policy Framework (NPPF). Policy BDP4 sets out that the development of new buildings in the Green Belt is considered inappropriate, except in specific circumstances. The circumstances are broadly consistent with those set out in the Framework which in paragraphs 145 and 146 sets out the categories of development which may be regarded as not inappropriate, subject to certain conditions. This application falls under the category of an extension of a building, or specifically in relation to policy BDP4, to an existing residential dwelling. In considering whether or not it would be inappropriate development, a determination has to be made as

to whether or not it would result in disproportionate additions over and above the size of the original building.

Policy BDP4 interprets disproportionate additions as being extensions that would represent more than a maximum 40% increase of the original building or a maximum total floor space of 140 square metres. In this respect, the dwelling has already been extended by 73.83% and the proposal would add a further 10.6% taking the cumulative increase to a total of approximately 84.50%. The total floor space would equate to approximately 280 square metres. This would be considered inappropriate development in the Green Belt.

The proposal would thus be harmful to the Green Belt and should not be approved except in very special circumstances.

The applicant has raised the following matters in support of the application:

Permitted Development Fall-back:

The applicant has an approved Householder Prior Notification (planning reference 20/00513/HHPRIO - Approved 05.06.2020) which would comprise of a single storey extension at the rear of the dwelling. The supporting statement submitted with the application states that the fall-back position of the Householder Prior Approval should be a material consideration in the decision-making process.

It is not considered the presence of the Prior Approval is a fall-back position and thus no weight is attached to this argument. The fallback position differs from the proposal in that the form of the development in that case would be restricted to a single storey element. In contrast the extension and dormers proposed in this application, would add considerable mass to the first floor of the building. Furthermore, whilst I acknowledge that the proposal would be contained in one building and would be less sprawling than the fallback position, single storey extension proposed in the fallback position would represent a subordinate building which would not add to the bulk of the original property. For these reasons the proposal would have a greater impact on openness. Consequently, the proposal would cause greater harm to the Green Belt than the fallback position. As such, no matters have been found that would outweigh the harm identified in respect of the proposal and accordingly no very special circumstances exist that would justify allowing the application.

60 Barkers Lane:

Application Number: 13/0949. When this application was decided in 2014, the now superseded Bromsgrove District Local Plan was in force. The Green Belt Policy S11 - Extensions in the Green Belt, which was part of the superseded plan, was supported by a supplementary document - SPG7. The guidance in the SPG7 considered that any dwellings located within a run of properties would be afforded extensions which exceeded the 40% guideline on the proviso that the proposal met the requirements of any other relevant policies. The current local plan - Bromsgrove District Local Plan, which was adopted in 2017, no longer supports this policy approach and Members are directed to the content of Policy BDP4. Furthermore, Members will be clear that each application is decided upon its own merits.

70 Barkers Lane:

17/00576/FUL - Two and one storey rear house extension. This proposal presented a 49% increase above the original floor area. However, application was approved, under delegated powers, on grounds of a realistic permitted development fall-back position. Since this application was decided a number of appeal decisions have been issued where the Inspector for these cases has not applied weight to the PD fall-back position.

In a recent appeal decision for extensions to a dwelling in the Green Belt in Bromsgrove, the Inspector concluded:

“The approved plans for a prior notification, Certificate of Lawful Proposed Development and planning permission for extensions to the dwelling have been put forward by the appellant as a fallback position. From the information available to me it appears likely that the appellant would be able to implement only one of these schemes. While the schemes would be sizeable in their own right, I find that the combination of the additional height and mass of the appeal proposal would result in a much greater reduction in the openness of the Green Belt compared with each of the fallback schemes. In particular, none of the three schemes would result in an additional floor and the prior notification and Lawful Proposed Development schemes would be set below the ridge line of the existing bungalow. Whilst the appellant would be willing to accept a condition restricting further permitted development, this would not overcome the harm to openness identified above. In light of this I consider that the appeal scheme would have a greater impact on openness over and above the fallback position. Furthermore, any fallback position does not remove the harm by reason of inappropriate development in the Green Belt and the harm to the openness of the Green Belt that would arise from the proposal. As such the fallback position carries limited weight in my overall consideration.”

This appeal was subsequently dismissed. Furthermore, the Bromsgrove High Quality Design SPD was adopted in June 2019 and this document further strengthens the position on Green Belt matters set out in Policy BDP4 of the BDLP.

The dwelling lies within the Green Belt and careful consideration has been given to the relevant policies. Paragraph 145 of the NPPF makes it clear that when considering planning applications local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist, unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations. No matters have been found that would outweigh the harm identified in respect of the proposal and accordingly no very special circumstances exist that would justify allowing the application.

Openness:

The addition of the first-floor extension, enlarged dormers and new dormer, given their scale and siting, would have a limited visual and spatial impact upon openness. However, in that openness would be reduced, even this limited harm to the openness of the Green Belt is given substantial weight, as set out by Paragraph 144 of the Framework.

Design and Residential Amenity:

In terms of design, the extension has been designed sympathetically and sits comfortably with the existing building. The existing building hosts a pitched roof with a number of dormers. The proposal has been designed to continue with this type of roof. Due to the

siting of the proposals, there would no impact on the residential amenity of the occupiers of the adjacent dwelling therefore this the overall design of the proposed extension is acceptable.

Other Matters:

Wythall Parish Council have stated: "No objections subject to the proposal being within 40% due to being in Green Belt". Given the proposal exceeds the 40% tolerance, Members will thereby assume that Wythall Parish Council object to the scheme.

No comments arising from the consultation procedure have been received.

Conclusion:

In conclusion, the proposal would amount to inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt. No very special circumstances exist or have been put forward to outweigh the harm to the Green Belt. The scheme would therefore be contrary to Policy BDP4 (BDP4.4 c) - Green Belt of the Bromsgrove District Plan 2017, Paragraphs 143-145 of the National Planning Policy Framework 2019 and the High-Quality Design SPD.

RECOMMENDATION: That planning permission be **Refused**

Reasons for Refusal

The proposed development would represent a disproportionate addition over and above the size of the original dwelling and therefore constitutes an inappropriate form of development within the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. No very special circumstances exist or have been put forward to outweigh the harm to the Green Belt. The scheme would therefore be contrary to Policy BDP4 (BDP4.4 c) - Green Belt of the Bromsgrove District Plan 2017, Paragraphs 143-145 of the National Planning Policy Framework 2019 and the High-Quality Design SPD.

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

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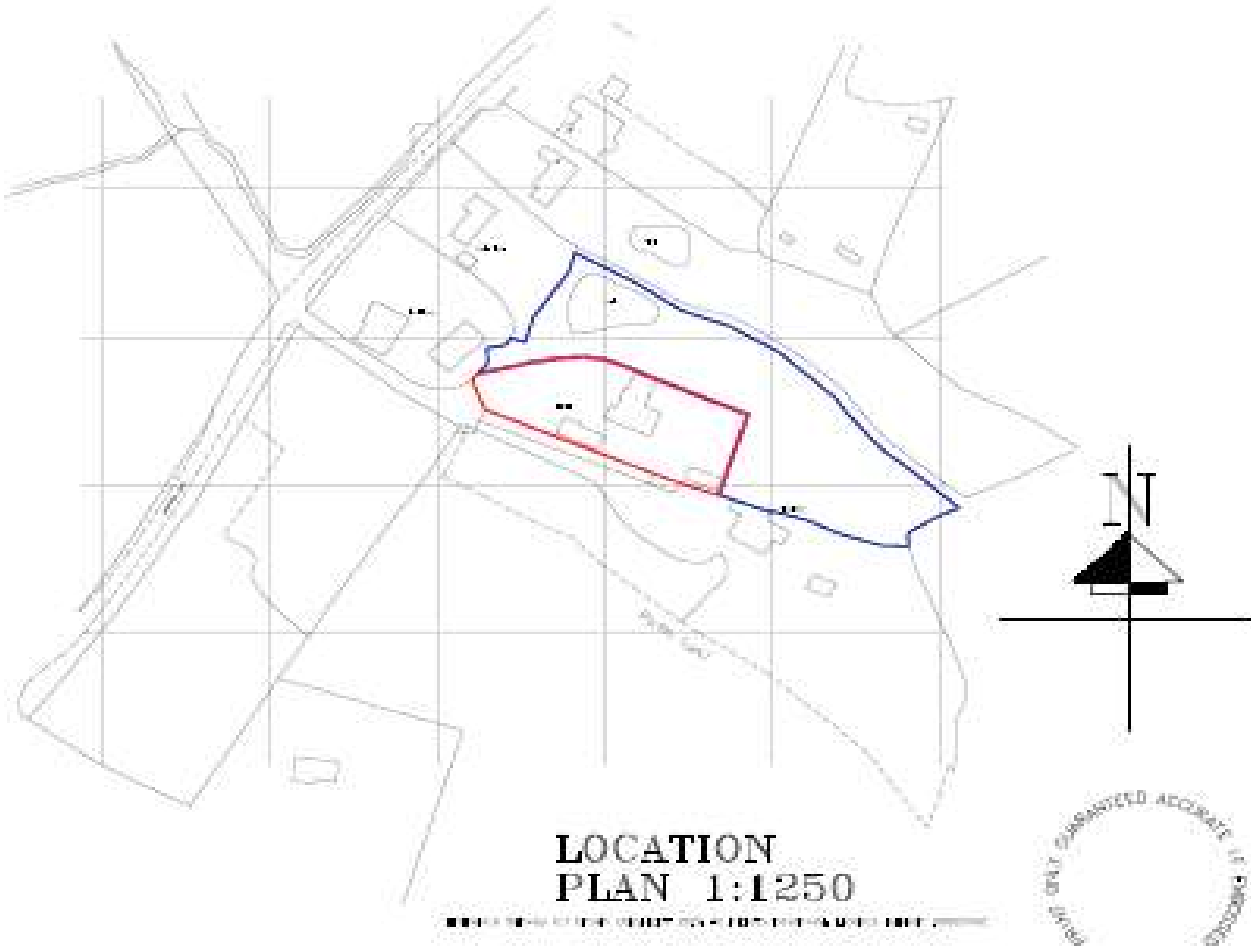
20/1208/FUL

Extend existing roofline at first floor with dormer to create home office. Alterations to 2 no. dormers to front elevation and 1 to rear in existing roof, addition of 1 dormer to rear

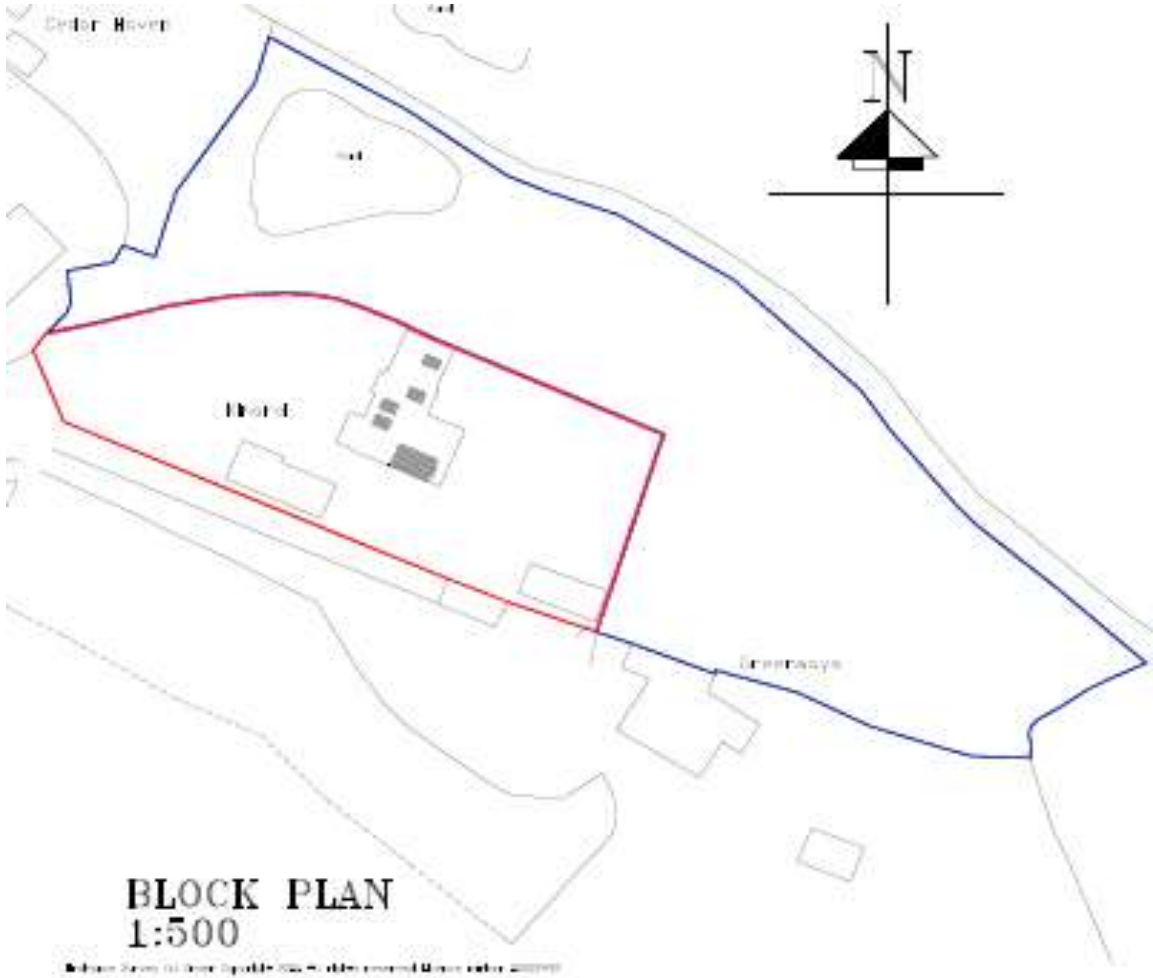
Kinard, Barkers Lane
Wythall, Bromsgrove
B47 6BS

Recommendation: Refuse

Site Location Plan

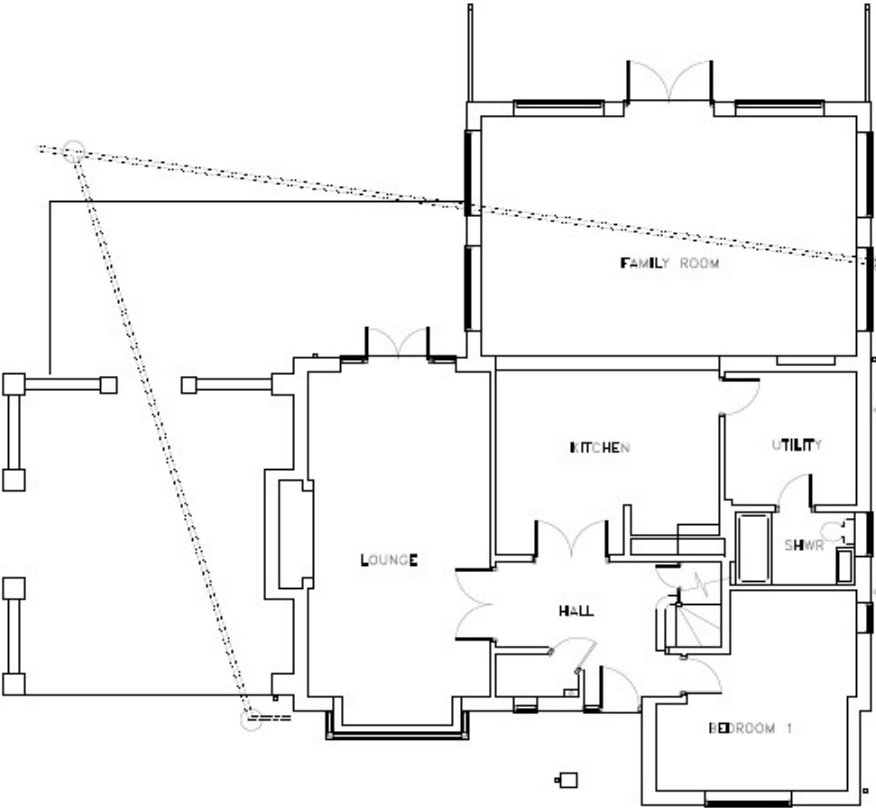


Block Plan

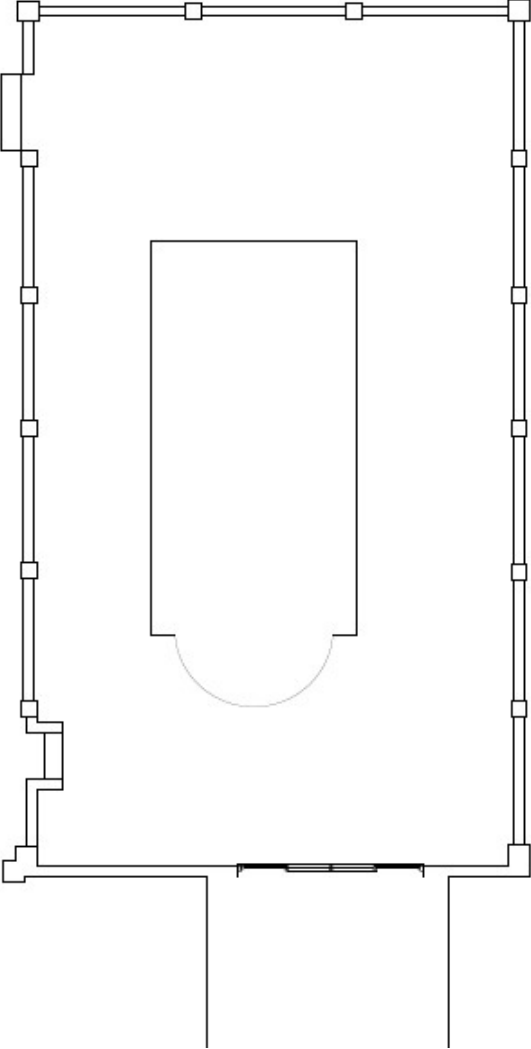


Existing Ground Floor Layout

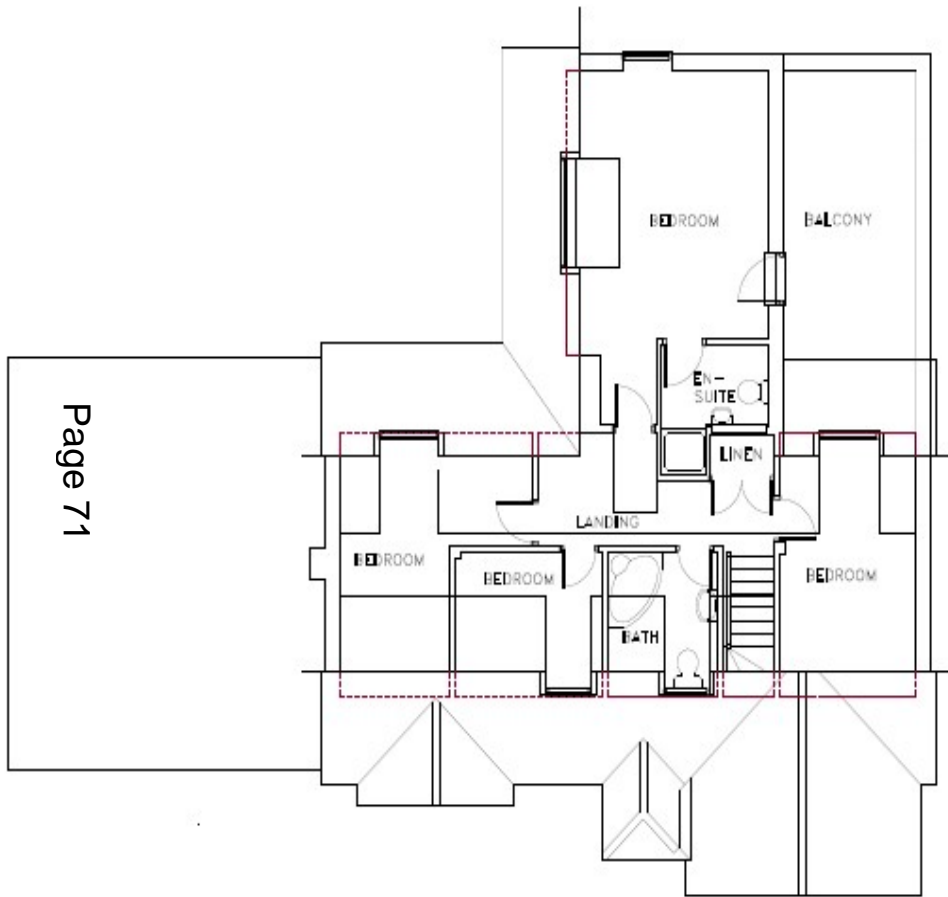
Page 70



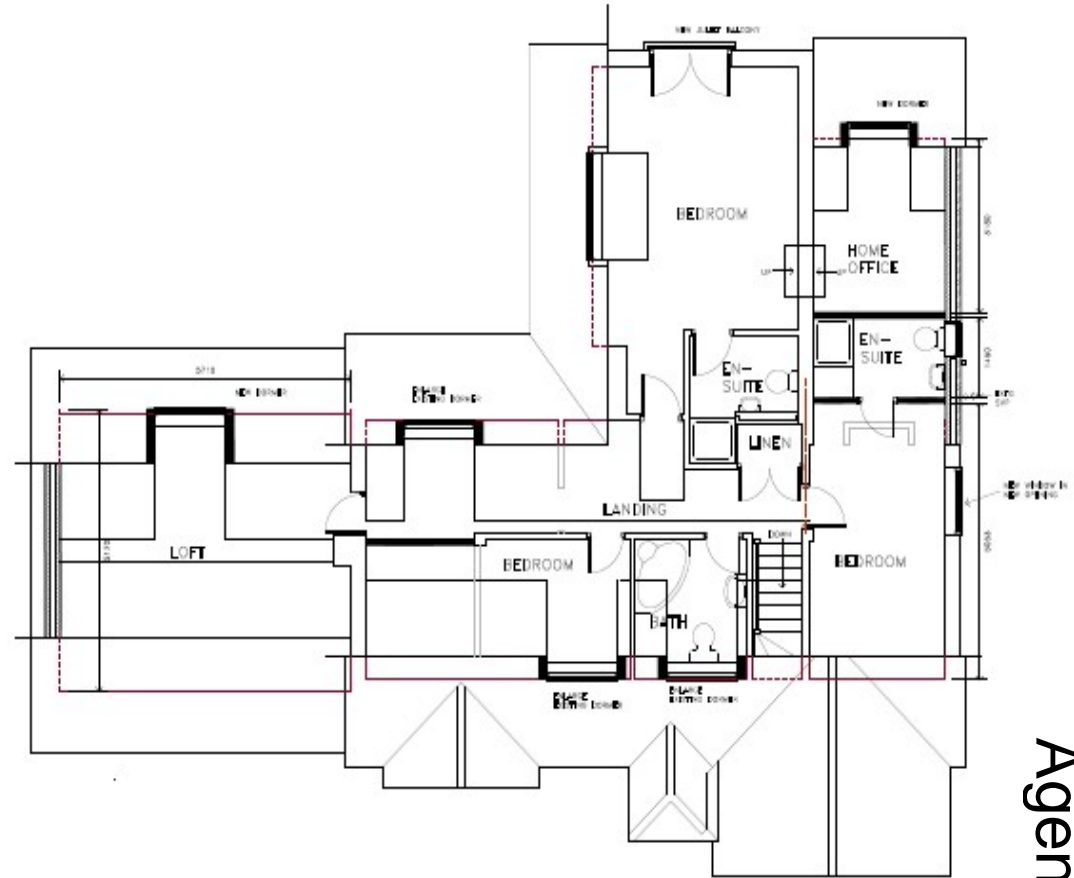
GROUND FLOOR PLAN



Existing and Proposed First Floor Floorplans



FIRST FLOOR PLAN



FIRST FLOOR PLAN

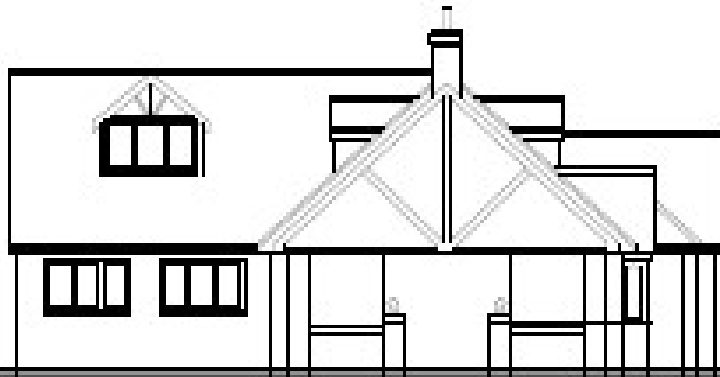
EXISTING ELEVATIONS



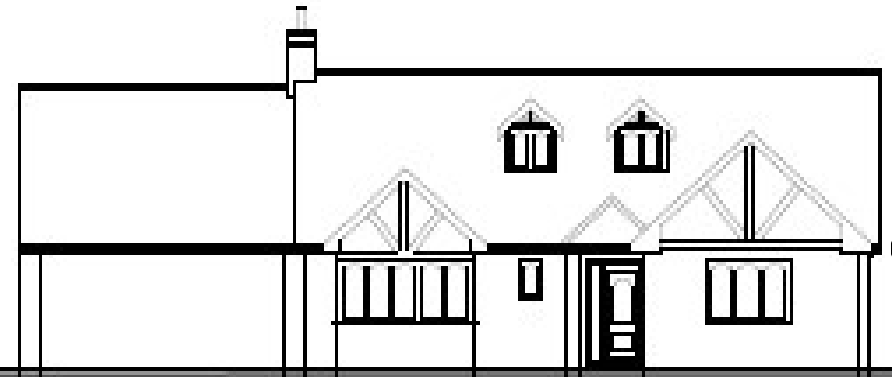
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION

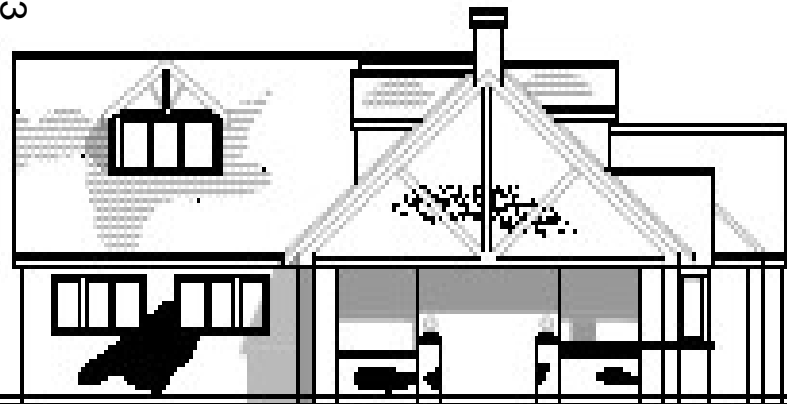
Proposed Elevations



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Ihuoma Properties	The development of a single dwelling together with associated parking, driveway and landscaping 7 Marlborough Avenue, Bromsgrove, Worcestershire, B60 2PG,	18.01.2021	20/01482/FUL

RECOMMENDATION:

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

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the full planning application following the satisfactory completion of a Unilateral Undertaking to revoke planning consent 17/01010/FUL.

And:

(c) 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 report

Consultations

Highways - Bromsgrove

No objection subject to conditions.

Arboricultural Officer

No objection subject to conditions.

North Worcestershire Water Management

The site falls within flood zone 1 (low risk of flooding from a river or the sea) and is not shown to be susceptible to surface water flooding. While we do not hold reports of flooding within the site, I am aware of issues relating to surface water flooding on and around the nearby recreation ground. I don't deem it necessary for this planning application to recommend attaching a drainage condition.

Conservation Officer

7 Marlborough Avenue, Normanhurst is considered to be a Non-Designated Heritage Asset. Constructing a large dwelling to the west side of Normanhurst would detract from the spacious and verdant character of this stretch of Marlborough Avenue, and the setting of Normanhurst itself. It is noted that there is an application to construct a dwelling within the garden to 11 Marlborough Avenue (20/01216/FUL), and immediately adjacent to this site. If both proposed dwellings were granted permission this would result in a terracing effect as the dwellings would be so close together and would result in the complete loss of the verdant and spacious character of this part of Marlborough Avenue. The proposal would therefore be at odds with the heritage policies in the local plan and the NPPF noted above, and this needs to be taken into consideration in the planning balance.

Publicity

One site notice was placed onsite on 24th November 2020 and expired on 18th December 2020. The Council was made aware that this notice was removed within a week of placing and therefore a further notice was placed onsite on 9th December 2020 and expires 2nd January 2021. 35 neighbour letters were sent on 25th November and expired on 19th December 2020.

Representations

5 Representations have been received. The contents of these comments have been summarised as follows;

- Preference for extant permission for flats to be implemented to keep intact setting of Heritage asset
- Removal of part of sandstone wall
- Concerns over future viability of original dwelling – no garage with conversion of Coach House
- Concerns over implementation of both extant permission for flats and proposed dwelling
- No Garage proposed – may apply for one in future
- Council to consider permission at No. 11 in the context of this application have consideration of the cumulative impact of both developments
- Dwelling appears too large and squeezed in plot/ creating terracing effect
- Impact on Non-Designated Heritage Asset
- Support for Tree Conditions and conditions on Sandstone wall

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP19 High Quality Design

BDP20 Managing the Historic Environment

BDP21 Natural Environment

Others

NPPF National Planning Policy Framework (2019)

Bromsgrove High Quality Design SPD

Relevant Planning History

20/00904/FUL	The development of two dormer bungalows together with associated parking, driveway and landscaping	Refused	29.09.2020
17/01010/FUL	Conversion of existing dwelling house into 5 apartments with extension to the rear and associated car parking	Granted	08.12.2017
17/00573/FUL	Three detached four bedroom dwellings with new access	Refused	19.07.2017
16/0839	Proposed conversion of existing coach house, including infill extension, to create 3 bed dwelling.	Granted	05.10.2016

Assessment of Proposal

Background

This application follows a number of previous applications onsite. In 2017 and 2020 permission was refused for the construction of dwellings to the rear of the plot. In 2016 planning permission was granted for the Coach House to No, 11 to be converted to into a separate dwelling. In 2017 planning permission reference 17/01010/FUL was granted for the conversion of the existing dwelling into 5 apartments. This 2017 permission has not been legally implemented and would ordinarily expire on 8th December 2020. However, under the Governments emergency Covid legislation the timeframe of the 2017 application is automatically extended until 1st May 2021. Given this automatic extension, the permission is extant and therefore a material consideration on this proposal.

The proposed dwelling is sited on the parking area for the approved flats and the approval of planning permission could result in the displacement of vehicles should both permissions be implemented. The applicant has therefore agreed to enter into a Unilateral Undertaking with the Council to revoke the extant 2017 planning permission onsite given they have outlined a preference to implement this current proposal.

Proposal

This application is for the erection of a detached dwelling adjacent to No. 7 Marlborough Avenue. The dwelling will be sited in the building line with the existing built form along Marlborough Avenue and will infill the existing side garden of No. 7. The dwelling has been designed to reflect the character and fenestration details of No. 7 and parking to the front with the formation of a new vehicular access.

The application site is located within the residential area of Bromsgrove, in a sustainable location. Therefore Policy is supportive of residential development so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development.

Character

The application site forms part a number of sizeable, individually designed dwellings along the eastern side of Marlborough Avenue that are all located within generous plots with deep rear gardens benefiting from mature landscaping, thereby giving this part of the road a distinct, spacious and verdant character and appearance. Most of the dwellings along this part of the street have some space at the boundary however it is an urban area with a consistent built form of development on both sides of the street. Between Nos. 7 and 11 Marlborough Avenue is a large side garden space which is distinct from the wider street scene. BDP19 of the District Plan states that development of garden land would be resisted unless it fully integrates into the residential area and is in keeping with the character and quality of the area.

Planning Permission has been granted reference 20/01216/FUL for a dwelling in the side garden of No. 11 Marlborough Avenue and this is therefore an extant permission which is a material consideration on this application.

The proposed dwelling has been provided with approximately 1m space at each boundary. The proposal maintains a 3m distance to No. 7 and a 2m distance to the proposed dwelling at No. 11. These dwellings are also set back from the road, with mature vegetation along the front boundary retaining this open verdant character. This overall spacing and layout is considered to reflect the layout found locally and would be appropriate should both permissions be implemented. The dwelling has been designed with front gable feature and small dormer window to reflect the character of No. 7 however is distinct from No. 7 given its mirrored fenestrations and reduced ridge height. Concerns have also been raised on the removal of a section of stone wall to provide the access. This stone wall is considered an important feature of the street and as such details will be conditioned to ensure this is done sympathetically with minimal removal of this feature. For these reasons, proposed dwelling will reflect the established linear pattern of development within the locality and is an appropriate design and therefore is considered acceptable in line with policies BDP7 and BDP19 of the Local Plan.

Heritage Asset

7 Marlborough Avenue, Normanhurst, comprises a large, detached house constructed in 1902 for Henry Sassons. The house and adjoining coach house sit within a substantial garden, originally part of the Warwick Hall Estate, which was gradually disposed of at the end of the 19th century and developed for housing. For these reasons, the dwelling is considered to be a non-designated heritage asset. The Conservation Officer has highlighted the importance of this spacious side garden to the historic significance of the building and outlined that constructing a large dwelling to the east side of No 7 would therefore detract from the spacious and verdant setting of 7 Marlborough Avenue harming its historic significance. Given the building has been identified as a non-designated heritage asset paragraph 197 of the NPPF must be engaged. This paragraph states that 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. A balance judgement on this can be found under the Planning Balance section further in this report.

Amenity

Given the spacious plot and separation distances achieved the proposed dwelling is not considered to have an undue impact on the residential amenity of the adjoining occupiers in respect of overlooking, overbearing or loss of light, subject to the imposition of a suitable condition requiring the side windows to be obscurely glazed and with a top opening light only.

Highways

The proposal includes a new vehicular access to serve the dwelling. The footpath fronting the proposed development is approx. 3m wide, the applicant has provided a plan confirming the 2.4m x 90m and 100m visibility splays are achievable. It is acknowledged that the trees along the street will have an effect on the visibility splay, however the existing trees on the road are not considered to significantly impede visibility. Parked cars could have a similar effect on visibility, however this is the case for all the other drives

located on the Avenue since no parking restrictions are in operation. For these reasons the Highways Authority have raised no objections to the proposal on highways safety grounds. The street trees are not proposed to be removed as part of this application and given they fall outside of the application site and on Highways land, it would not be in the power of the applicant to consider.

Trees

There are a number of trees onsite which would not be adversely affected by the development. The Tree Officer has not raised an objection to the scheme and has requested the trees onsite be afforded protection during construction and a Tree Survey, Method Statement, Protection Plan and a full landscape plan be conditioned.

Public comments

Concerns in respect of, the implementation of the extant permission onsite and the Council considering the application within the context of the approved dwelling at No. 11 have been considered within this report. Further comments on the viability of the dwelling with no garage are noted. There is no requirement for housing to provide garaging and a garage does not constitute a parking space under Highways standards given permission is not required to convert garages into living accommodation. There is therefore no evidence that this would risk the viability of No. 11 Marlborough Ave or the Coach House. A preference for the flats to be implemented is noted, however the Council are only able to consider the application before them and the applicant can decide which scheme to implement led by the market. Further comments on the character of the area, impact on the historic significance of the non-designated Heritage Asset and use of appropriate conditions have all been considered with this report.

Planning Balance

The Council cannot currently demonstrate an up-to-date 5 year housing land supply. Where this is the case, paragraph 11 of the Framework, which is a material consideration of significant weight, advises that as the application site does not fall within an area or asset of particular importance as defined by the Framework, the proposal need to be considered through the balancing exercise set out in paragraph 11(d)(ii) of the NPPF. However, this does not automatically lead to the granting of planning permission. Furthermore, paragraph 197 of the National Planning policy Framework outlines that where harm is identified to the significance of a Non-Designated Heritage Asset a balanced judgement will be required having regards to the scale of harm to the significance of the asset.

In this instance, the harm to the asset derives from the loss of the spacious garden area thus impacting on its setting. It is however noted that the land along the road had originally formed part of the Warwick Hall Estate, which was gradually disposed of at the end of the 19th century and developed for housing. It is further noted that the layout of development is not considered to be detrimental to the overall character and layout of the Street Scene. Although some public representations have suggested a preference for a single dwelling on the plot across both Nos. 11 and 7, given the lack of harm identified to the street scene as outlined earlier in this report significant weight is afforded in favour of the current proposal. In addition to this, the proposal provides a dwelling within the

residential area in a highly sustainable location which contributes to the Council's supply of housing with the economic benefits that come with this. Although a small-scale development, small windfall sites are important to achieving dwellings in the District. This carries significant weight in favour of the proposal.

Conclusion

The application dwelling is located within the residential area where there is the presumption in favour of sustainable development. The proposed dwelling has been found to reflect the layout and density of the street scene, however, has been found to harm the setting of the non-designated heritage asset No. 7. Taking all the above matters into consideration, balanced against the benefits of providing housing in this highly sustainable location, it is considered that planning permission should be granted for this development.

RECOMMENDATION:

(c) MINDED to APPROVE FULL PLANNING PERMISSION

- (d) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the full planning application following the satisfactory completion of a Unilateral Undertaking to revoke planning consent 17/01010/FUL.

And:

- (c) 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 report

Conditions:

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

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

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

863/P/101 Location and Block Plan
863/P/102 Proposed Site Plan
863/P/103 Ground and First Floor Plan
863/P/104 Second Floor and Roof Plan
863/P/105 North and South Elevations
863/P/106 East and west Elevations
863/P/107 Street Scene
863/P/108 Visibility Splays

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

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

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

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

REASON: In the interests of highway safety.

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

REASON: To encourage sustainable travel and healthy communities.

- 6) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided onsite. The cycle parking shall be kept available for the parking of bicycles only.

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

- 7) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 863 /P/102.

Reason: To ensure conformity with submitted details.

- 8) The Development hereby approved shall not be occupied until the visibility splays shown on drawing 863 /P/102 have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

REASON: In the interests of highway safety.

- 9) Prior to installation, a plan showing the routes and specification of installation of all utility services should be provided to, and approved in writing by, the Local

planning Authority. The works shall then be carried out in accordance with the approved details.

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

- 10) Prior to the excavation works on site, a BS5837:2012 Tree Survey, Method Statement, Protection Plan and a full landscape plan and specification should be submitted to, and approved in writing by, the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

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

- 11) All trees to be retained within the site and any within influencing distance of the development work on any adjoining land are given protection in accordance with BS5837:2012 throughout any ground or development work on the site.

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

- 12) Prior to installation of the vehicular access, details of the removal and finish of the sandstone front boundary wall shall be submitted to, and approved in writing, by the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason: To protect the character of the area

- 13) The windows to be installed on the side elevations on the approved plan(s) shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The obscure glass and the opening lights shall be maintained in the said windows in perpetuity.

Reason: To protect the amenities of neighbouring residents

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

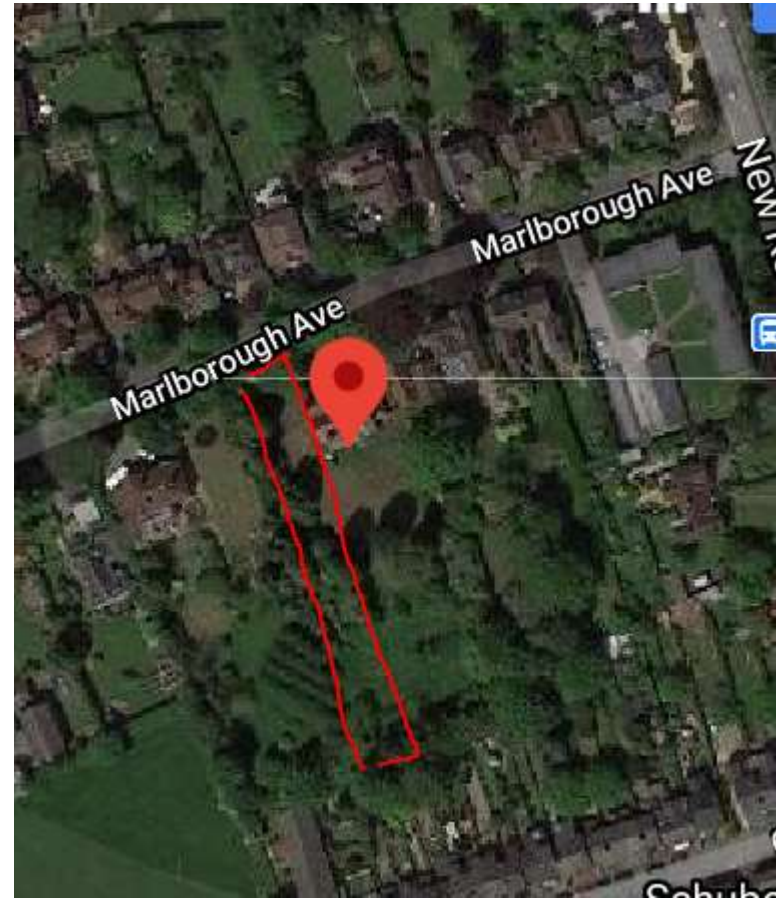
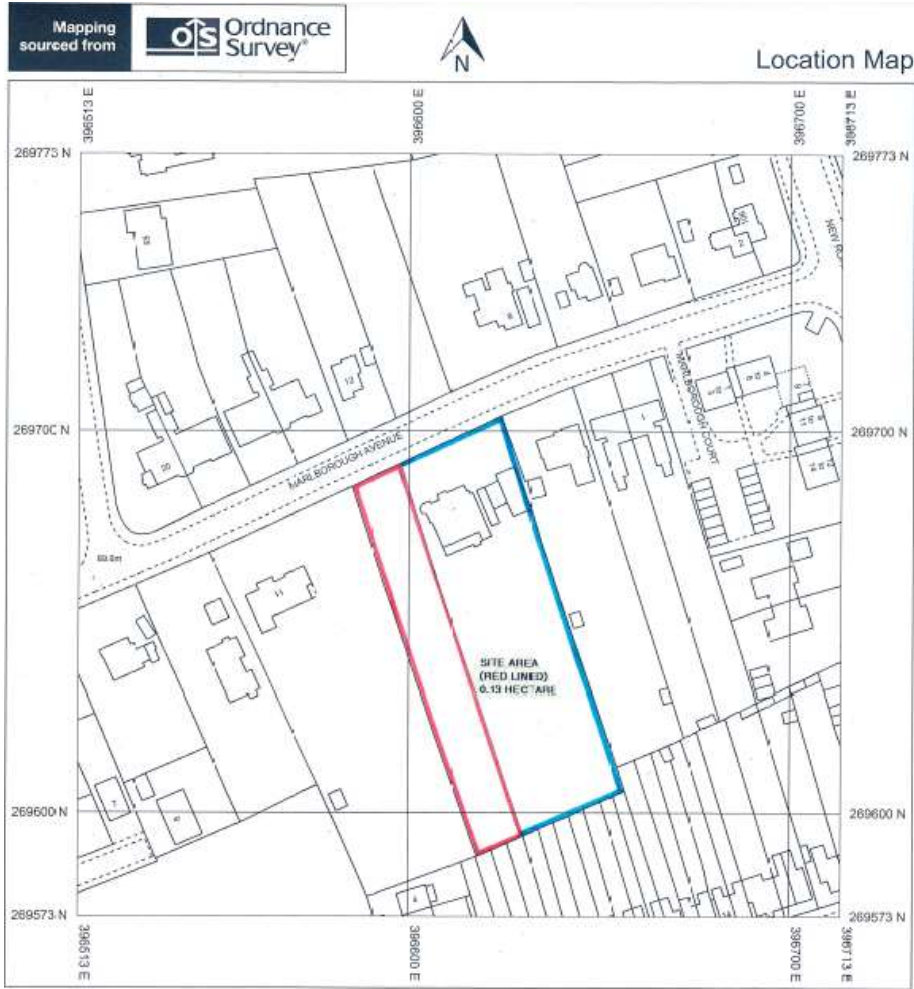
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7 Marlborough Avenue Bromsgrove Worcestershire
B60 2PG

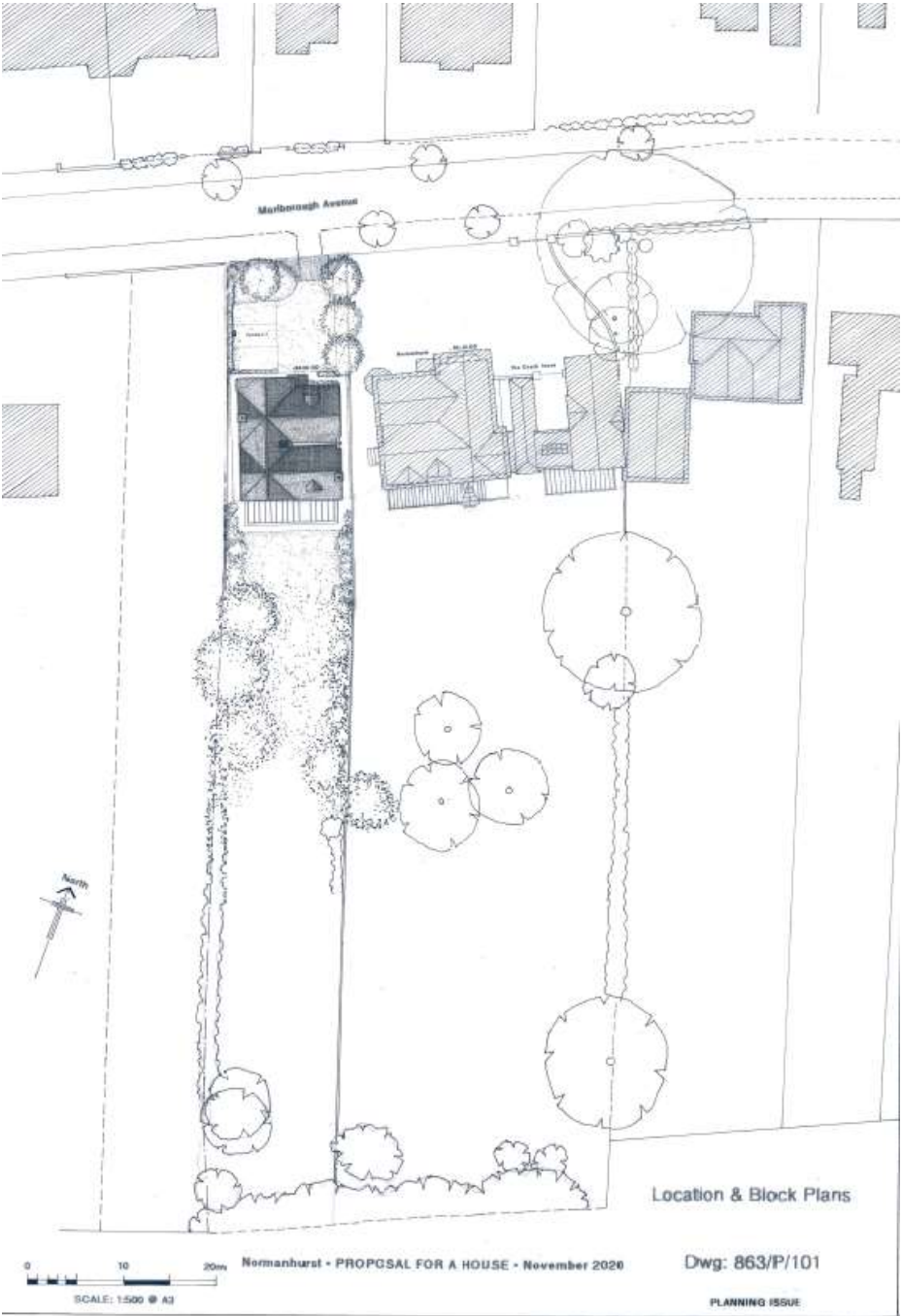
The development of a single dwelling together with
associated parking, driveway and landscaping

Recommendation: Grant Planning Permission
subject to Unilateral Undertaking

Location Plan and Aerial View



Proposed Block Plan



Proposed Site Plan



Proposed Elevations



north (entrance) elevation



south (garden) elevation



west elevation



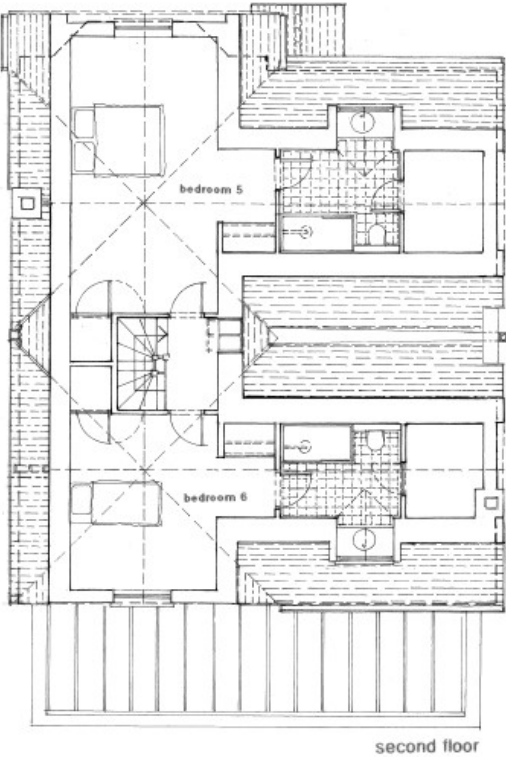
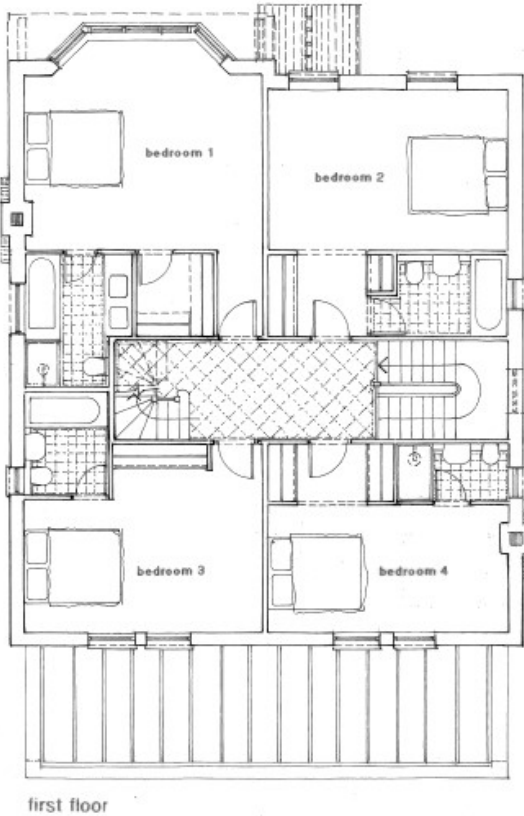
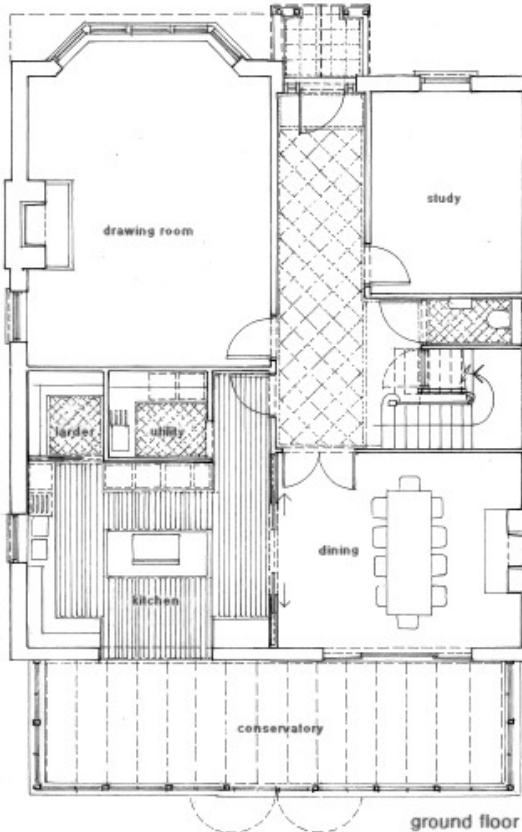
east elevation (facing Normanhurst)

ROOF:
EXTER:
WINDO:

plain clay tiles
facing brick
painted timber

Floor Plans

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Street Scene



Dwelling Approved at No. 11 ref 20/01216/FUL

7 MARLBOROUGH AVENUE



MARLBOROUGH AVENUE STREETSCENE ELEVATION
SCALE 1:200

Site Photos



Site Photos



Site Photos



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