



## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY 3RD APRIL 2023**

**AT 6.00 P.M.**

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

**MEMBERS:** Councillors H. J. Jones (Chairman), A. D. Kriss (Vice-Chairman), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, A. B. L. English, M. Glass, J. E. King, P. M. McDonald, M. A. Sherrey and C. J. Spencer

### **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. To confirm the accuracy of the minutes of the meetings of the Planning Committee held on 6th February and 6th March 2023 (Pages 9 - 28)
5. 21/01626/REM - Reserved Matters Application of Phase 1, 149 residential units on land abutting Stourbridge Road/Perryfields Road, which is in line with the Outline Planning Permission for 1,300 dwellings (application reference 16/0335) allowed at appeal under reference APP/ P1805/W/20/3265948. The Reserved Matters application seeks consent in line with condition 1 for detailed matters of appearance, landscaping, layout, and scale. Land At, Perryfields Road, Bromsgrove. Taylor Wimpey UK Ltd (Pages 29 - 78)

6. 22/01042/FUL - The use of land for the stationing of caravans for residential purposes and the erection of a dayroom and laying of hardstanding ancillary to that use. Mintola Corral, Batemans Lane, Wythall, Worcestershire, B47 6NG. Mr. M. Doherty (Pages 79 - 96)
7. 22/01530/FUL - Erection of employment and commercial units Use Class E(g)(ii) and (iii), B2, B8 with ancillary offices, with vehicle parking and all associated engineering, including site clearance and all associated works. Plot at Buntsford Gate Business Park, Buntsford Drive, Bromsgrove, Worcestershire. Horgan Homes and Developments Ltd (Pages 97 - 120)
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.
9. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of items of business containing exempt information:-

**"RESOLVED:** that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraphs of that part, in each case, being as set out below, and that it is in the public interest to do so:-

| Item No. | Paragraphs |
|----------|------------|
| 10       | 1, 2 & 6   |

10. Enforcement Matters (To Follow)

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

24th March 2023

**If you have any queries on this Agenda please contact  
Pauline Ross  
Democratic Services Officer**

**Parkside, Market Street, Bromsgrove, B61 8DA  
Tel: 01527 881406  
Email: [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk)**

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

## **PUBLIC SPEAKING**

**The usual process for public speaking at meetings of the Planning  
Committee will continue to be followed subject to some adjustments.**

**For further details a copy of the amended Planning Committee Procedure  
Rules can be found on the Council's website.**

**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 Officer and will be invited to unmute  
their microphone and address the Committee face-to-face or 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 to [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk) before 12 noon on Thursday 30<sup>th</sup> March 2023.**

**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 face-to-face or via a Microsoft Teams invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting via 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 30<sup>th</sup> March 2023.**

**3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)**

**4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.**

**5) Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.**



## **INFORMATION FOR THE PUBLIC**

### **Access to Information**

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

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## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY 6TH FEBRUARY 2023, AT 6.00 P.M.**

PRESENT: Councillors H. J. Jones (Chairman), A. D. Kriss (Vice-Chairman),  
A. J. B. Beaumont, S. P. Douglas, A. B. L. English, M. Glass, J. E. King,  
P. M. McDonald and C. J. Spencer

Observers: Mr. A. Hussain

Officers: Mr. D. Birch, Mr. R. Keyte, Mr. S. Edden, Mr. P. Lester and  
Mrs. S. Hazlewood, Mrs. K. Hanchett, Worcestershire County Council,  
Highways, Mr A. Sukvinder, Worcestershire County Council, Highways,  
Mr. G. Day and Mr. M. Sliwinski.

33/22 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF  
SUBSTITUTES**

Apologies for absence were received from Councillors G. N. Denaro,  
and M. A. Sherrey.

34/22 **DECLARATIONS OF INTEREST**

Councillor J. E. King declared in relation to Agenda Item No.5 -  
(Planning Application – 22/00978/FUL - 32 Lickey Square, Lickey,  
Birmingham, Worcestershire, B45 8HB), in that she would be addressing  
the Committee for this item as Ward Councillor under the Council's  
public speaking rules and left the room prior to the debate.

Councillor A. D. Kriss declared in relation to Agenda Item No.5 -  
(Planning Application – 22/00978/FUL - 32 Lickey Square, Lickey,  
Birmingham, Worcestershire, B45 8HB), in that he had met with both the  
applicant and objectors in relation to this application and left the room  
prior to the debate.

35/22 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING  
OF THE PLANNING COMMITTEE HELD ON 5TH DECEMBER 2022**

The minutes of the Planning Committee meeting held on 5<sup>th</sup> December  
2022 were received.

**RESOLVED** that, the minutes of the Planning Committee meeting held  
on 5<sup>th</sup> December 2022, be approved as a correct record.

36/22

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

The Chairman announced that a Committee Update had been circulated to all Planning Committee Members and asked all Members whether they had received and read the Committee Update.

All Members agreed that they had received and read the Committee Update.

37/22

**22/00978/FUL - NEW DWELLING ON THE SITE OF A PREVIOUSLY APPROVED DWELLING (REF 21/00312/FUL) USING A PREVIOUSLY APPROVED ACCESS DRIVE - 32 LICKEY SQUARE, LICKEY, BIRMINGHAM, WORCESTERSHIRE, B45 8HB - MR. D. JONES**

The application was brought to the Planning Committee for consideration at the request of Councillor J. E. King, Ward Councillor.

Officers presented their report and in doing so drew Members' attention to pages 31 to 48 of the Public Reports Pack.

The application was for 32 Lickey Square, Lickey, B45 8HB and sought approval for a new dwelling on the site of a previously approved dwelling (ref 21/00312/FUL) using a previously approved access drive.

Officers drew Members' attention to page 35 of the Public Reports Pack, comparing the previously approved and proposed applications. Officers informed the Committee of the differences between the plans in that the proposed building had a reduced footprint due to the removal of some aspects of the design which included the chimney and flat roofed orangery.

The application sought a mixture of two and three storey sections with the front north facing side being two storey and the southern facing side three storey. The overall height remained the same as the previously approved building and the change was possible due to the sloped topography of the land.

Officers also drew Members' attention to page 45 of the Public Reports Pack which detailed the cross-sectional differences between the two applications.

Finally, Officers informed Members that the Council could not currently demonstrate a five-year housing land supply. The presumption in favour of sustainable development applied in accordance with Paragraph 11(d) of the Framework and therefore significant weight was attributed to the positive contribution the proposal would make towards addressing this current significant shortfall.



# Agenda Item 4

Planning Committee  
6th February 2023

At the invitation of the Chairman, Dr Peter Ollis (a nearby resident), Dr. Bakul Kumar (representing Lickey and Blackwell Parish Council) and Councillor Janet King (Ward Councillor) spoke in objection to the application.

Members then considered the application, which Officers had recommended that planning permission be granted.

Members asked the Officer in attendance from Worcester County Council (WCC), Highways to clarify the public speaking comments made with concerns regarding the visibility splays being inadequate. Officers responded that the visibility splays had been approved during the previous application and had been agreed by the planning inspectorate and were deemed acceptable.

Members sought further clarification if there were any differences in the lounge level between the two applications, Officers drew Members' attention to the images on pages 47 and 48 of the Public Reports Pack which detailed very little variation in the height of the lounge level.

After questions from Members, Officers detailed that there was an increase in the number of windows on the property on the southern side from 5 windows to 9 windows. Officers also clarified that the rear of the property faced the garden of number 16 The Badgers and was, therefore, not directly overlooking any windows.

Members found no reason to object to the application which had an identical height and a lesser footprint compared to the approved application and commented on the application making good use of the basement level.

Members were therefore minded to approve the application and on being put to the vote it was:

**RESOLVED** that Planning Permission be granted, subject to the Conditions as detailed on pages 27 to 30 of the Public Reports Pack.

38/22

**22/01066/OUT - OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE ERECTION OF UP TO 78 DWELLINGS AND A FLEXIBLE COMMERCIAL/COMMUNITY USE BUILDING WITH ASSOCIATED ACCESS, INFRASTRUCTURE, LANDSCAPING, AND OPEN SPACE PROVISION - LAND AT LITTLE INTALL FIELDS FARM, STOKE POUND LANE, STOKE PRIOR, WORCESTERSHIRE - MR. B. LITTLE**

Officers presented their report and in doing so drew Members' attention to pages 77 to 89 of the Public Reports Pack.

The application was for land at Little Intall Fields Farm, Stoke Pound Lane, Stoke Prior and sought outline approval for the erection of up to 78 dwellings with associated works.

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Members were shown the location of the proposed development detailed on pages 78 to 80 of the Public Reports Pack. Officers outlined that the development was inside the Green Belt and outside of the defined residential area as detailed in the local plan.

Officers informed Members that the application sought outline planning permission and the presentation slides detailed on pages 83 to 85 and 88 to 89 of the Public Reports Pack, were for illustrative purposes only of how the development could look if approved.

The loss of agricultural land was highlighted, but Officers deemed this loss to be acceptable. However, the impact on the Green Belt was that the openness would be impacted and was in conflict with policy in relation to safeguarding the land in the Green Belt and protecting the countryside from erosion.

It was noted that 50% of the development was assigned to affordable housing whereas the Council's policy required a minimum of 40%, it was also noted that the development was intended to be constructed to the passive house standard.

Officers informed the Committee that although one of the main objections were highways matters, particularly regarding access and traffic, WCC Highways had identified no problems with the development which would constitute an objection.

Members' attention was drawn to page 86 of the Public Reports pack, which detailed a number of heritage assets near to the proposed development site. Officers informed Members that a detailed heritage assessment had been undertaken, the assessment highlighted differing amounts of harm which were contrary to the development plan and national policies.

Officers concluded that pages 72 to 74 of the Public Reports Pack reviewed the special circumstances with arguments/justifications for the harm and that it was not clearly outweighed by the benefits and a special circumstance case for approval contrary to the Green Belt policy did not exist.

At the invitation of the Chairman, Mr John Roundell (representing a number of objectors) and Councillor Chris Jewson, Stoke Parish Council spoke in objection to the application. Mr Brynley Little (the applicant) spoke in support of the application.

Members then considered the application, which Officers had recommended that planning permission be refused.

Members commented about the lack of footpaths around the site and that it would be detrimental to public safety, as in their opinion there

would be an increase in residents travelling by foot with the addition of 78 dwellings.

Members were in support of the increased allocation of affordable housing and the commitment to develop to a passive house standard. It was also highlighted that although the community/commercial use building was not shown to be in an ideal location it would still be of benefit to the area.

WCC Highways informed Members that the assessed proposal in their opinion was in a sustainable location. Based off on an all-day traffic monitoring survey, an estimate 32 additional vehicles would be added to the AM peak traffic which amounted to an additional 5%, this was not deemed as a substantial increase. WCC Highways also stated that the proposed development would have splays relevant to the recorded speeds on the adjoining roads. WCC Highways did note the comments on the lack of bus provision on site and had requested a section 106 contribution for a community transport facility should the development be approved.

Members agreed and recognised the need for more affordable housing and that Bromsgrove District Council (BDC) did not have a robust 5 year housing supply, however, they were not in agreement regarding whether the development was in a suitable location.

Officers clarified that for an Alternative Recommendation, Members needed to give clear indications on what grounds each of the four areas of refusal outlined on pages 74 and 75 of the Public Reports Pack would be satisfied/mitigated. In respect of this, Members gave reasons why they believed each of the 4 refusal points could be satisfied, which would allow an Alternative Recommendation to be moved.

1. In regard to the land being outside of the defined village and in the Green Belt and therefore inappropriate development. Members disagreed in that the land parcel was adjacent to multiple areas of residential development and was, therefore, a natural development location.
2. In regard to the proposed form of the development being incompatible with the countryside setting. Members proposed that the development had multiple areas of greenery, and landscaped space which presented a rural presentation to the site.
3. In regard to the heritage impact, Members proposed that the development sought social/economic enhancements to the area which included an allocation of 50% affordable housing which was very important for the economically active.
4. In regard to the loss off agricultural land, due to the high proportion of undeveloped land in the District being Green Belt it was argued that in order to meet the Councils 5 year housing supply there was a need to develop some of this land.

Further to the preamble above, Councillor S. P. Douglass proposed an Alternative Recommendation that the application be approved, the Alternative Recommendation was seconded by Councillor J. E. King. On being put to the vote the Alternative Recommendation was not approved by the Committee.

**RESOLVED** that Planning Permission be Refused, subject to the reasons as detailed on pages 74 and 75 of the Public Reports Pack.

39/22

**22/01146/FUL - DEMOLITION OF THE FORMER PRINCE OF WALES PUBLIC HOUSE AND THE ERECTION OF A 72 BEDROOM CARE HOME FACILITY WITH FRONTAGE PARKING TOGETHER WITH THE CHANGE OF USE OF FORMER AGRICULTURAL LAND AT THE REAR TO ANCILLARY AMENITY SPACE FOR RESIDENTS INCLUDING THE PROVISION OF GREEN CARE FARMING WITH LANDSCAPING, AND ASSOCIATED WORKS. (CROSS BOUNDARY APPLICATION - SOLIHULL AND BROMSGROVE), - PRINCE OF WALES PUBLIC HOUSE, HIGH STREET, SOLIHULL, B90 1JW - GNM DEVELOPMENTS LTD**

The application was brought to the Planning Committee for consideration as it was a cross boundary application with Solihull Metropolitan Borough Council (SMBC). The site was dissected by the BDC/SMBC boundary in such that approximately half of the site lay within BDCs jurisdiction. Given that the site crossed an administrative boundary, it was considered necessary for the application to be subject to a section 106 legal agreement to ensure that both the care home and the associated open space were provided across the site.

Officers presented their report and in doing so drew Members' attention to pages 99 to 105 of the Public Reports Pack.

The application was for Prince of Wales Public House, Solihull, B90 1JW and sought the demolition of the former Prince of Wales public house and the erection of a 72 bedroom care home facility. The application also sought the change of use of the former agricultural land at the rear to ancillary amenity space for residents.

Officers detailed that the proposal was not deemed inappropriate and that there would be no new buildings on the land within the BDC boundaries. It was clarified that the site would not have permitted development rights, so any further development needed to be subject to planning permission.

Officers informed Members that on 1<sup>st</sup> February 2023 SMBC had approved the planning application subject to a section 106 agreement, however, the section 106 agreement was such that both Authorities were required to approve their respective applications for development to proceed.

# Agenda Item 4

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Members then considered the application, which Officers had recommended that planning permission be granted.

Members clarified through Officers that the entirety of the building would be within SMBC boundaries, Officers also clarified that the reason why there were very few Conditions attached, was due to BDC only being able to enforce matters within their own administrative boundary, therefore, only those which related to the ancillary amenity space.

Members enquired about the green farm mentioned in the report. Officers detailed that it was an area for the keeping of livestock and growing vegetables/food for the recreational stimulus of residents.

Members held a positive view of the development and stated that there was a shortage of care homes and Members were therefore minded to approve the application.

On being put to the vote it was.

**RESOLVED** that Planning Permission be granted, subject to:-

- a) **DELEGATED POWERS** being granted to the Head of Planning, Regeneration and Leisure as outlined on page 95 of the Public Reports Pack and,
- b) the Conditions as detailed on pages 95 and 97 of the Public Reports Pack.

40/22

**22/01220/FUL - DEMOLITION OF ONE EXISTING AGRICULTURAL BUILDING; REPAIR OF THREE FURTHER AGRICULTURAL BUILDINGS (RETROSPECTIVE) - FORMER POULTRY HOUSES, ROSE COTTAGE FARM, SEAFIELD LANE, PORTWAY, WORCESTERSHIRE B48 7HN - A E BECKETT & SONS LTD**

Officers presented their report and in doing so drew Members' attention to pages 113 to 120 of the Public Reports Pack.

The application was for Rose Cottage Farm, Seafield Lane, B48 7HN and sought the retrospective approval for the demolition of one existing agricultural building and the replacement of three further agricultural buildings.

Officers informed Members that the application was partially retrospective as some of the work had already been undertaken to replace the derelict agricultural buildings.

Officers informed Members that the development complied with the Green Belt policy, and that there was no change of usage.

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WCC Highways had no objections to the application, the site access was unchanged and the visibility splays were acceptable, with no access problems and the impact on the highway would not be substantial.

At the invitation of the Chairman, Mr Bill Sullivan (a nearby resident) addressed the Committee in objection to the application. Mr Simon Beckett (the applicant) addressed the Committee in support of the application.

Members then considered the application, which Officers had recommended that planning permission be granted.

Members commented that the application sought to remove a building which would benefit the Green Belt in regard to openness. Members also commented that there was no change of use so the owner could have used the original buildings for the proposed purpose without planning permission. Therefore, Members saw no reason to refuse the application and on being put to the vote it was

**RESOLVED** that Planning Permission be granted, subject to the Conditions as detailed on pages 111 and 112 of the Public Reports Pack.

The meeting closed at 8.17 p.m.

Chairman

## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY, 6TH MARCH 2023, AT 6.00 P.M.**

PRESENT: Councillors H. J. Jones (Chairman), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, A. B. L. English, J. E. King, M. A. Sherrey and C. J. Spencer

Officers: Mr. D. M. Birch, Mr. R. Keyte, Mr. A. Hussain (via Microsoft Team), Mr. P. Lester, Ms. J. Chambers, Mr. P. Jenkins, Ms. F. Flower, Mr. S. Agimal, Worcestershire County Council, Highways and Mrs. P. Ross

41/22

#### **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors M. Glass and A. D. Kriss.

42/22

#### **DECLARATIONS OF INTEREST**

Councillor C. J. Spencer declared an Other Disclosable Interest in relation to Agenda Item No.4 - (Tree Preservation Order (11) 2022), 58 Braces Lane, Marlbrook, Bromsgrove, B60 1DY), in that she knew the occupiers of 58 Braces Lane. Councillor C. J. Spencer left the meeting room prior to the consideration of this item.

It was noted that all Members present at the meeting declared Other Disclosable Interests in the following:-

Agenda Item 7 (Planning Application 22/01640/LBC - Aldham House, Fish House Lane, Stoke Prior, Bromsgrove, B60 4JT), in that they were all aware that the Applicant was related to a Ward Councillor; and

Agenda Item 9 (Planning Application 23/00053/FUL – 29 Brecon Avenue, Bromsgrove, B61 0TQ), in that the Applicant was a District Councillor.

43/22

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

The Chairman announced that three Committee Updates had been circulated to all Planning Committee Members and asked all Members whether they had received and read all of the Committee Updates.

All Members agreed that they had received and read all three Committee Updates.

44/22

**TREE PRESERVATION ORDER (11) 2022: 58 BRACES LANE, MARLBROOK, BROMSGROVE B60 1DY**

The Committee considered a report which detailed proposals to confirm, without modification, Tree Preservation Order (TPO) (11) 2022, relating to a Beech tree at 58 Braces Lane, Marlbrook, Bromsgrove, B60 1DY.

The Senior Arboricultural Officer provided a detailed presentation, and in doing so drew Members' attention to the recommendation, as detailed on page 7 of the main agenda report.

Officers further informed the Committee that the provisional order was raised on 19<sup>th</sup> October 2022, as detailed at Appendix 1 to the report; in response to trees having been recently removed from the gardens of neighbouring properties and known intention of property owners in this area to be considering development within the rear garden area of the properties.

A Tree Evaluation Method For Tree Preservation Orders (TEMPO) was carried out on TI Beech prior to the provisional order being raised, the tree scored 17 points, which indicated that a TPO was justified; as detailed at Appendix 2 to the report.

Officers drew Members' attention to the objection received from Mr. & Mrs. Fletcher, owners of 58 Braces Lane, Marlbrook, Bromsgrove, B60 1DY; as detailed at Appendix 3 to the report; and the officer's comments in relation to the points raised, as detailed on page 8 of the main agenda report.

Members then considered the TPO.

Officers were asked if a TPO was confirmed without modification, could the owners pollard the Beech tree.

Officers responded that as with any TPO, consent from the Local Authority would be needed to carry out any work. Members were further informed that Beech trees did not respond well to pollarding or ground work. However, officers would look into any applications received to lift / thin the crown in order to bring light into the garden. In the officer's estimation the Beech tree was approximately 60/70 years old.

It was noted that Councillor J. E. King arrived late and therefore took no part in the debate or voting on this item.



**RESOLVED** that provisional Tree Preservation Order (11) 2022, relating to a Beech tree at 58 Braces Lane, Marlbrook, Bromsgrove, B60 1DY, be confirmed without modification and made permanent as raised and shown at Appendix 1 to the report.

45/22

**21/01836/FUL - CHANGE OF USE OF LAND AND BUILDINGS (UNITS 1 AND 2) FROM AGRICULTURE AND EQUESTRIAN USE TO MIXED-USE AGRICULTURE, EQUESTRIAN AND EDUCATION, REPLACEMENT ROOF TO UNIT 2 (PARTS 3 AND 4), NEW WINDOWS TO NORTH-EAST ELEVATION OF UNIT 2 (PART 1) AND ASSOCIATED FOUL DRAINAGE WORKS. THORNBOROUGH FARM, REDHILL ROAD, KINGS NORTON, BIRMINGHAM. RIVERSIDE EDUCATION**

Officers drew Members' attention to Committee Update 3, page 3 which detailed an additional representation that had been received and the amended recommendation that planning permission be refused.

A copy of Committee Update 3 was provided to Members and published on the Council's website prior to the commencement of the meeting.

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

Officers presented the report and presentation slides, as detailed on pages 42 to 55 of the main agenda report; and in doing so, highlighted that the application sought a change of use of land and buildings (units 1 and 2) from agricultural and equestrian use to mixed-use agriculture, equestrian and education, replacement roof to unit 2 (parts 3 and 4), new windows to north-east elevation of unit 2 (part1) and associated foul drainage.

Officer drew Members' attention the 'Background' and 'The Proposal', as detailed on pages 29 and 30 of the main agenda report.

Officers further highlighted that the site was located wholly in the Green Belt.

Officers explained that an existing timber building within the site was subject to an Enforcement Notice requiring it to be demolished. The Enforcement Notice was issued on 12th January 2021 and was subsequently upheld on appeal in September 2021, as detailed on page 29 of the main agenda report.

Officers drew Members' attention to page 55, the "Application Site, other land in applicant's control, Hazeldene" slide. Officers further referred to the close proximity to Hazeldene and that a number of the residents had expressed their concerns, as detailed in the report. Therefore, it was considered that the development would result in a loss of residential amenity, in particular associated with Hazeldene.

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Officers further reiterated that the mixed use proposal related to the whole of the application site and it would not be possible to restrict the use of the land or limit the number of people present by means of a planning condition.

At the invitation of the Chairman, Mr. R. Smith, addressed the Committee in objection to the Application. Mr. A. Murphy, the Applicant's Planning Agent addressed the Committee. The Council's Legal Advisor read out the statement submitted by Councillor C. A. Hotham, Ward Councillor.

Members then considered the application, which officers had recommended that planning permission be refused.

In response to questions from Members with regard to foul drainage, officers clarified that currently there was a shared sewerage treatment plant with Hazeldene. However, permission was being sought for the installation of a new sewage treatment plant to serve the site, should the application be approved. So currently there were no specific details on foul drainage.

Officers informed the Committee that enforcement action with regard to the continued use of the site as an education facility was not open for discussion. As detailed in the report, there was an unauthorised development on the site, whereby an Enforcement Notice had been issued, as shown in the preamble above.

Some Members commented that they lived in close proximity to a similar educational site and could empathise with the concerns raised by those residents living in close proximity to this site. Although some Members understood why the school wanted this additional facility, it was felt that it was not in an appropriate area. The site was wholly in the Green Belt and concerns had been raised. Members further referred to the daily traffic movements, as detailed on page 31 of the main agenda report; and that as detailed in the report, there were no Very Special Circumstances.

Other Members also commented that support should be given for such a specialised educational facility, as there were not many places like this and that Members should show some compassion. Therefore, Members questioned, if Planning Conditions with regard to foul drainage and pattern of use could be included, should Members be minded to approve the application?

Officers explained that any Conditions had to be precise.

At this stage in the meeting, Councillor S.P. Douglas proposed an Alternative Recommendation, which was seconded by Councillor J. E. King, that

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Delegated powers be granted to the Head of Planning, Regeneration and Leisure Services to determine the application, and to include Conditions with regard to:-

- Drainage
- Pattern of use
- Opening hours
- Limiting the number of children on site
- Electric Charging Points
- Cycle storage

In response to Officers, Councillor S.P. Douglas went through the reasons for refusal, and in doing so gave her opinion as to why these were not justifiable.

Officers further responded to questions with regard to noise mitigation and the entrance to Hazeldene.

On being put to the vote, the Alternative Recommendation was lost.

**RESOLVED** that Planning Permission be refused, subject to the reasons as detailed in the amended Recommendation, on Committee Update 3, page 3.

46/22

**22/01228/REM - RESERVED MATTERS SUBMISSION FOR DETAILS RELATING TO THE DEVELOPMENT OF 46 RESIDENTIAL DWELLINGS, INCLUDING DETAILS ON LAYOUT, DESIGN, DRAINAGE, ENGINEERING DETAILS AND LANDSCAPING. BORDESLEY HALL, THE HOLLOWAY, ALVECHURCH. MR. A RUSSELL (WAIN HOMES)**

Officers drew Members' attention to Committee Updates 1, 2 and 3, which detailed:-

Committee Update 1 – The Conservation Officers final comments. The Applicant's response. Officer Assessment and Revised Recommendation.

Committee Update 2 – Comments received from Rowney Green Association (RGA), March 2023.

Committee Update 3 – Pages 3 and 4, which referred to the comments received from RGA (Committee Update 2).

Copies of all three Committee Updates were provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers reminded the Committee that the application was for the Reserved Matters for layout, scale, appearance, and landscaping.

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Officers drew Members' attention to the revised recommendation, as detailed on page 6 of Committee Update 1.

Officers presented their report and in doing so stated that the "Reserved matters submission for details relating to the development of 46 residential dwellings, including details on layout, design, drainage, engineering details and landscaping".

Members' attention was drawn to the presentation slides, as detailed on pages 72 to 90 of the main agenda report.

Bordesley Hall was an unlisted heritage asset. Its ambience was messed up many years ago, when it had become a research establishment and had had modern buildings built around it. The proposed development was located adjacent to Bordesley Hall and within the boundary of its former gardens and associated parkland, which now lay predominantly to the southeast. Both the 18<sup>th</sup> century hall and the landscaped park were recorded on the Historic Environment Records (HERs), WSM77512 and WSM228136, respectively.

Officers further drew Members' attention to the 'Proposal', as detailed on page 62 of the main agenda report.

Officers reiterated that the principle of the proposed development had been established through the granting of hybrid permission 21/00684/HYB. Therefore, the issues for consideration by Members were limited to matters of the internal vehicular access, layout, scale, appearance and landscaping.

The Reserved Matters to be considered under this application were: -

- Layout - the way in which buildings, routes and open spaces within the development are provided, situated, and orientated in relation to each other and to buildings and spaces outside the development. This includes the internal road configuration.
- Scale - the height, width and length of each building proposed within the development in relation to its surroundings;
- Appearance - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour, and texture; and
- Landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
  - screening by fences, walls or other means;
  - the planting of trees, hedges, shrubs or grass;
  - the formation of banks, terraces or other earthworks;
  - the laying out or provision of gardens, courts, squares, water features,
  - sculpture or public art; and

- the provision of other amenity features

Officers stated that overall it was considered that given the degree of separation, position and orientation between the proposed dwellings and neighbouring properties; that the proposal would not result in harm to the amenity of the occupants of neighbouring properties or future occupants of the proposed dwellings.

Officers concluded that the principle of development had been accepted following the grant of hybrid planning permission. This Reserved Matters application would lead to a reduction in built footprint and volume when compared with the site as existing, to increase the openness of the Green Belt, and was designed in a manner that reflected its rural location. The layout, scale and appearance of properties would also respect the amenity of neighbouring properties adjacent to the application site.

At the invitation of the Chairman, Mr. T. Hawkeswood, addressed the Committee in objection to the Application and Mr. A. Russell, the Applicant addressed the Committee.

Members then considered the application, which officers had recommended that Reserved Matters for layout, scale, appearance and landscaping be granted.

Officers responded to questions from Members with regard to S106 monies and clarified that the site was brownfield land.

Officers further clarified on the presentation slides the red line area shown on the 'Site Location Plan' and 'Approved Parameters Plan under 21/00684/HYB', as detailed on pages 72 and 75 of the main agenda report.

Officers further responded to questions from Members with regard to lighting and light pollution, and in doing so officers reassured Members that, light pollution, ecology and impact on wildlife would be taken into consideration; and that officers and the developer would take on board the comments and concerns raised by the Committee; in response to the concerns raised by residents in respect of light pollution.

Members raised further questions about Tree Preservation Orders (TPOs) on the site. Officers stated that all trees were subject to some form of protection on the mixed and woodland areas.

Officers further responded to questions with regard to the provision and location of public open spaces and S106 monies for the provision of recycling / refuse bins.

On being put to the vote and Members noting the Revised Recommendation, as detailed on page 6 of Committee Update 1, it was

**RESOLVED** that the Reserved Matters for layout, scale, appearance, and landscaping be granted, subject to the revised Recommendation, as detailed on Committee Update 1, page 6, and the Conditions as set out on pages 68 and 69 of the main agenda report.

At this stage in the meeting, the Chairman announced a comfort break.

Accordingly, the meeting stood adjourned from 19:53 hours to 20:01 hours.

47/22

**22/01640/LBC - ROOF ALTERATIONS TO INCLUDE THE INSERTION OF 2 NO. CONSERVATION ROOFLIGHTS. PARTIAL REMOVAL OF INTERNAL WALL. ALDHAM HOUSE, FISH HOUSE LANE, STOKE PRIOR, BROMSGROVE, B60 4JT. MR. J. TILL**

Having reconvened Officers drew Members' attention to Committee Update 3, page 4, which detailed that Stoke Parish Council had no objection.

A copy of Committee Update 3 was provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers informed the Committee that the Application had been brought to the Planning Committee, as the Applicant was related to a Ward Councillor.

Officers presented the report and presentation slides, as detailed on pages 96 to 101 of the main agenda report; and in doing so, informed Members that the Application sought roof alterations to include the insertion of 2 conservation rooflights and partial removal of an internal wall.

Aldham House was originally built in 1753 with later additions in 1853. It was located in the setting of the 12<sup>th</sup> Century, Grade I Listed St. Michael's Church.

The proposed rooflights were to opposite slopes of a later, single storey extension at the rear of the property and they would be largely hidden from view and would therefore have negligible impact upon the significance of Aldham House and the adjacent St. Michael's Church.

Internally, the ceiling of the roof would be removed to enable a vaulted space, with new steelwork introduced to support the roof. Again, the fabric here was of low significance and so the impact was considered to be negligible.

A section of internal wall was also to be removed, joining an existing and a former door opening into one, larger opening. This involved the removal of some fabric of slightly higher significance, being part of the 19<sup>th</sup> century wing, however a sense of the original plan form of the space

would be retained through the provision of a ceiling level downstand and wall nibs at each end.

The applicant had worked with officers and sympathetic work to the building would be carried out. Therefore, officers considered the minor harm to be sufficiently mitigated, and also justified through the provision of enlarged kitchen accommodation more appropriate for a property of this size.

Members then considered the application, which officers had recommended that Listed Building Consent be granted.

**RESOLVED** that Listed Building Consent be granted, for the reasons, as detailed on page 93 of the main agenda report.

48/22

**23/00027/REM - APPROVAL OF RESERVED MATTERS RELATING TO LANDSCAPING PURSUANT TO OUTLINE PLANNING PERMISSION 14/0408 (RESIDENTIAL DEVELOPMENT COMPRISING THE ERECTION OF 26 DWELLINGS - OUTLINE APPLICATION (INCLUDING DETAILS OF ACCESS, LAYOUT, SCALE AND APPEARANCE). LAND REAR OF ALGOA HOUSE, WESTERN ROAD, HAGLEY. MR. D. BILLINGHAM**

Officers drew Members' attention to Committee Update 3, pages 4 and 5, which detailed that the applicant had substituted the fruit bearing trees on plots 5,6,7,8,11 and 17 for non-fruit bearing trees; and the Revised Recommendation.

A copy of Committee Update 3 was provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers presented the report and presentation slides, as detailed on pages 108 to 112 of the main agenda report; and in doing so, highlighted that the application was for the approval of Reserved Matters relating to landscaping pursuant to outline planning permission 14/0408 (Residential development comprising the erection of 26 dwellings - Outline Application (including details of Access, Layout, Scale and Appearance). Land Rear of Algoa House, Western Road, Hagley

Outline planning permission (for access, layout, scale, and appearance) was granted on 6th January 2023 for the erection of 26 dwellings (ref: 14/0408). Therefore, the principle of the use had been established, and the main issue was whether the proposed details which related to landscaping were acceptable in terms of the development plan and national policy.

The Council's Arboricultural Officer had confirmed that the quantity and proposed size of trees proposed were satisfactory. However, they had asked that the fruiting trees that were proposed on the side of driveways and the access road to be substituted for more suitable non-pioneer, native, broadleaved trees. Fruit trees would inevitably cause problems

for future residents with their fruit fall, and residents would seek to have them removed.

Officers further highlighted Committee Update 3, page 4 which referred to the fruit bearing trees being removed, as detailed in the preamble above, and the revised Recommendation, as detailed on pages 4 and 5.

Members then considered the Reserved Matters application relating to landscaping, which officers had recommended be granted.

Officers responded to questions from Members with regard to the retaining wall, open spaces management and highways matters; and further clarified that these matters had already been determined and approved under the Outline Application and S106 agreement.

The Development Management Manager further responded with regard to additional concerns raised about the future management and maintenance of public open spaces, and in doing so; informed the Committee that the Council could not make the developer hand over the public open spaces for the Council to manage. Discussions would take place with the developer that Bromsgrove District Council was keen to adopt these public open spaces in perpetuity, but it was up to the developer to determine the management and maintenance of public open spaces, and that this was not a planning issue.

**RESOLVED** that the Reserved Matters for landscaping be granted, subject to the revised Recommendation and Conditions, as detailed on Committee Update 3, page 4.

49/22

**23/00053/FUL - SINGLE STOREY SIDE EXTENSION. 29 BRECON AVENUE, BROMSGROVE, B61 0TQ. MR. R. LAIGHT**

Officers reported that the Application had been brought to the Planning Committee, as the Applicant was a serving District Councillor.

Officers presented the report and presentation slides, as detailed on pages 118 to 124 of the main agenda report; and in doing so, informed Members that the Application was for a single storey side extension.

The application site was located on the western side of Brecon Avenue at the head of the cul-de-sac, situated within the residential area of Bromsgrove.

The proposed extension was of a modest scale and was considered to be sympathetic to the main house and would not harm the character of the street or local area.

Members then considered the application, which officers had recommended that planning permission be granted.



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**RESOLVED** that Planning Permission be granted, subject to the Conditions as detailed on pages 114 and 115 of the main agenda report.

The meeting closed at 8.25 p.m.

Chairman

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| Name of Applicant     | Proposal  | Expiry Date | Plan Ref.    |
|-----------------------|---|-------------|--------------|
| Taylor Wimpey UK Ltd. | <p>Reserved Matters Application of Phase 1, 149 residential units on land abutting Stourbridge Road/Perryfields Road, which is in line with the Outline Planning Permission for 1,300 dwellings (application reference 16/0335) allowed at appeal under reference APP/ P1805/W/20/3265948. The Reserved Matters application seeks consent in line with condition 1 for detailed matters of appearance, landscaping, layout, and scale.</p> <p>Land At, Perryfields Road, Bromsgrove</p> | 14.4.2023   | 21/01626/REM |

## RECOMMENDATION:

- (1) MINDED to **APPROVE** Reserved Matters
- (2) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to determine the Reserved Matters application following:
  - (a) The expiry of the publicity period on 8 April 2023 and in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chair of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.
- (3) And that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the list at the end of this report.

## Consultations

### **Highways - Bromsgrove**

- No objection subject to the conditions in respect to the layout of the scheme, visibility splays, and provision of crossing on Perryfields Road.
- The Highway Authority previously advised Bromsgrove District Council, as Local Planning Authority, deferral in formal comments dated 18th November 2021.
- Discrepancies were identified within the previous submission documents which required consideration by the Applicant.
- Layout
- The Phase 1 development will take access from the proposed signalised junction with Stourbridge Road connecting via a new proposed spine road. This is the first section of the spine road and where, subject to agreement and consent from the Local Planning Authority, the spine road will continue to run through the site and connect at the southern end at Kidderminster Road as future parcels associated with the outline consent are promoted.

- The section of the spine road relevant to this planning application has been designed in accordance with the principles agreed as part of the outline planning consent set by the Planning Inspectorate.
- To achieve these established principles, a 6.1m wide road has been provided.
- There is localised widening at the bends along the spine road which is necessary to safely accommodate two-way traffic based on vehicle tracking data. The required 20mph design speed has been achieved through appropriate levels of horizontal alignment. Appropriate levels of forward visibility at the bends of the spine road have been provided, alongside suitable levels of junction visibility at all the side roads.
- All footways with adjacent direct footage are 2m wide. There is a 3.5m wide shared foot/cycleway provided on the northern side of the spine road which will provide the first section of the new shared provision secured as part of the outline consent.
- The proposed turning heads are designed in accordance with the Streetscape Design Guide and there are 1m service margins provided at the back of all turning heads.
- The Applicant also proposes to provide a direct dropped-kerb crossing from the southern part of the site facilitating access for pedestrians to Perryfields Roads.
- The proposed site layout and the proposed uncontrolled dropped-kerb crossing have been subject to independent Road Safety Audits (RSA). The findings of the RSAs have been considered by Worcestershire County Council as the overseeing organisation.
- The internal layout is considered acceptable to Worcestershire County Council, and it accords with the adopted Streetscape Design Guide.
- There are 358 spaces proposed. The proposed parking levels associated with Phase 1 (21/01626/REM) are in accordance with the minimum requirements as set out the adopted Streetscape Design Guide.

## **Mott MacDonald**

- Mott MacDonald have no comments regarding the response of WCC to the first two conditions recommended. However, conditions are recommended with regards to ensuring the provision of sustainable connectivity between Phase 1 of the Perryfields development and neighbouring developments and transport facilities.
- The design of the spine road shows a more circuitous design than was included in the version of the highway proposal considered by the inspector (at the Outline application stage), and while this would contribute further to reducing the attractiveness of the Spine Road to rat running traffic, it would, if repeated for later phases of the development, potentially increase the length of the Spine Road, affecting journey times for traffic using this corridor. We advise BDC that, as the development is built out, this should be monitored, particularly if trip patterns (which will be monitored as part of the monitor and manage strategy as outlined in the Travel Plan document) are observed that differ significantly to those that were predicted by the PARAMICS modelling at the Outline stage.
- On an initial review of the layout plans we had questions about whether the development had adequately considered the necessary connections for walking and cycling, in particular how these will be provided to the south of the development to Perryfields Road as well as via the adjacent development (Living Spaces located to the south west of Phase 1).
- Note that there is now a submission of revised plans showing a footpath onto Perryfields Road, an ATC speed survey has been undertaken and we have been

verbally advised by WCC that this has shown 85th percentile speeds to be 34mph. In addition, we note that WCC's updated response dated 22 now recommends a pre-occupation planning condition to control implementation of this crossing facility. We have completed our review of the reserved matters application for Phase 1 of the Perryfields development (reference number 21/01626/REM). We recommend that a suitably worded Condition could be imposed to control delivery of the crossing point across Perryfields Road subject to the necessary refinement and formal approval of the final design. It is also recommended that an appropriately worded planning condition is added to ensure that the Perryfields development and the link to the adjacent Living Space development, within its powers, capabilities and controls, enables the creation of this provision and does not restrict this being formed.

## **Highways England**

- No objection to this amended reserved matters application.

## **Environment Agency**

- No objection and support the Mitigation and Enhancement Strategy, which will provide an increase in ecological value to Battlefield Brook.

## **North Worcestershire Water Management**

- No objection. This site falls predominantly within flood zone 1 (low risk of fluvial flooding) with areas of higher risk along the corridor of the Battlefield Brook. The site is also generally is not susceptible to surface water flooding aside from some areas of flood risk again along the corridor of the Battlefield Brook and in the North Eastern area of the site. We do not hold any reports of flooding within the site (which as non-developed land is to be expected), but we do hold reports of flooding downstream along the Battlefield Brook and along nearby highways. It is therefore important that the rate and volume of surface water from the developed site does not exceed the greenfield values.
- I note the finished floor levels have been amended to ensure they are set suitably above the adjacent ground levels.
- I would like to raise that the FFL of the pumping station (foul) is set slightly higher than the top level of the nearby SuDS basin; the pumping station should have suitable bunding to ensure in the event of failure that no sewage enters the SuDS basin or watercourse. Details of this can form part of a future detailed site plan.
- There is a need for some further information. In particular, confirmation of the climate change allowance used in the modelled flood extents, and I would suggest the drainage plans include the modelled flood extent to ensure the SuDS ponds are outside of this floodable area. This is critical to the overall design, placement and sizing of the storm water drainage network.
- There is a need for the battlefield brook naturalisation / diversion work to be completed as part of this phase 1 as this work is critical to the modelled flood levels.

## **Severn Trent Water Ltd**

- No objection to the proposals in principle.

## **WRS - Contaminated Land**

- No objection but keep tiered condition imposed on outline application.

## **WRS - Noise**

- No objection subject to acoustic fencing and acoustic windows required as mitigation measures in sensitive locations.

## **WRS - Air Quality**

- No objection
- WRS advise that air quality mitigation measures are incorporated as part of the development to encourage the uptake of low emission modes of transport and to alleviate pollution creep in the local area. The air mitigation measures conditions have recently been updated to reflect changes in the National Planning Policy Framework.

## **Urban Designer**

- Concern that the scheme has been submitted in advance of design code for the development.
- Concern that the site does not take into consideration the topography of the site. Streetscenes reflect the same.
- Issues of access to the site have been determined in the outline approval. Access determined by criteria set by highway engineers resulting in a largely separate from, and cut off from, the adjoining existing residential area. Majority of housing on one lengthy cul de sac. Far extreme of long cul de sac adjacent to Perryfields Road could at least have a pedestrian/cycle access to the development.
- House types are conventional, not particularly distinctive.
- Absence of public open space areas

## **Ecology**

- No objection
- A Habitat Management Plan has been submitted as part of the reserved matters documents with respect to planning Condition 8. The HMP details a number of supported mitigation measures, but some further information or clarification is requested. Provided that these amendments are made to the HMP, we are satisfied that the HMP will meet the requirement for Condition 8.
- A Water Vole Protection Plan has been submitted as part of the reserved matters documents with respect to planning Condition 29. We support the WVPP and agree that water vole populations should be protected from the works provided that all of the measures detailed within the WVPP are adhered to. As such, the WVPP provides sufficient evidence to discharge Condition 29 for this phase.

## **Worcestershire Archive And Archaeological Service**

- No objection
- The development area approved at appeal is subject to archaeological conditions (9 and 10). Phase 1 has been subject to several phases of archaeological investigation which culminated in open area excavation in January 2022. On-site investigation has been completed, with reporting and archiving forthcoming.

## **Community Safety**

- I would recommend that the developer considers application for Secured by Design Gold or Silver Award in respect of the development.

- In general terms the layout as proposed is positive with a 'circled wagons' block arrangement which offers protection to rear and side boundaries of individual units provided that the gated access to the units is robust. There is some good natural surveillance of facing properties in the main.
- A total of seven cul-de-sac's are created accessed from the main thoroughfare although these are permeable to pedestrians. Cul-de-sacs are viewed positively from a crime prevention point of view as they encourage the challenge of strangers and psychologically deter hostile reconnaissance as criminals perceive there are reduced avenues of escape, this advantage is compromised where they are permeable as described by pedestrians and cyclists. That being said I accept that movement is a key aspect of design.
- The main thoroughfare is not straight, looping around a block of units, this is positive as straight runs of thoroughfares on other developments has seen issues with excess speed from residents causing noise disturbance and danger to pedestrians.
- I note there are a number of units where the parking is tandem between units, this can create vulnerabilities to vehicle crime and facilitate access to rear areas. This should be mitigated by ensuring good natural surveillance from opposite properties and active rooms overlooking these areas.
- Planted areas must be maintained to a level that ensures natural surveillance.

## **Natural England**

- No objection

## **Arboricultural Officer**

- The layout creates an incursion by the road network and parking areas into the BS5837:2012 Root Protection Areas (RPA) of trees T41, T46, T47, T48 and G45. Therefore, any section of the road network or parking areas that incur into the RPA of these trees will need to be installed by use of a suitable grade of No Dig construction over the existing ground levels including any curb edge feature and be porous in nature including the surface wearing course. This has been recognised on Tree Protection Drawing C-1948 -05 and 06 however I cannot find any information on the grade of material or method of construction to be used which I request is submitted.
- The feeder access road link to the site of Stourbridge Road starts to feed into the site in close proximity to T58. There is a small area of landscaping shown as retained around the base of this tree, but the existing ground levels will need to be retained within this landscaped area to ensure the welfare of this tree. There is also a path shown passing through the landscaped area which will run within the RPA of this tree and therefore will need to be installed by use of a suitable grade of No Dig method of construction. It is unclear what the intentions regarding the ground level management in this area which I request are confirmed
- The EDP 2 Tree Removal Plans show an intention to remove only a section of H75 however all of this hedge line has been removed. There is no intention shown within the landscape plans submitted to plant any new hedging on this boundary which I therefore request is considered.
- The landscape proposal submitted contains a suitable range and grade of species mix and varieties of plant that will give an acceptable level of structure and seasonal interest to the scheme and there is acceptable.

## **Housing Strategy**

- No objection

## **Publicity**

Two public consultations have taken place as follows:-

167 letters sent 26th October 2022 (expire 19th November 2022) and 26th January 2023 (expire 12th February 2023)

Site notices displayed 4th November 2022 (expire 28th November 2022) and 1st February 2023 (expire 18th February 2023)

Press notice published 4th November 2022 (expire 21st November 2022) and 27th January 2023 (expire 1st February 2023).

4 representations received raising the following issues:

- Concern regarding increased traffic/ traffic congestion
- Reference made to the movement route corridor plan referred to by the Inspector. Plan now shows that the route deviates from that shown on the outline plans.
- Impact on wildlife
- Impact on trees/ loss landscaping, want screen planting particularly on Perryfields Road
- Concerns of surface water drainage

Due to recent revisions to the scheme, a third public consultation is currently taking place at the time of drafting the report and I will update Members at your Committee:

169 letters sent 23rd March 2023 (expire 6th April 2023)

Site notice displayed 22nd March 2023 (expires 5th April 2023)

Press notice published 24th March 2023 (expires 8th April 2023)

## **The Bromsgrove Society**

- Objection
- The Society notes that the Inspector's decision letter for planning appeal provides a schedule of planning conditions.
- Condition 4 provides a list of approved plans with the Inspector stating "the development hereby permitted shall be carried out in accordance with the following approved plans".
- Listed as an approved plan in Condition 4 is 19378 47H Figure 3.6 Parameter Plans – Access & Movement Plan. This plan shows the route of the approved spine road through the development that will replace the existing signed through route between A448 Kidderminster Road and B4091 Stourbridge Road.
- The Access & Movement Plan shows that the spine road is made up in part of existing highway and new highway. and labelled "main movement route corridor". In recognition that the exact route of the main movement route corridor is still to be agreed it is shown as being of varying width that sets the spatial envelope approved by the Inspector for the route of the spine road.
- The spine road submitted for approval in the reserved matters application deviates from the conditioned main movement route corridor. Rather than the straight route through the reserved matters application site conditioned by the Inspector the applicant now seeks approval for a longer route that adds four additional bends to the spine road.
- Furthermore, rather than being bounded by public open space for its full length through the reserved matters site the Applicant's layout proposal is that the spine



road will have residential properties on both side for around half its length through the site.

- Consequently, it is the considered opinion of The Society that the submitted layout proposal is not in accordance with the applicable approved plan (19378 47H Figure 3.6 Parameter Plans – Access & Movement Plan) specified in Condition 4 of the Inspector's outline planning consent.
- The Society considers the following impacts will arise if the scheme is approved:-
- Paragraph 4.64 of the Transport Assessment submitted by the Applicant for their outline planning application states that spine road design features will encourage lower speeds the impact of which will be to deter off-site through traffic from using it as a route between A448 Kidderminster Road and B4091 Stourbridge Road.
- The Society rightly considers that the additional length of spine road, four additional right angle bends and the increased likelihood of vehicles parked on the highway arising from additional residential frontages will result in the number of off-site through vehicle trips being deterred from using the spine road being over and above those considered by the Inspector when granting outline planning consent.
- The question thus arises as to which routes the drivers further deterred from using the spine road will choose given that the existing Perryfields Road through route between Kidderminster Road and Stourbridge Road will be closed off.
- There is very limited choice of alternative routes. In reality, the Applicant's layout proposals are very likely to lead to further undesirable rat-running trips through the Sidemoor residential area and additional trips through the Town Centre not accounted for by the Inspector when considering appropriate mitigation measures at Town Centre junctions.
- With regards to additional traffic routing through the Town Centre, The Society refers to:-
- Paragraph 8.124 of the District Plan states "in order to reduce congestion and improve air quality in the Town Centre, wherever possible, through traffic will be routed via alternative less congested routes";
- and;
- Paragraph 8.162 of the District Plan states "road congestion is an increasing problem for the Town Centre, particularly during peak hours and when traffic attempting to avoid motorway congestion diverts to the local road network".
- Consequently, it is pertinent to note that;
- At the Parkside junction, the recent installation of MOVA control to the traffic lights is simply the measure accepted by Members during the Norton Farm Town Expansion Site planning application to be necessary to mitigate the additional traffic generated by development at Norton Farm;
- Following improvements to the Parkside junction there is no traffic modelling currently available for Member or public scrutiny to demonstrate that development at the Perryfields Town Expansion Site will not have an adverse impact on the junction;
- It appears to The Society that the ongoing Strategic Transport Assessment (STA) is likely to model the Perryfields spine road as conditioned by the Inspector without changes to the layout proposed by the Applicant, in this or subsequent reserved matters applications that will encourage drivers to use alternative routes to the spine road. Consequently, outputs from an unmodified STA are likely to suppress the impact of development at the Perryfields Town Expansion Site on the Town Centre and in Sidemoor and to be of questionable validity when testing options for

new developments to understand the requirements for future highway infrastructure.

## **Site Description**

The Perryfields Road development site (allocated as BROM2 in the Bromsgrove District Plan) is located to the south of the intersection between the M5 and the M42 and amounts to 72.26 hectares in area, extending between the A448 Kidderminster Road to the south, the B4091 Stourbridge Road to the north-east, and bounded by the residential area of Sidemoor to the south-east.

The development of the allocated BROM2 site will be in the form of 5 Phases. This application is Phase 1 (site area 6.55 hectares) and is located at the most northern tip of the overall site bounded by Stourbridge Road, Perryfields Road and the Battlefield Brook.

## **Proposal Description**

Following the granting of outline planning permission at appeal and the approval of external access arrangements by the Planning Inspector, this application seeks consent for the first phase of this allocated site for the erection of 149 dwellings.

The principle of the residential development (up to 1300 units) has been established through the granting of a mixed use outline permission 16/0335 which also included up to 200 unit extra care facility, up to 5ha of employment, mixed use local centre with retail and community facilities, first school, open space, recreational areas and sports pitches, associated services and infrastructure. Therefore, the issues for consideration by Members are limited to matters of the internal vehicular access, layout, scale, appearance, and landscaping.

A total of 149 dwellings are proposed in this phase generally comprising of 2 storey dwellings, however, 6 No. bungalows are proposed, and 10 No. dwellings would be 2 ½ storeys incorporating dormers. The provision of dwellings is as follows:-

### **Open market housing**

5 No. 2 bedroom dwellings  
56 No. 3 bedroom dwellings  
46 No. 4 bedroom dwellings  
**Total 107 dwellings**

### **Affordable housing**

27 No. 2 bedroom dwellings  
13 No. 3 bedroom dwellings  
2 No. 4 bedroom dwellings  
**Total 42 dwellings**

The affordable housing tenure is split between shared ownership (17 units) and social rent (25 units). These units would be provided in clusters across the whole of the phased scheme.

Provision of informal open space would be in the form of a multi-functional green and blue infrastructure corridor providing a variety of plant species and incorporating a

sustainable drainage system adjacent to Battlefield Brook. A pumping station is proposed in this area of the site as well as a substation.

A smaller informal non equipped open space area is also proposed next to Perryfields Road providing footpath links to Perryfields Road and the neighbouring development Living Space (currently under construction on Perryfields Road).

The Reserved Matters to be considered under this application are:

- Layout - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. This includes the internal road configuration.
- Scale - the height, width and length of each building proposed within the development in relation to its surroundings;
- Appearance - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; and
- Landscaping - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
  - (a) screening by fences, walls or other means;
  - (b) the planting of trees, hedges, shrubs or grass;
  - (c) the formation of banks, terraces or other earthworks;
  - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
  - (e) the provision of other amenity features

For clarity, the issue of external access off Stourbridge Road has already been determined and approved, so is not included in the current application.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP5A Bromsgrove Town Expansion Sites  
BDP7 Housing Mix and Density  
BDP8 Affordable Housing  
BDP10 Homes for the Elderly  
BDP12 Sustainable Communities  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP21 Natural Environment  
BDP23 Water Management  
BDP24 Green Infrastructure  
BDP25 Health and Well Being

## **Others**

NPPF National Planning Policy Framework (2021)  
NPPG National Planning Practice Guidance  
Bromsgrove High Quality Design SPD  
National Design Guide

## **Relevant Planning History**

The application site forms part of a larger site that was the subject of a planning appeal (APP/P1805/W/20/3265948). The appeal was allowed 5 August 2021 granting outline planning permission for and approving access for:

The phased development of up to 1300 dwellings (C3); up to 200 unit extra care facility (C2/C3); up to 5ha of employment (B1); mixed use local centre with retail and community facilities (A1, A2, A3, A4, A5, D1); First School; open space; recreational areas and sports pitches; associated services and infrastructure (including sustainable drainage, acoustic barrier); with matters of appearance, landscaping, layout and scale (including internal roads) being indicative and reserved for future consideration, except for details of the means of access to the site from both Kidderminster and Stourbridge Road, with associated highway works (including altered junctions at Perryfields Road/Kidderminster Road and Perryfields Road/Stourbridge Road) submitted for consideration at outline stage.

The Planning Inspector considered and allowed the Reserved Matter of access. This included consideration of traffic movement and highway safety together with a proposed mitigation package and approved 2 vehicular access points into the site from Stourbridge Road and Kidderminster Road.

The appeal was allowed subject to a Section 106 Agreement that secured a number of contributions and mitigation measures. Condition requirements to be addressed prior to commencement of any phase include the following:-

Condition 1 details of the access, appearance, landscaping and scale in that phase to be submitted and approved.

Condition 4 development to be carried out in accordance with approved plans which included detailed vehicular access plans off Stourbridge Road and parameter plans that provided indicative details in respect to access and movement, open space and green infrastructure, development heights, noise mitigation and drainage.

Condition 6 requires a Design Code.

Condition 8 requires a Habitat Management Plan.

Condition 9 requires a programme of archaeological work.

Condition 10 requires a Construction Environmental Management Plan.

Condition 12 requires drainage details.

Condition 13 requires a preliminary risk assessment in respect to contamination.

Condition 14 requires protection of all trees and hedges to be retained.

Condition 18 requires finished ground floor levels.

Condition 20 requires the submission of soft landscaping works.

Condition 21 requires the submission of hard landscaping works.

Condition 22 requires details of boundary treatment.

Condition 23 requires a landscape management plan.

Condition 24 requires details of communal public open space.

Condition 28 requires details for the diversion of Battlefield Brook.

Condition 29 requires details for the protection and/or mitigation of water voles.

Condition 30 requires details of external lighting.

Condition 31 Travel plan.

Condition 36 requires details of water efficiency.

Condition 37 Finished floor levels.

Details required to address conditions 8, 12, 18, 20, 21, 22, 23, 24, and 31 form part of this application in respect to Phase 1 only whilst the other conditions are being considered as part of separate Discharge of Conditions application submissions.

## **Assessment of Proposal**

### **Phasing**

The proposal will be the first of potentially five phases to complete the Perryfields development. In determining the appeal, the Inspector anticipated development taking place on a phased basis and this is reflected in the wording of many of the conditions. A phasing plan has been approved as part of the discharge of conditions. Therefore, the submission of a Reserved Matters application for only part of the overall site is acceptable.

### **Layout**

The outline planning permission was allowed on appeal subject to a condition that the Reserved Matters shall be in accordance with the indicative development area parameter plans. The plans approved as part of the outline application include detailed plans for the access arrangements/improvements for Stourbridge Road, Kidderminster Road and other nearby roads indicated for highway improvements.

The approved plans also included parameter plans that showed indicative details of the access and movement of the potential development. The Access and Movement Plan showed a main movement route corridor. The Inspector refers to the potential spine road in the Appeal decision and its intention to run through the site and be designed for speeds of 20mph to create an environment conducive to cycling and walking. It became apparent upon the submission of this phased application that a 20mph limit would not be achieved with the indicative spine road shown on the Access and Movement Plan. Negotiations have been held to deviate the route of the spine road to ensure that a maximum speed of 20mph can be achieved. This has resulted in a layout that shows the route meandering through the site to provide in built traffic calming measures to achieve the potential speed limit.

The layout of the houses has been defined by the revised spine route; however, this has improved outlooks for some of the plots and also creates focal points for way-finding purposes. For instance, the 2½ storey dwellings are mainly located facing Battlefield Brook, which will be an informal open space area along the north-western boundary. The proposed bungalows will face onto Perryfields Road along the south eastern boundary. A total of 18 different house types are proposed for Phase 1 which are in the form of detached, semi-detached and terraced properties providing a varied streetscene. The distribution of social rent and shared ownership properties is proposed to be in a diverse and reasonable manner.

Generally, there is a sense of spaciousness within the proposed housing layout. Whilst many of the plots have private rear garden areas in excess of the spacing standards set out in the Council's High Quality Design SPD for private amenity space, some are substandard. It is important to consider the overall proposal holistically and, in this context, the slight shortfall in garden lengths/areas is not considered to be significantly harmful. Furthermore, the Council does not have a 5 year supply of housing land currently. Given the physical constraints of this site, the provision of open space proposed for this phase, and the overall benefits associated with the provision of 149 new dwellings, including 42 affordable units, the proposal is considered acceptable.

The major urban design criteria is connectivity. Generally, the layout relates well on this criterion, for both pedestrians and vehicles, with links to the neighbouring residential development under construction on Perryfields Road (Living Space) as well as Stourbridge Road. However, permeability directly onto Perryfields Road was considered to be restricted due to the established hedgerow and third party land. This matter has been raised by the Council's Urban Designer who has stated that a large proportion of the houses are accessed from one lengthy cul de sac. The Urban Designer notes that the hedge along Perryfields Road is to be retained preventing pedestrian or cycle access to the road.

The development has been amended to include a footpath link onto Perryfields Road adjacent to the smaller open space area to the southern boundary of the site. The provision of this footpath link does involve the removal of approximately 78m of hedgerow in order to achieve the access and adequate visibility. This footpath (and uncontrolled crossing point across Perryfields Road) and the internal footpath that links to the Living Space development will offer occupiers alternative options to access facilities rather than relying on the use of the car.

Whilst it is regrettable that a section of hedgerow along Perryfields Road would need to be removed to enable this provision, the hedgerow mainly contains a fair volume of Elm which will in time, is most likely to die out. Therefore, it would be appropriate to replace the hedgerow with a better-quality hedge for the longer term. The Tree Officer has informally advised that he does not object to the removal of the hedgerow and has requested that the hedge be replaced outside the proposed visibility splay.

Due to the change in the proposed layout a third public consultation is currently taking place at the time of drafting the report and this is reflected in the recommendation. Any comments submitted as a result of the consultation will be provided in an update report. I will update Members at your Committee on this issue.

Overall, the proposed layout is considered to accord with policies BDP5A.7g), BDP19, Bromsgrove High Quality Design SPD and the NPPF.

## **Scale**

Condition 4 requires that the Reserved Matters accord with the maximum scale parameters for buildings as set out Figure 3.2 Parameter Plan – Development Heights. The plan shows that this aspect of the development site could potentially accommodate 2½ storey dwellings for the whole of Phase 1.

Whilst there would be 10 No. dwellings of 2½ storey height, the majority of the built form will be 2 storey. Given the variety of levels of the site, and the general height of surrounding properties, it is considered appropriate that 2 storey units be the dominant height for this particular phase.

A total of 6 No. bungalows are also proposed providing a variety of roof heights as well as an interesting streetscene, but also provides for those who benefit from ground floor only living. The scale of the development proposed is considered acceptable.

## **Appearance**

A total of 18 housetypes form part of this phased scheme. The Design Compliance document submitted with the application clarifies that there are three distinctive character areas, Central Area, Core Area and Green Edge.

The Design Compliance document states that the character areas are an important tool in helping to deliver contextually responsive urban design, responding to the unique qualities of a particular site or neighbourhood. The scheme reflects similar architectural details from neighbouring properties in Perryfields Road, as well as the new adjacent residential development currently under construction (Living Space). The different character areas and the 18 different housetypes all provide visual interest to the streetscene ensuring that this development integrates into its setting in accordance with Policy BDP19, and the Council's SPD on High Quality Design.

A limited materials palette is proposed featuring brickwork and render for the units to reflect the character areas encouraging distinctiveness and wayfinding throughout the site. The same materials palette will be used on both market and affordable housing to help to ensure that the development is well integrated and tenure blind.

Roads, footways and driveways are generally intended to be a tarmac finish.

Boundary treatment details have also been submitted which show a combination of brick screen walling and a variety of timber fencing styles of varying heights.

The Council's Urban Designer has described the house types as conventional but not distinctive or remarkable. It is accepted that there are subtle differences in architectural details and design between the housetypes submitted, though overall, the appearance of the dwellings complement one another and provide variety and interest in the streetscene, presenting a cohesive development, and contributing to the sense of place. The size, appearance and architectural detailing of the dwellings is acceptable and accord with policies BDP5A7.g), BDP19, the Council's High Quality Design SPD, the outline planning permission, and the NPPF.

## **Landscaping**

Some established trees and hedgerows will need to be removed to enable the development, including the section of hedgerow bounding Perryfields Road to facilitate the pedestrian access.

A linear area of open space will be provided along Battlefield Brook and will be multifunctional in use providing visual amenity value, biodiversity benefits including SuDS ponds. An informal open space area is proposed adjacent to Perryfields Road and will be

adjacent to footpath links to the neighbouring Living Space residential development currently under construction as well as Perryfields Road.

Enhancements are proposed to the brook. North Worcestershire Water Management have been involved in discussions on the overall enhancement works to the brook. Revisions have also been made to the landscaping details.

Overall, it is considered that this proposal satisfactorily achieves the aims of the Open Space and Green Infrastructure Parameters Plan defined in the approved outline application and development plan policy.

## **Housing Mix**

Policy BDP5A requires a high proportion of 2 and 3 bedroom properties across the town expansion sites. One third of the total provision of proposed dwellings would be 2-3 bedroom units. There is a requirement for 40% affordable housing across the whole allocation in accordance with Policy BDP5A.7 and BDP8. In the appeal decision the Inspector acknowledged that the outline scheme would provide for 30% affordable provision across the expected 1300 new dwellings as the existing 210 affordable units already built on the allocated site would go towards the 40% affordable housing requirement.

The Phase 1 scheme proposes a total of 42 affordable units which equates to 28.2% leaving a shortfall of 2 affordable dwellings. Policy BDP8.6 states that where a development site is brought forward on a piecemeal basis, the Council will assess affordable housing targets for each part of the site on a pro-rata basis, having regard to the overall requirements generated by the whole site. The developers have clarified that whilst there is a shortfall of affordable housing on this phase by 2 dwellings, this shortfall will be made up in the next phase of the development. Officers accept this approach in respect to the affordable housing provision for this phase and consider that the proposed development meets the development policies in respect of affordable housing requirements.

The affordable housing tenure is split between shared ownership (17 units) and social rent (25 units). These units would be provided in clusters across the whole of the phased scheme. The Housing Officer has been consulted and agree that the affordable housing provision, mix and cluster arrangements within the layout are acceptable. In addition, in respect to Policy BDP5A.7b there is a provision of 6 No. bungalows addressing housing need for the elderly.

## **Impact on Existing and Proposed Residential Amenities**

Adequate spacing would be maintained between existing and proposed dwellings. Overall, it is considered that given the degree of separation, position and orientation between proposed dwellings and neighbouring properties along Perryfields Road, Stourbridge Road and Sheepcote Grange, the proposal would not result in harm to the amenity of the occupants of neighbouring properties or future occupiers of the proposed dwellings and is considered acceptable. The recent revision showing the footpath link onto Perryfields Road is acceptable from an amenity perspective.



## **Highways and Parking**

An indicative movement route corridor was shown on one of the approved parameters plans as part of the outline permission. Subsequently it has transpired that the aspired 20mph limit could not be achieved with the indicative route. The route has been revised to build in traffic calming measures. County Highways have been consulted and revisions have been made to the plans to ensure the development achieves the aspired speed limit.

As a result of these changes (including visibility, road alignment, design of the internal roadways to a maximum of 20mph, confirmation on the number of parking spaces to meet the required adopted standards) WCC as Highway Authority have advised that it has no objection to the proposal subject to conditions.

County Highways have considered the revised plans that show the proposed footpath onto Perryfields Road and have no objection to the amendment stating that the proposed site layout and proposed uncontrolled dropped-kerb crossing have been subject to satisfactory independent Road Safety Audits (RSA). Mott MacDonald have independently assessed the scheme as a whole, including the proposed footpath onto Perryfields Road and have raised no objection on highway grounds.

## **Ecology**

A Habitat Management Plan and a Water Vole Protection Plan have been submitted to support the application. The Council's Consultant Ecologist has advised that the details submitted are acceptable. The Environment Agency have also commented on the Water Vole Protection Plan and state that whilst they support the details submitted, some minor amendments to provide refuge areas within the basin have been suggested. Any amendments submitted in respect to this matter will be provided in an update report.

## **Contamination and Noise**

Worcestershire Regulatory Services (WRS) have reviewed the information submitted with regard to contamination and risk to human health. Initial comments from WRS considered that whilst the site is unlikely to be significantly contaminated, additional information is still required and as such a tiered contamination condition in the outline decision will remain live for now in respect to this phase.

In respect to noise, condition 26 of the outline decision sets out acceptable noise levels for the development and requires mitigation measures to be approved to ensure the noise levels can be met. Whilst information has been submitted to address this condition, the information submitted has been superseded due to the change in layout of the scheme in respect to the spine road. The mitigation matters required relate to acoustic fencing, and acoustic windows to be installed on plots in sensitive locations such as Perryfields Road and the motorway network. For these reasons, condition 26 of the outline decision will remain live for now in respect to this phase.

## **Drainage**

A Flood Risk Assessment has been submitted to support the application. North Worcestershire Water Management (NWWM) have considered the details but require additional information in respect to discharge rates, detailed designs of SuDS ponds, as well as final detailed drainage designs that should incorporate finished floor levels to be at least 150mm above the surrounding finished levels.

The revised details recently submitted included additional information to clarify minor drainage matters. North Worcestershire Water Management and Severn Trent have been reconsulted. Any comments submitted as a result of the consultation will be provided in an update report. I will update Members at your Committee on this matter.

## **Public response to the proposal**

Some of the comments submitted relate to the principle of the development. I have therefore attached very little weight to objections raised by residents with regards to the release of this site for housing provision, traffic and highway issues external to the site, the impact drainage and flood risk and wildlife and landscaping issues, as the principle of development on this site has already been established by the outline permission.

Comments raised by Bromsgrove Society in respect to the deviation of the indicative 'main movement route corridor' shown on the Access and Movement Parameters Plan approved at outline stage have been addressed within the body of this report.

I will update Members at your Committee on the content of any additional comments received arising from the current consultation process.

## **Conclusion**

This is an allocated development site. Outline planning permission with the Reserved Matter of Access was allowed on appeal in 2021. Whilst some of the private rear gardens are less than the spacing standard set out in the High Quality Design SPD when assessed holistically against the policies of the District Plan the proposal is considered to comply. The Reserved Matters under consideration are found to comply with the relevant conditions imposed by the Planning Inspector and to the NPPF. In the planning balance and taking account of material planning considerations, the development as a whole is considered to be acceptable and subject to the conditions set out below, is recommended for approval.

## **RECOMMENDATION:**

- (1) MINDED to **APPROVE** Reserved Matters
- (2) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to determine the Reserved Matters application following:
  - (a) The expiry of the publicity period on 8 April 2023 and in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chair of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.
- (3) And that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the list at the end of this report.

## **Conditions:-**

- 1) The development hereby approved shall be carried out in accordance with the plans and documents (drawing numbers to be inserted).

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

- 2) The development hereby approved shall not be occupied until the layout, turning areas and parking facilities shown in general accordance with Drawing PH1-102 Rev G has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

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

- 3) The development hereby approved shall not be occupied until the visibility splays shown on Drawing PH1-102 Rev G 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.

- 4) Prior to their first installation, details of the uncontrolled crossing shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied until the proposed uncontrolled crossing on Perryfields Road as shown in drawing PH1-2 (Titled: Proposed Footpath Link To Perryfields Road) has been constructed and completed.

Reason: In the interests of highway safety and to assist in the provision of sustainable links.

- 5) The development shall not be occupied until full details of the provision of footpath/cycle path to the south-western boundary of the site to connect to Living Space residential development shall be submitted to and approved in writing by the Local Planning Authority. The footpath/cycle path shall be implemented in accordance with the approved details before the first occupation of any one of the dwellings hereby permitted.

Reason: In order to assist in the provision of sustainable links.

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

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# 21/01626/REM

Land At, Perryfields Road, Bromsgrove

Reserved Matters Application of Phase 1, 149 residential units on land abutting Stourbridge Road/Perryfields Road, which is in line with the Outline Planning Permission for 1,300 dwellings (application reference 16/0335) allowed at appeal under reference APP/ P1805/W/20/3265948. The Reserved Matters application seeks consent in line with condition 1 for detailed matters of appearance, landscaping, layout, and scale.

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**Recommendation:** DELEGATED POWERS be granted to the Head of Planning, Regeneration and Leisure to determine the Reserved Matters application following:

The expiry of the publicity period on 8 April 2023 and in the event that further representations are received, that DELEGATED POWERS be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chair of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.

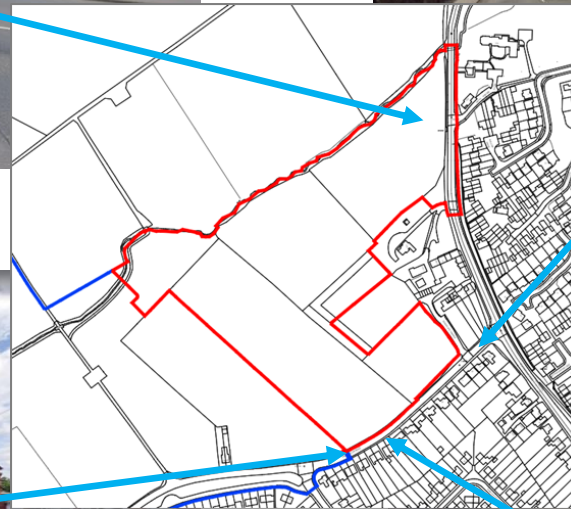
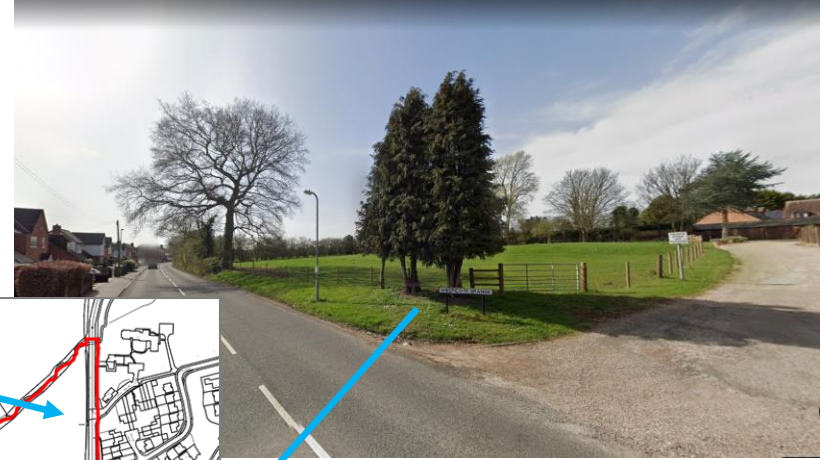
And that DELEGATED POWERS be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions.

Agenda Item 5

# Site location plan



# Views of the site



# Site layout plan

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| MIX BREAK DOWN |            |                |
|----------------|------------|----------------|
| PRIVATE        | UNITS      | PERCENTAGE     |
| 1 Bed          | 0          | 0.00%          |
| 2 Bed          | 5          | 4.67%          |
| 3 Bed          | 56         | 52.34%         |
| 4 Bed +        | 46         | 42.99%         |
| <b>Total</b>   | <b>107</b> | <b>100.00%</b> |

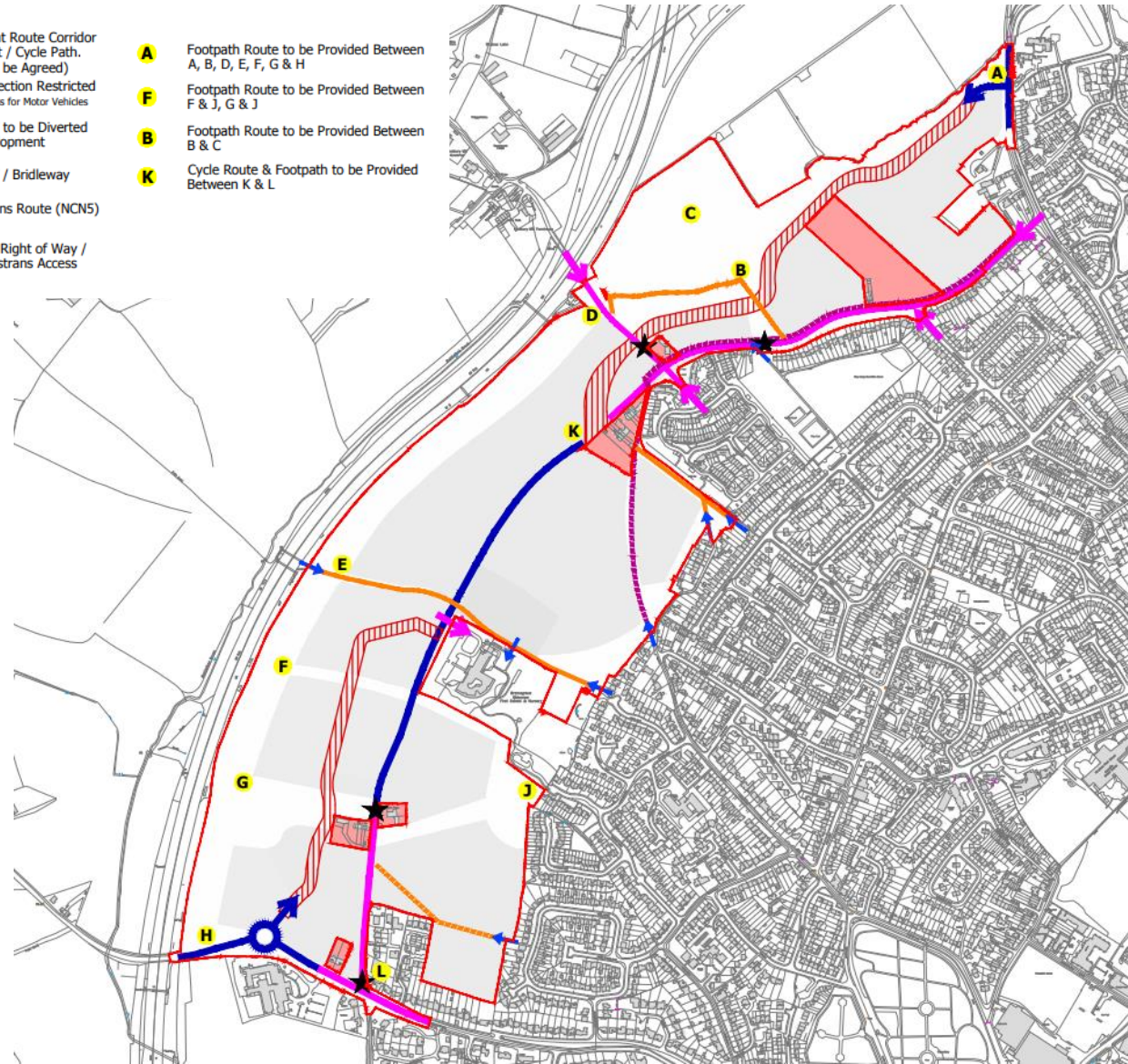
| AFFORDABI    |            |                |
|--------------|------------|----------------|
| UNITS        | PERCENTAGE |                |
| 1 Bed        | 0          | 0.00%          |
| 2 Bed        | 27         | 64.29%         |
| 3 Bed        | 13         | 30.95%         |
| 4 Bed        | 2          | 4.76%          |
| <b>Total</b> | <b>42</b>  | <b>100.00%</b> |

| Total        | UNITS      | PERCENTAGE     |
|--------------|------------|----------------|
| Private      | 107        | 71.81%         |
| Affordable   | 42         | 28.19%         |
| <b>Total</b> | <b>149</b> | <b>100.00%</b> |



Legend

- |  |   |   |  |   |   |
|--|---|---|--|---|---|
|  | Application Boundary                        |  | Main Movement Route Corridor<br>(Including Foot / Cycle Path.<br>Exact Route to be Agreed) |  | Footpath Route to be Provided Between<br>A, B, D, E, F, G & H |
|  | Areas Excluded from<br>Application Boundary |  | Highway Connection Restricted<br>- No Through Access for Motor Vehicles                    |  | Footpath Route to be Provided Between<br>F & J, G & J         |
|  | Main Access                                 |  | Existing PROW to be Diverted<br>Through Development  |  | Footpath Route to be Provided Between<br>B & C                |
|  | Existing Highway<br>(Subject to Alteration) |  | Existing PROW / Bridleway  |  | Cycle Route & Footpath to be Provided<br>Between K & L        |
|  | Existing Highway Access                     |  | Existing Sustrans Route (NCN5)<br>& PROW   |   |   |
|  | Existing Highway Retained                   |  | Existing Public Right of Way /<br>Bridleway / Sustrans Access                              |   |   |

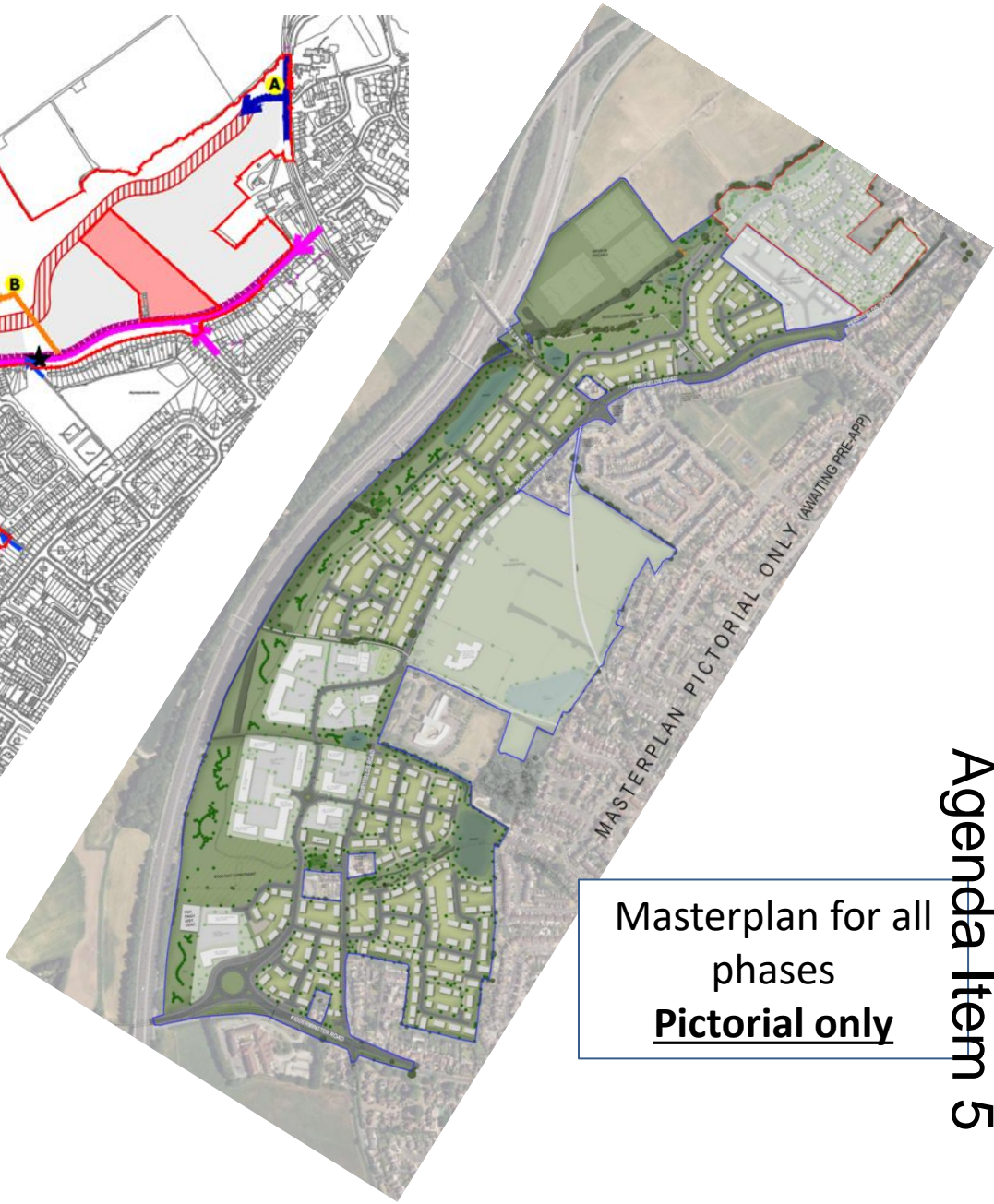
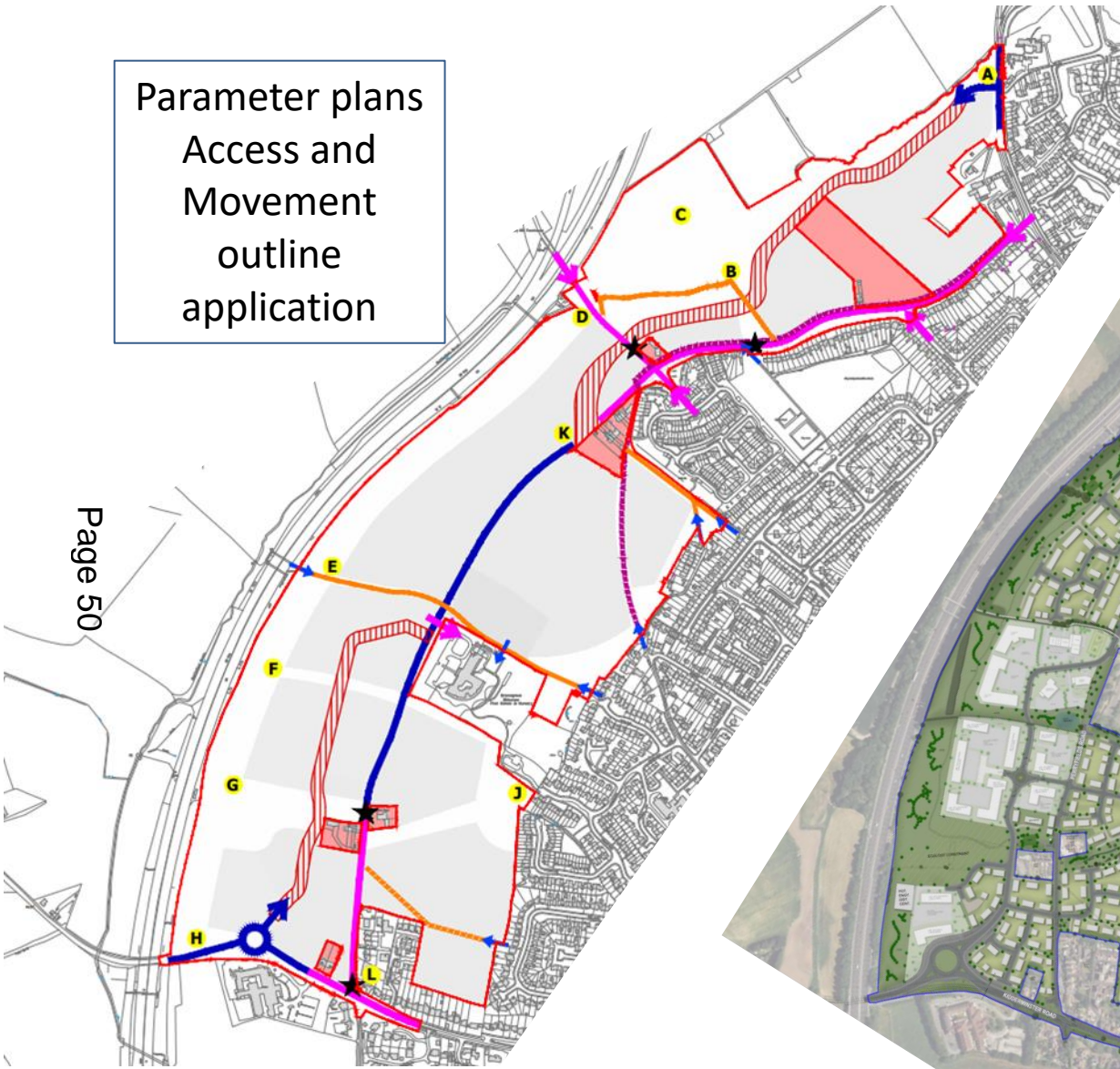


Page 49  
**Figure 3.6**  
**Parameter plans**  
**Access and**  
**Movement**  
 (outline application plan)

For information purposes  
 for this presentation

Parameter plans  
Access and  
Movement  
outline  
application

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Masterplan for all  
phases  
**Pictorial only**

Agenda Item 5


# Connectivity Plan

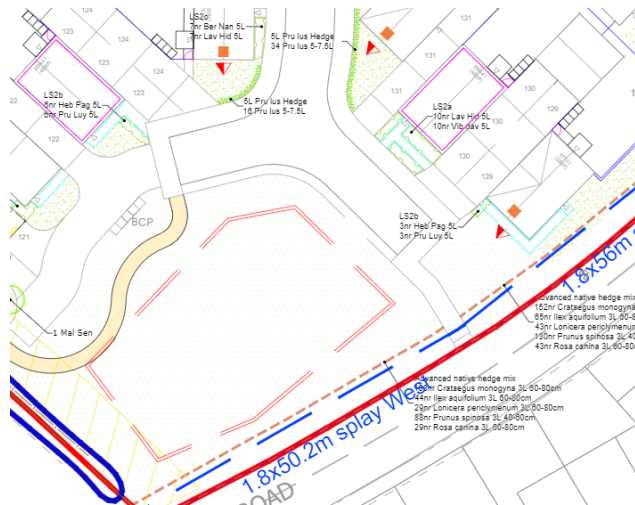
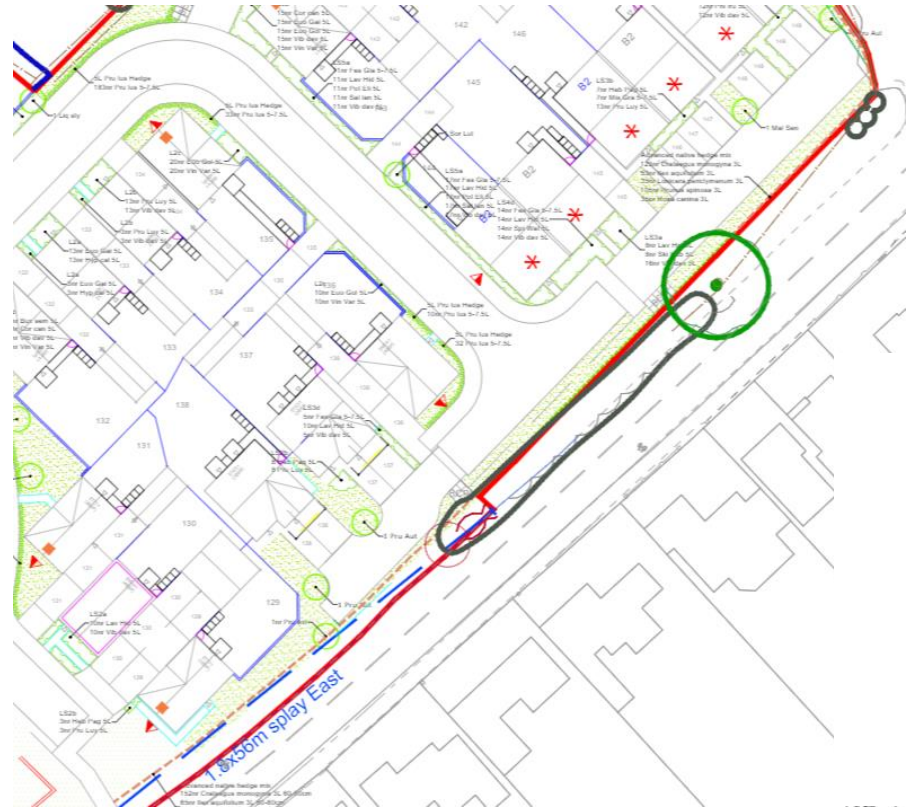
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|   |                             |
|---|-----------------------------|
|  | PEDESTRIAN CONNECTION/ROUTE |
|  | CYCLE CONNECTION            |
|  | CYCLE ROUTE                 |



# Replacement planting along Perryfields Road

-  Heavy standard tree planting in grassed or planted areas. Tree pits as per BS 8545:2014. To include single 1.6m timber stake, 600mm above ground, spacer and biodegradable tie.
-  Ornamental shrub planting, including 50mm depth no-fines bark mulch. Individual species to be planted in groups of no more than 7 plants.
-  Ornamental hedge planting, including 50mm depth no-fine bark mulch.
-  Native hedge planting. Plants to be pit planted at 0.33m spacing in a double staggered row (6 plants per linear metre). Shelters to all plants. Species to be planted in random, single species groups of no more than 5 plants.
-  Native, Hawthorn-rich hedge planting using containerised plants, planted as above.
-  Areas to be turfed.
-  Areas of retained grassland or existing grassland made good.
-  Areas of POS detailed on EDP drawings.
-  Retained trees. Refer to dwg c-1948-05 & 06



# CHARACTER AREAS

KEY:

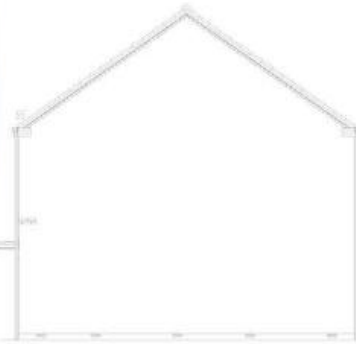
- CENTRAL AREA 
- CORE AREA 
- GREEN EDGE 



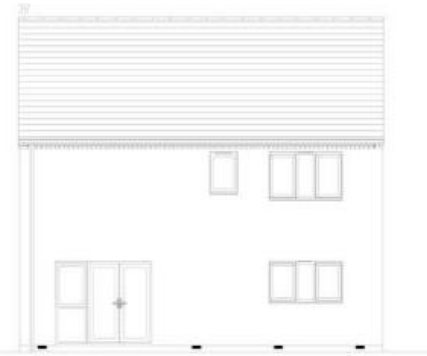
# Sample of housetypes



FRONT ELEVATION  
DETACHED



SIDE ELEVATION  
DETACHED



REAR ELEVATION  
DETACHED



SIDE ELEVATION  
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN



FRONT ELEVATION  
END/SEMI DETACHED



SIDE ELEVATION  
END/SEMI DETACHED



REAR ELEVATION  
END/SEMI DETACHED



GROUND FLOOR PLAN (END/SEMI)



FIRST FLOOR PLAN (END/SEMI)

ETA 31 - AMBLEFORD (AMB) CORE

1:100@A3



FRONT ELEVATION  
END/SEMI DETACHED  
(Plot 93 only)



SIDE ELEVATION  
END/SEMI DETACHED



REAR ELEVATION  
END/SEMI DETACHED



GROUND FLOOR PLAN (END/SEMI)



FIRST FLOOR PLAN (END/SEMI)

ETA 32 - BRAMBLEFORD (BRAM) CENTRAL RENDER

1:100@A3





FRONT ELEVATION  
END/SEMI DETACHED



SIDE ELEVATION  
END/SEMI DETACHED



REAR ELEVATION  
END/SEMI DETACHED



GROUND FLOOR PLAN (END/SEMI)



FIRST FLOOR PLAN (END/SEMI)

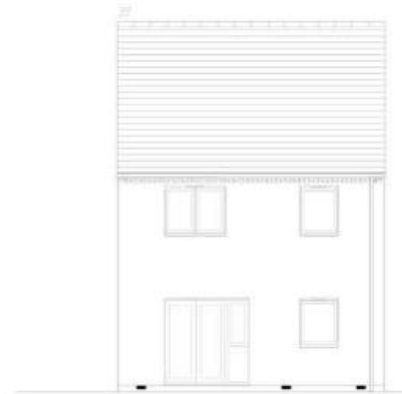
ETA 32 - BRAMBLEFORD (BRAM) GREEN EDGE 1:100@A3



FRONT ELEVATION  
DETACHED



SIDE (RIGHT) ELEVATION  
DETACHED



REAR ELEVATION  
DETACHED



SIDE (LEFT) ELEVATION  
DETACHED



GROUND FLOOR PLAN (DETACHED)



FIRST FLOOR PLAN (DETACHED)

GRP CHIMNEY TO PLOTS: 21 & 128 ONLY



FRONT ELEVATION  
DETACHED



SIDE ELEVATION  
DETACHED



REAR ELEVATION  
DETACHED



SIDE ELEVATION  
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN



FRONT ELEVATION  
END/SEMI DETACHED



SIDE ELEVATION  
END/SEMI DETACHED



REAR ELEVATION  
END/SEMI DETACHED



GROUND FLOOR PLAN (END/SEMI)



FIRST FLOOR PLAN (END/SEMI)



SECOND FLOOR PLAN (END/SEMI)

ETB 32 - DWLTON (OWL) GREEN EDGE

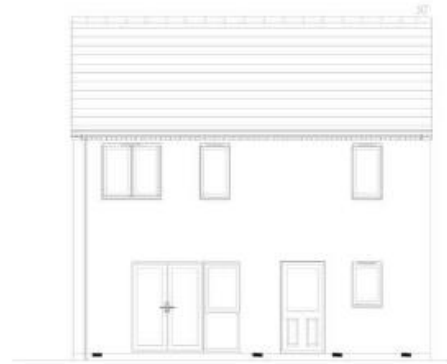
1:100@A3



FRONT ELEVATION  
DETACHED



SIDE ELEVATION  
DETACHED



REAR ELEVATION  
DETACHED



SIDE ELEVATION  
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN



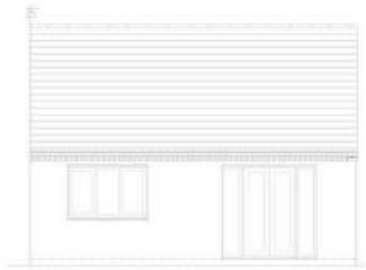
Floor Plan



Front Elevation



Side Elevation



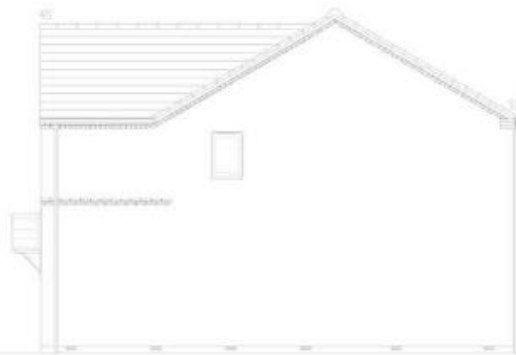
Rear Elevation



Side Elevation



FRONT ELEVATION  
DETACHED



SIDE (LEFT) ELEVATION  
DETACHED



REAR ELEVATION  
DETACHED

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SIDE (RIGHT) ELEVATION  
DETACHED



GROUND FLOOR PLAN



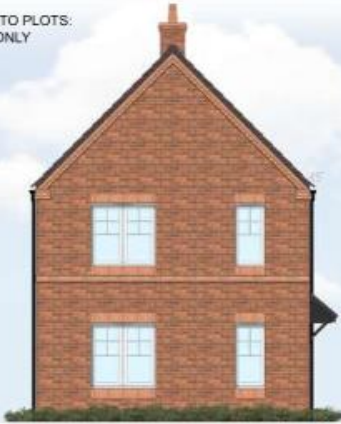
FIRST FLOOR PLAN

ETG 42 - CORKHAM (COR) CENTRAL RENDER

1:100@A3

Agenda Item 5

GRP CHIMNEY TO PLOTS:  
43, 57, 99, 110 ONLY



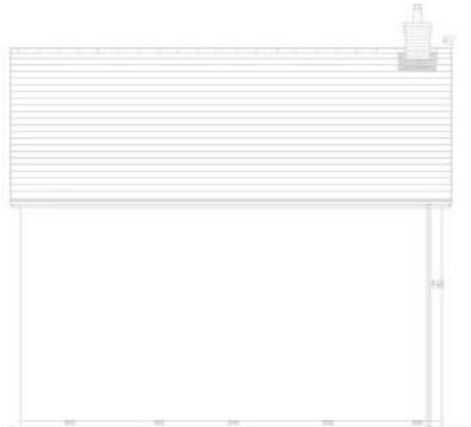
SIDE (LEFT) ELEVATION  
DETACHED



FRONT ELEVATION  
DETACHED



SIDE (RIGHT) ELEVATION  
DETACHED



REAR ELEVATION  
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN



GRP CHIMNEY TO PLOTS:  
43, 57, 99, 110, 129 ONLY



SIDE (LEFT) ELEVATION  
DETACHED

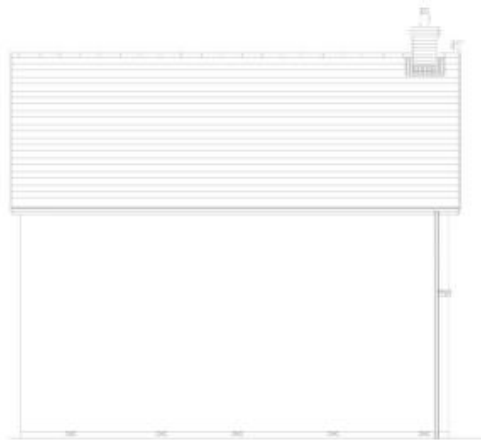


FRONT ELEVATION  
DETACHED



SIDE (RIGHT) ELEVATION  
DETACHED

Page 65



REAR ELEVATION  
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN

ETT 31 - AYNESDALE (AYN) GREEN EDGE RENDER 1:100@A3

Agenda Item 5



FRONT ELEVATION  
END/SEMI DETACHED



SIDE ELEVATION  
END/SEMI DETACHED



REAR ELEVATION  
END/SEMI DETACHED



GROUND FLOOR PLAN

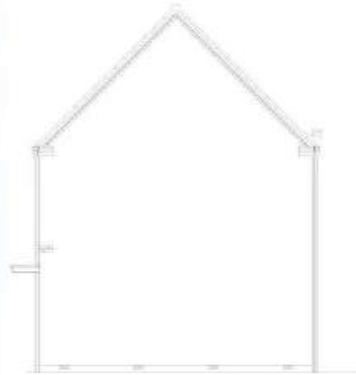


FIRST FLOOR PLAN

ETAP 41 - WITHERSTEAD (WIT) CORE 1:100@A3



FRONT ELEVATION  
DETACHED

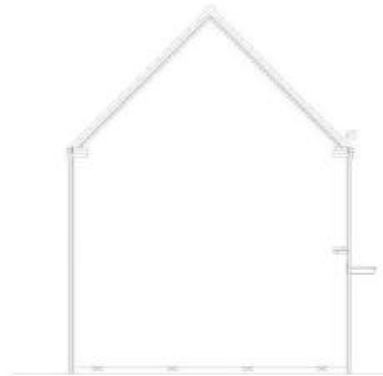


SIDE ELEVATION (RIGHT)  
DETACHED



REAR ELEVATION  
DETACHED

Page 67



SIDE ELEVATION (LEFT)  
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN

ETT 32 - CARRDALE (CAR) GREEN EDGE

1:100@A3

Agenda Item 5

GRP CHIMNEY TO PLOTS:  
11, 33, 41, 48, 60, 68, 75, 96,  
132, 135, 145 ONLY



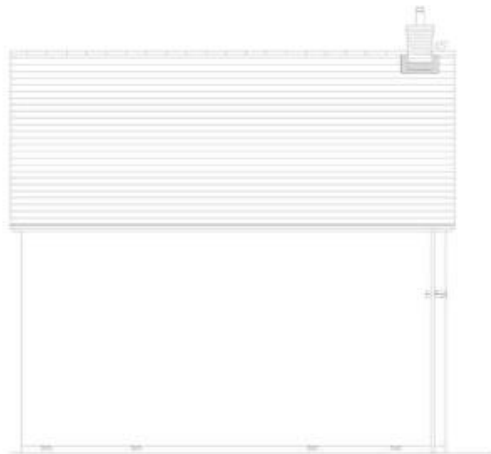
SIDE (LEFT) ELEVATION  
END/SEMI DETACHED



FRONT ELEVATION  
END/SEMI DETACHED



SIDE (RIGHT) ELEVATION  
END/SEMI DETACHED



REAR ELEVATION  
DETACHED



GROUND FLOOR PLAN (END/SEMI-DETACHED)



FIRST FLOOR PLAN (END/SEMI-DETACHED)



FRONT ELEVATION  
END/SEMI



SIDE ELEVATION  
GABLE END (RIGHT)



REAR ELEVATION  
END/SEMI



GROUND FLOOR PLAN



FIRST FLOOR PLAN

# Garages



SHARED DOUBLE



FRONT



SIDE



REAR



SINGLE



FRONT



SIDE



REAR

# Street scenes



STREET SCENE A-A



STREET SCENE B-B



STREET SCENE C-C



STREET SCENE D-D



STREET SCENE E-E



STREET SCENE G-G



PHASE 1, PERRYFIELDS ROAD, BROMSGROVE

Agenda Item 5

# Landscape Management Plan



Note: Working about planting to banks of retained trees to be retained and supplemented with the following marginal species to be planted at 2m:

- Cornus amomum 1.0 Full pot
- Cornus alba 1.0 Full pot
- Cornus sanguinea 1.0 Full pot
- Cornus stolonifera 1.0 Full pot
- Cornus stolonifera 1.0 Full pot
- Cornus stolonifera 1.0 Full pot

**Order of New Planting**

1. Existing trees to be retained
2. Proposed hedges
3. Proposed planting
4. Proposed groundworks

Taylor Wimpey UK Ltd  
 Land at Perryfields Road, Bromsgrove

**Proposed Public Open Space Landscaping**

Drawn by: [Name]  
 Date: [Date]













| Name of Applicant | Proposal  | Expiry Date | Plan Ref.    |
|-------------------|---|-------------|--------------|
| Mr Martin Doherty | The use of land for the stationing of caravans for residential purposes and the erection of a dayrooms and laying of hardstanding ancillary to that use.<br><br>Mintola Corral, Batemans Lane, Wythall, Worcestershire, B47 6NG | 23.09.2022  | 22/01042/FUL |

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

**RECOMMENDATION:** That planning permission be **REFUSED**

### **Consultations**

#### **Wythall Parish Council**

Objection, it is considered to be inappropriate development of Green Belt land with no special circumstances

#### **North Worcestershire Water Management**

Recommends a condition relating to a scheme for surface water drainage if planning permission is approved.

#### **Highways - Bromsgrove**

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would be unacceptable highways impact and therefore recommends that this application is refused.

#### **Severn Trent Water Ltd**

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

#### **Private Sector Housing Team**

As the licensing officer for mobile homes across the two districts we encourage consistency therefore the following comments relate to how the site will be assessed in accordance with the Mobile Home Licence and model standards. Dealing with these at the planning stage reduces the level of upheaval for the occupants later on down the road. I understand some of the items may not be included within the planning e.g. the fire extinguishers, however if there could be reference made to the presence of fire protection that would be great as it is to maintain the safety of the residents. Therefore, any installation of hydrants may affect the road layout or the positioning of the mobile homes.

#### **Bromsgrove Strategic Planning And Conservation**

The 2021 Bromsgrove GTAA Update finds that over the period 2021/22 to 2039/40, there is a need for 14 traveller pitches and 3 travelling showperson plots. As at 1st April 2022, the Council currently has a 4.07 year supply of traveller pitches.

The study recommends that the Council should also consider options for transit provision to assist with unauthorised encampments.

## **Publicity**

3 letters sent 16.09.22 (expired 10.10.22)  
Site notice displayed 20.09.22 (expired 14.10.22)

Two representations received.

The CPRE made comments in objection to the scheme which included the following:

- The proposal is contrary to the purposes of the Green Belt and as such is unacceptable.
- The application is premature in view of the ongoing Green Belt review.

In addition, Councillor Kent (Worcestershire County Councillor) covering the application site commented on the application raising concerns relating to the unauthorised development on the site and the manner in which the works had been carried out.

## **Councillor Baxter**

My reason for calling in this application is that it is inappropriate development in the green belt and that any shortfall in traveller sites should be considered as part of the green belt review / local plan review.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP4 Green Belt  
BDP11 Accommodation for Gypsies, Travellers and Showpeople  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP21 Natural Environment  
BDP23 Water Management

### **Others**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance  
PPTS Planning Policy for Traveller Sites  
GTAA Worcestershire Gypsy and Travellers Accommodation Assessment 2014  
GTAA Gypsy and travellers Accommodation Assessment Addendum 2019  
Bromsgrove Gypsy and Traveller Assessment (GTAA) Update – Dec 2021  
The House of Commons briefing paper entitled Gypsies and Travellers; Planning Provisions 19 December 2019  
High Quality Design SPD

## **Relevant Planning History**

|              |   |         |            |
|--------------|---|---------|------------|
| 18/00736/FUL | Change of use of the land for equestrian use and replacement stables together with tack room. | Granted | 01.02.2019 |
| 04/00053/COL | Use of the land for the storage of one caravan.   | Granted | 06.09.2004 |

## **Site Description and Proposal**

The application seeks permission for the use of the site to facilitate a gypsy lifestyle. The site takes the form of a long narrow parcel of land, approximately 150 metres long and 11 metres wide. To the far western end of the site is a stable block which is shown as being retained on site. The site lies within the Green Belt and open countryside, approximately 0.7kms from the edge of the residential area of Wythall.

The plans submitted with the application show the site laid almost entirely in loose bound permeable hardstanding with a tarmac area adjacent to the highway access into the site. Two pitches are proposed on the site, with each pitch comprising a mobile home, a touring caravan and a utility/day room. A landscaped area would run along the majority of the southern boundary of the site, setting the proposed caravans and dayrooms off the boundary by 3 metres. The plans show provision for cycle parking, electric vehicle charging space and a soakaway to deal with drainage from the site.

## **Procedural matter**

Some Members may be aware that certain works have been undertaken at the site without the benefit of planning permission. This application does not seek to regularise that work, hence why the application is not described as retrospective. For the avoidance of doubt, permission is sought for a development which differs to that which has been carried out at the site.

## **Assessment of Proposal**

### **Gypsy Traveller Status**

The definition of gypsies and travellers is set out in Annex 1 (Glossary) to the Planning policy for traveller sites 2015 (PPTS) as:

*“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”*

Whilst the application seeks permission for a permanent settled base the application sets out that the proposed occupiers of the pitches continue to travel frequently throughout the year. As such it is considered that the occupiers fall within the above definition as gypsies.

### **Green Belt**

The site lies in the Green Belt. Policy E of the PPTS states that traveller sites, whether temporary or permanent, in the Green Belt are inappropriate development. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

## **Openness and the Purposes of the Green Belt**

Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open with the essential characteristics of Green Belts being their openness and permanence. There is no definition of openness within the NPPF, however the courts have found that openness has both visual and spatial aspects.

Prior to the unauthorised works taking place the site was largely laid to grass with post and wire fencing to the two long site boundaries and an agricultural style access gate to the site frontage. To the far west/ rear of the site there was and remains a caravan being stored in accordance with application 04/00053/COL and a small range of stables. The site is broadly level.

The proposal seeks to introduce two dayrooms, two touring caravans and two mobile homes on to the site along with associated vehicular parking and hardstanding at the vehicular entrance to the site as well as covering the whole of the site in 'loose bound permeable hardstanding'. As a matter of fact the introduction of these structures will impact on the spatial openness of the Green Belt. Views of the site and the proposed development would be possible when passing the site entrance as well as glimpsed views above the roadside hedge likely to be possible when travelling along Batemans Lane. As such there will be a visual impact on the Green Belt and taking matters overall, it is considered that the proposed development would have a significant impact on the openness of the Green Belt.

The purposes of the Green Belt are set out in paragraph 138 of the NPPF. One of these purposes is to assist in safeguarding the countryside from encroachment. As stated above, prior to the unauthorised works taking place, the site was largely undeveloped. The proposal introduces development on to the land, with the hardstanding proposed over the whole extent of the site. In this regard it is considered that the proposed development will result in encroachment into the countryside and therefore be contrary to the purposes of the Green Belt.

Overall, the development would harm the Green Belt through inappropriateness, there would be spatial and visual harm to the openness of the Green Belt and harm to the purposes of including land within the Green Belt. Paragraph 148 of the NPPF goes on to state that substantial weight should be given to any harm to the Green Belt. 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. Policy E of the PPTS goes on to state that subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.



## **Need and Supply of Pitches**

In 2021 the Council commissioned external consultants to update the current supply and future need position for Travellers in the District. The conclusion of this report is that over the period 2021/22 to 2039/40 there is a need for 14 traveller pitches. As at 1<sup>st</sup> April 2021 the Council currently has a supply of 4.07 years for traveller pitches.

Policy H of the PPTS states that if a local authority cannot demonstrate an up to date 5 year supply of deliverable sites, this should be a significant material consideration when considering the grant of temporary planning permission. However, one of the exceptions to this is where the site is located on land designated as Green Belt.

Policy BDP11.3 of the Bromsgrove District Plan (BDP) states that if additional sites are required land will be identified through a Local Plan Review. This review is ongoing and may identify sites for additional pitches which are outside of the Green Belt.

## **Character and Appearance**

Policy H of the PPTS states that a number of matters should be given weight when considering applications for traveller sites. These include, at paragraph 26:

- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness*
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children*
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community*

The site lies in an area where there is a variety of different land uses, including agricultural, residential and commercial. Development is, however, sporadic and interspersed by areas of undeveloped open space. Save for a planted tree line area along the majority of the southern boundary, it is proposed to finish the entire site in permeable hardstanding. Combined with the introduction of two mobile homes, two touring caravans, two dayrooms and the associated vehicular parking the proposal introduces a substantial amount of development into a parcel of land largely devoid of development.

Having regard to the list of matters for consideration above, it is considered that the site has not been designed with these matters in mind and therefore is contrary to Policy H of the PPTS. This, in turn, means that the proposed development would detract from the existing character and appearance of the area contrary to policy BDP19 of the BDP.

## **Location of the Site**

Policy H of the PPTS sets out a series of issues which should be considered when considering planning applications for traveller sites. Amongst these at d) it states: that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites.

Policy BDP11 of the BDP at 11.2, seeks to ensure that sites should be in sustainable locations that provide good access to essential local facilities e.g. health and education. In addition, sites should accord with the sustainable development principles set out in BDP1.

The site lies approximately half a kilometre (as the crow flies) from the edge of the defined settlement of Drakes Cross and Hollywood. Wythall, which includes Drakes Cross, Grimes Hill and Hollywood, is defined as a 'large settlement' in Policy BDP2 of the BDP. The site lies a short distance from the junction of Batemans Lane with Silver Street where there is footpath access into the defined settlement of Drakes Cross and Hollywood which benefits from street lighting. In addition, just south of the application site on the opposite side of Batemans Lane there is a pedestrian pathway which leads to Wythall Park. Along the northern side of Silver Street from its junction with Batemans Lane for almost the entire length until it reaches the defined edge of Drakes Cross and Hollywood it is comprised of residential dwellings and Wythall Park Community Club. To the south of Silver Street, development is slightly more sporadic with Wythall Landscape Centre, residential development associated with Silvermead Court and then more consistent residential development from the junction of Wilmore Lane with Silver Street. Drakes Cross and Hollywood provide a wide range of facilities including shops, schools and medical facilities as well as access to public transport by way of bus services running along the Alcester Road to Kings Heath, Redditch and Alcester.

Having regard to the characteristics of the surroundings, the distance and nature of the route to Drake Cross and Hollywood and the number of services available when arriving at this settlement it is considered that the site lies in a sustainable location and therefore complies with BDP11 and Policy H of the PPTS.

## **Ecology**

Ordinarily a proposal of this nature would be accompanied by a Preliminary Ecological Appraisal and any subsequent survey effort that was identified as being necessary. In this case, unauthorised works have already taken place at the site which have removed much of the parts of the site which may have formed a habitat for any protected species, therefore a survey has not been requested. If planning permission was forthcoming for the proposed development would be reasonable to attach a condition seeking details of biodiversity enhancement for the site.

## **Best Interests of Children and Personal Circumstances**

The application is supported by information regarding the occupiers of the proposed pitches and their personal circumstances. It has been requested that this information is kept confidential due to the sensitive nature of the contents.

It is clear from the information submitted that the site is proposed to be occupied by an extended family, with the intention that both pitches will have occupants that include children. One of the occupants of one of the pitches is also registered disabled.

Article 8 of the European Convention on Human Rights states that everyone has the right to respect for their private and family life, home and correspondence. Where the article 8

rights are those of children, they must be seen in the context of article 3 of the United Nations Convention on the Rights of the Child (UNCRC), which requires a child's best interest to be a primary consideration. It is however important to note that a child's best interest is not determinative of the planning issue and may be outweighed by the cumulative effect of other considerations provided that the adverse impact on the child of any decision is proportionate.

The supporting information submitted with the application sets out the occupiers needs for the proposed pitches. The proposed occupiers of pitch one have no alternative accommodation and would be forced to travel continuously on the roadside and doubling up on friends and family pitches. This would not be conducive to providing a stable base in order to provide the children who it is proposed to occupy the pitch with a good education. The occupiers of pitch one also provide support to the proposed occupiers of pitch two. Similarly, the proposed occupiers of pitch two wish to provide a stable base for the children it is proposed to occupy the pitch. They have limited alternative accommodation available to them and recently been living in a house with relatives. This accommodation is becoming cramped and being 'bricks and mortar' accommodation the occupiers have frequently resorted to travelling to escape this way of living and better accommodate their cultural needs. Due to disability, one of the proposed adult occupiers of pitch two rely on the occupiers of pitch one for assistance with transportation, raising the children and monitoring of the health condition.

In view of the above, it would therefore be in the best interest of the children to have a settled base where they can access education facilities. The children's best interests are a primary consideration and no other consideration must be given greater weight than the interests of the child. In this case, it is also clear that the personal circumstances one of the adults, means that it is important for their health that they have a settled base with good access to health and care facilities.

## **Highway Safety**

The highway authority has raised objection to the application and have requested a speed survey is submitted to understand the requirements for visibility splays at the site entrance. The applicants have provided justification for not requiring a speed survey as follows:

*"The objection from the highway authority regarding the visibility splays appears to be underpinned by a perception of intensification of use. However, the recent planning permission for stables appears to provide for 4 stables, a tack/storage room, plus there is lawful use to store a caravan. Importantly, it does not appear that there is any condition limiting the stables to private or personal use. If that is the case, potentially, the stables could be rented to 4 separate people who could easily visit their horse/pony 2 or 3 times per day. Each stable would therefore attract 4 to 6 movements per day at the site access, resulting in 16 to 24 movements per day. When allowing for the storage element, for both the equestrian uses and the caravan, the site access could already accommodate movement of towed vehicles, such as the caravan or horse-trailers etc. or larger vehicles such as horseboxes. By comparison, two residential gypsy / traveller pitches are unlikely to attract more vehicle movements, or movements of larger vehicles than the extant baseline for the site. On that basis, I would resist the requirement for speed surveys on a nil-detriment basis in terms of vehicle movements".*

The highway authority have explained, however, that the access to the site should be appropriate for the proposed use. Having regard to the justification supplied by the applicant, the fact that there is an existing access into the site, that the site is off a relatively rural country lane which is unlikely to be heavily trafficked, the proposed occupiers of the site and the personal circumstances of one of the occupiers with respect to the assistance required with transportation, the lack of a speed survey and providing the requisite visibility splays is unlikely to result in an unacceptable impact on highway safety, or the residual cumulative impacts are unlikely to be severe which is necessary to refuse planning permission on highway grounds, as advocated by the NPPF at paragraph 111.

## **Planning Balance**

Policy E of the PPTS sets out that subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances. Unlikely should not be read to mean that these considerations will never clearly outweigh the harm, and any decision must take account of the weight afforded both the harm and the other considerations.

The proposal represents inappropriate development in the Green Belt by definition, it would harm the openness of the Green Belt and conflict with the purposes of including land within it. Paragraph 148 of the NPPF states that substantial weight should be given to any harm to the Green Belt. In addition, the proposal would harm the character and appearance of the area. This harm is afforded significant weight.

The best interests of the children are a primary consideration in this case, and it is clear that no other consideration must be given greater weight than the interests of the child. As such, it is considered that the best interests of the children should be afforded substantial weight. It is also clear that the personal circumstances of one of the occupiers means that it is important for their health that they have a settled base and good access to health and care facilities. This is afforded significant weight.

By refusing this application the family lives and the best interests of the children involved would be affected, as the refusal of this application could lead to the applicants resorting to roadside camping and travelling. This could undoubtedly represent an interference with their human rights under Article 8. However, this interference and harm must be weighed against the wider planning considerations and public interest, as these factors are not determinative on their own.

It is acknowledged that there is an identified unmet need for Traveller pitches in the District. However Policy BDP11 states that provision for new pitches should be made through the Plan review with could identify appropriate site outside of the Green Belt.

As part of the application, the applicants have offered to rescind the two extant applications at the site – a certificate of lawfulness for the storage of a single caravan and a planning permission for replacement stables, tack room and change of use to equestrian. It is argued that taking in to account these two applications, there would be, at worse, a limited impact on the Green Belt as a result of the proposed development.

Officers do not concur with this assessment. The certificate allows the storage of a single caravan on the site, with the proposal seeking permission for the citing of four caravans – two mobile homes and two touring caravans. In addition, the proposal seeks the construction of two dayrooms and the covering of the entire site with hardstanding. The provision of a single stable and tack room, discreetly sited at the far western end of the site is in no way commensurate to the dayrooms and hardstanding applied for. It is therefore considered that the proposal development is more harmful than the two extant permissions at the site. This matter does not, therefore, weigh in favour of the proposal.

In this case, it is considered that the harm that the proposal would cause to the Green Belt, and any other harm including harm to openness, purposes of Green Belt, character and appearance of area would not be clearly outweighed by the unmet need, lack of supply of sites or the circumstances put forward in this case in terms of the best interests of the children and the personal circumstances of the family.

On balance therefore it is considered that very special circumstances have not been demonstrated in this case, to outweigh the harm to the Green Belt and any other harm to grant planning permission.

**RECOMMENDATION:** That planning permission be **REFUSED**

1. The proposed development would be inappropriate development in the Green Belt which would be harmful by definition. In addition, harm would arise through the impact on the openness of the Green Belt and conflict with purposes of including land within the Green Belt. Further harm is caused to the character and appearance of the area. Circumstances have been advanced including the best interests of children, the personal circumstances of the proposed occupier and the offer to rescind extant permissions on the application site, however these are not considered to amount to the very special circumstances required to clearly outweigh the harm to the Green Belt. The proposal is therefore contrary to Policy BDP4 of the Bromsgrove District Plan, Planning Policy for Traveller Sites 2015 and the National Planning Policy Framework.
2. The proposed development would harm the character and appearance of the area through the introduction of a large area of hardstanding covering the entirety of the site combined with the dayrooms and caravans proposed. The development would not, therefore, enhance the character and appearance of the local area contrary to Policy BDP19 of the Bromsgrove District Plan.

**Case Officer:** Sarah Hazlewood Tel: 01527881720  
Email: sarah.hazlewood@bromsgroveandredditch.gov.uk

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22/01042/FUL

Mintola Corral, Batemans Lane, Wythall B47 6NG

Proposal: The use of land for the stationing of caravans for residential purposes and the erection of a dayrooms and laying of hardstanding ancillary to that use.

Recommendation: Refusal

# Site Location Plan





# Aerial Photograph of site



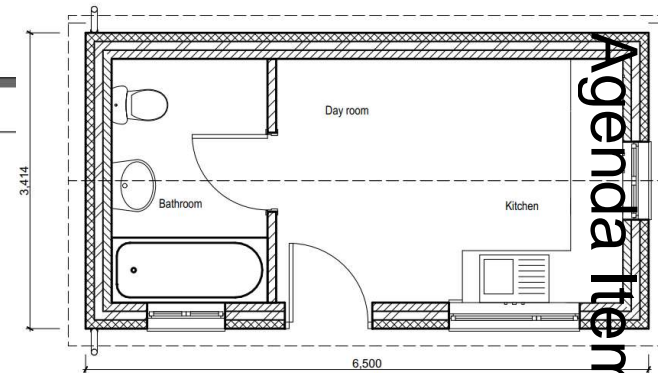
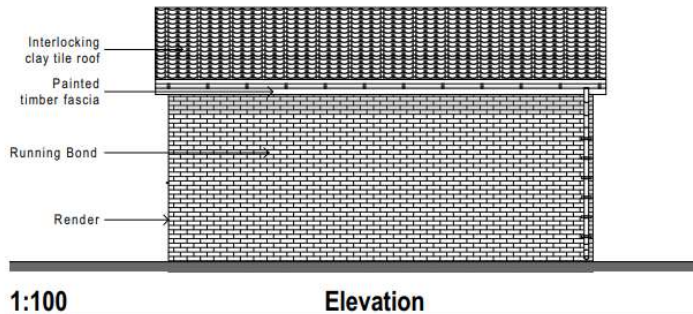
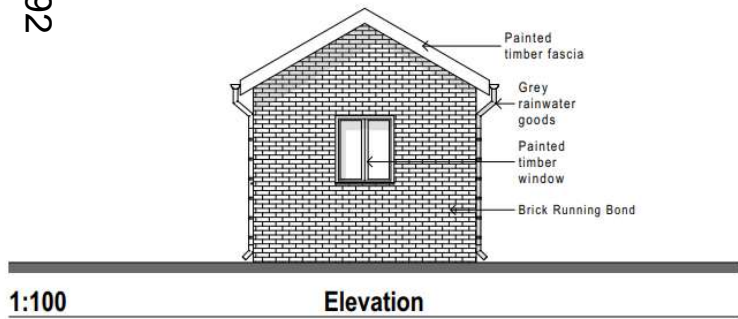
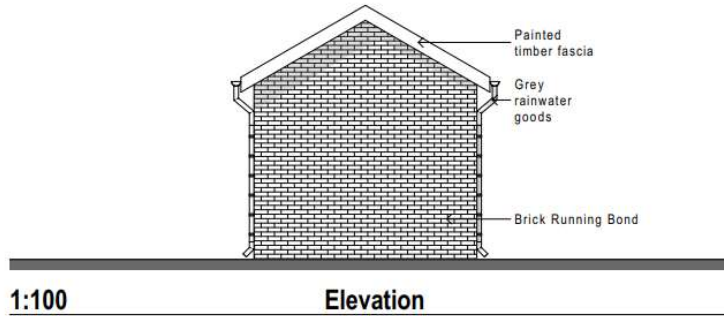
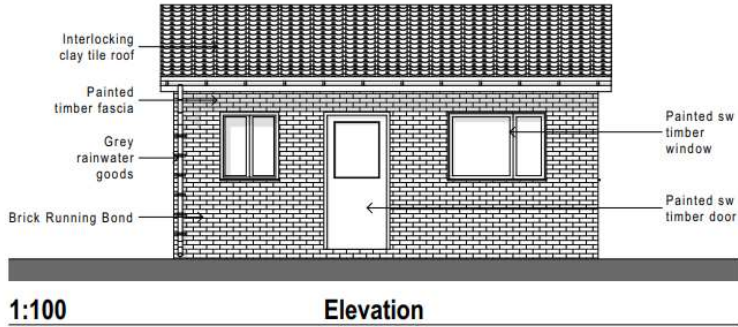
# Bromsgrove District Plan Proposals Map



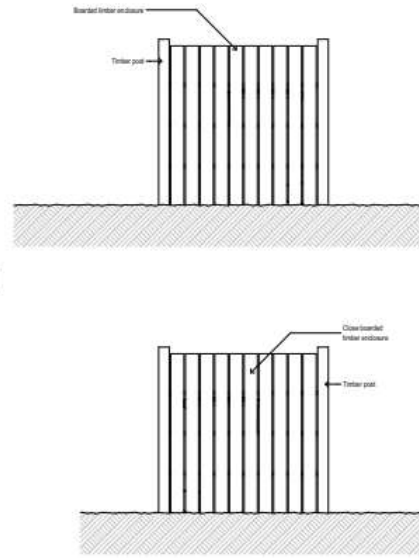
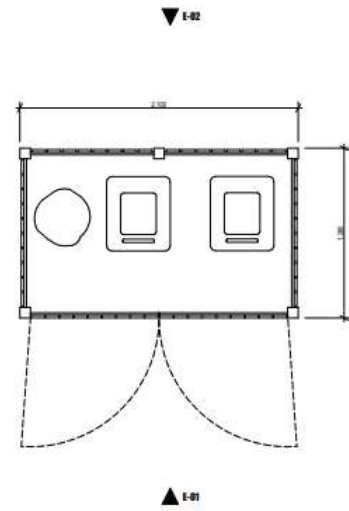
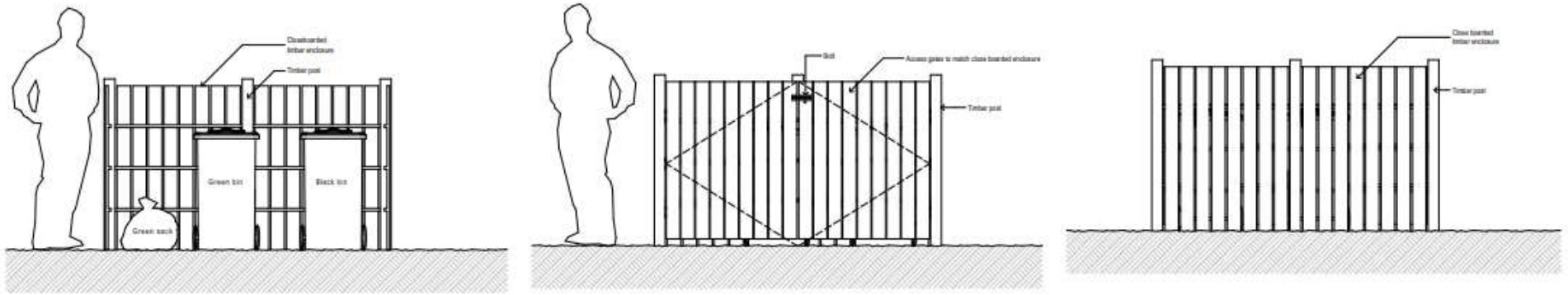
# Proposed site plan



# Proposed day room



# Proposed refuse store



# Site photos



May 2019



June 2022

| Name of Applicant                 | Proposal   | Expiry Date | Plan Ref.    |
|-----------------------------------|--|-------------|--------------|
| Horgan Homes and Developments Ltd | Erection of employment and commercial units Use Class E(g)(ii) and (iii), B2, B8 with ancillary offices, with vehicle parking and all associated engineering, including site clearance and all associated works.<br><br>Plot At Buntsford Gate Business Park,<br>Buntsford Drive, Bromsgrove,<br>Worcestershire, | 05.04.2023  | 22/01530/FUL |

**RECOMMENDATION:** That planning permission be **GRANTED**

## Consultations

### **Highways - Bromsgrove**

No objection subject to condition relating to:

- Provision of parking, cycle parking and accessible spaces
- Inclusion of Electric Charging points
- Submission of a Travel Plan
- Submission of a Construction Management Plan

### **WRS - Noise**

No objection.

The submitted noise assessment is satisfactory and predicts a low impact at the nearest sensitive receptor. However, in order to minimise the impact I recommend that any forklift trucks on site are fitted with 'white noise' reversing alarms and that the proposed 1m acoustic fence is increased in height to 2m. Additionally, the recommended cumulative noise limit for any fixed plant / equipment, detailed in Table 6.5 should be conditioned.

### **WRS - Contaminated Land**

No objection subject to condition relating to:

- Submission of a Phase 1 Desk Study
- Detailed Site Investigation

### **WRS - Air Quality**

No objection.-

### **Cadent Gas Ltd**

No objection

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

No objection

### **Conservation Officer**

The site is located within the setting of Tan House Farm, a Grade II Listed, 17th century farmhouse located southwest of Buntsford Hill and opposite the site. There is also a Grade II Listed barn, associated with Tan House, further to the west. The proposals

cause less than substantial harm to the significance of two Grade II Listed buildings through impact upon their setting. The proposed site plan shows development running close up to the southwest boundary of the site. In the northwest corner of the site Block 2 is estimated to be some 30m from the front elevation of Tan House. The proposed boundary is shown to retain a 3m high hedge; in reality the hedge illustrated is a highly inconsistent range of vegetation, offering slim to no screening potential in many places, most evidently directly opposite the access to Tan House. The proposed buildings' heights, both relative to the road and in absolute terms, combined with their proximity to it, will dominate the environs and severely detract from the road's rural character, which is a key significance contributor in the setting of both listed buildings.

The design of the units appears fairly utilitarian; rectilinear forms with low pitched roofs, clad in a variety of painted metals in differing profiles. Taken individually, each unit would not appear particularly out of place in a rural setting, with the light industrial character not being substantially different to modern agricultural, however the linear grouping of identical, repeated units and their associated access infrastructure moves the design away from agricultural to a stronger industrial/commercial appearance.

### **North Worcestershire Water Management**

No objection.

The site falls within flood zone 1 and is not shown to be susceptible to surface water flooding. We hold no reports of flooding within the immediate vicinity.

### **Arboricultural Officer**

No objection.

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

No objection

### **North Worcestershire Economic Development and Regeneration**

Consulted 08.12.2022: views awaited

### **Stoke Parish Council**

The Parish Council has concerns about the boundary of this development where it adjoins with Buntsford Hill Road. The site boundary at this point runs very close to the existing, neglected and overgrown roadside hedge. The hedge is on a slope running down to the carriageway and due to neglect the soil and the hedge are both obstructing part of the carriageway. This has made an already narrow road even narrower at this point. At the opposite side of the hedge soil has been banked up further as a result of previous excavations. It appears from the proposals that the currently unsuitable topography is going to be retained by a retaining wall at the edge of the development site. If the development is going to be approved then something needs to be done about the roadside topography. The obvious solution would be to level out the bank of soil and replant the hedge. This would avoid the need for any retaining wall.

### **Publicity**

18 Neighbour notifications were sent on 08.12.2022 (expired 01.01.2023)

Site notice was displayed 09.12.2022 (expired 02.12.2023)

Press Notice published 12.12.2023 (expired 09.01.2023).



Plan reference

One letter of objection received;

- Buildings are too close to Buntsford Hill.
- Hedge in poor condition
- Noise
- Overlooking Tan House if windows proposed on side elevations

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP6 Infrastructure Contributions  
BDP13 New Employment Development  
BDP14 Designated Employment  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP21 Natural Environment  
BDP22 Climate Change  
BDP24 Green Infrastructure

### **Others**

NPPF National Planning Policy Framework (2021)  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

|             |  |                    |
|-------------|--|--------------------|
| B/1998/0850 | Outline application for employment use within class B1, B2 and B8 including access | Granted 23.02.1999 |
|-------------|--|--------------------|

## **Assessment of Proposal**

The proposal for the erection of employment and commercial units Use Class E(g)(ii) and (iii), B2, B8 with ancillary offices. The Use Classes proposed include;

- E(g) Uses which can be carried out in a residential area without detriment to its amenity:
  - E(g)(i) Offices to carry out any operational or administrative functions,
  - E(g)(ii) Research and development of products or processes
  - E(g)(iii) Industrial processes
- B2 General industrial - Use for industrial process other than one falling within class E(g) (previously class B1) (excluding incineration purposes, chemical treatment or landfill or hazardous waste)
- B8 Storage or distribution

The application site is 0.71 hectares and the proposed development seeks to provide 16 employment units across two blocks comprising of 2,350 sqm commercial space.

The application site is located within Buntsford Hill Business Park which has been allocated as Designated Employment Land within the Bromsgrove District Plan 2011-

2030. The existing site is an undeveloped plot within the business park with an existing access adjacent to a builder's merchant currently under construction. The site is within the designated employment land which bounds onto the Green Belt. To the southwest of the site are two Listed Buildings; Tan House Farm a Grade II listed farmhouse and a Grade II listed barn.

## Principle of development

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

Buntsford Hill Business Park is an existing industrial park situated on land designated for employment purposes. The use of the site for B1 (now Class E), B2 and B8 uses has also been established on site under outline planning permission granted under planning application reference: B/1998/0850. As such the principle of industrial development on this site is considered to be acceptable.

## Character and appearance

The proposal comprises of two blocks with associated carparking and circulation space. The site proposes landscaping on the southwest boundary which will soften the overall appearance of the site. In the context of the surrounding development within the business park, this is a similar layout and scale and therefore would reflect the surrounding character of the area.

## Heritage

The site is located within the setting of Tan House Farm, a Grade II Listed, 17th century farmhouse located southwest of Buntsford Hill and opposite the site. There is also a Grade II Listed barn, associated with Tan House, further to the west. The original farmhouse is timber framed, however the range most visible from Buntsford Hill dates from the early 19th century and is fully rendered.

Tan House is set back approximately 20m from the road but its access is wide and straight, affording open views of the property from Buntsford Hill. The road has a rural character, with mixed hedgerows and some mature trees lining both sides. There are gaps in this hedgerow, however, in particular opposite Tan House Farm's access, at the northwest corner of the site, where views into the site are relatively unrestricted. It is considered that the proposals are also within the setting, albeit more distant and with limited potential impact, of the Grade II Listed Danzey Green Windmill, which is located some 400m southwest of the site; the sails in particular, are visible from the site.

The proposed site plan shows development running close up to the southwest boundary of the application site. In the northwest corner of the site Block 2 is estimated to be some 30m from the front elevation of Tan House Farm. The proposed boundary is then shown to retain a 3m high hedge. Given the proximity of the buildings to Buntsford Hill,

combined with their height of 8m, the Conservation Officer has raised concerns that the proposal would detract from the road's rural character, which is a key significance contributor in the setting of both listed buildings. Although the Conservation Officer does not raise objection to the design of the units which appear fairly utilitarian in character, the linear grouping of identical, repeated units and their associated access infrastructure moves the design away from agricultural to a stronger industrial/commercial appearance.

The applicant has put forward some mitigation to reduce the harm to the Listed Buildings including, relocating the cycle storage away from the southwest boundary and including some additional landscaping along the boundary of Buntsford Drive to help screen the development from the nearby Listed Buildings.

## Planning Balance

The Conservation Officer has identified harm to the setting of the Grade II Listed Building Tan House Farm and the adjacent Grade II Listed barn as a result of this proposal. Paragraph 195 requires Local Planning Authorities to take account of the significance of affected heritage assets when considering the impact of a proposal, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal; Paragraph 199 requires great weight to be attached to the conservation of designated heritage assets, irrespective of the level of potential harm. Any harm to or loss of, the significance of a designated heritage asset, including its setting, requires clear and convincing justification, Paragraph 200; and Paragraph 202 requires less than substantial harm to designated heritage assets to be weighed against the public benefits of the proposal.

Tan House Farm is set back approximately 20m from the road but its access is wide and straight, affording open views of the property. The barn is set 30m away from the road with intervening outbuildings associated with the farmhouse.

Given the separation of the Listed Buildings to the proposal and the mitigation provided with the relocation of the cycle parking and additional screening to be planted, the harm is considered to be less than substantial and therefore must be weighed against the public benefits. The applicants have attempted to maximise the site, this has created the layout with linear buildings and parking between.

The proposed development is to be constructed within an allocated site for employment which has been left vacant for some time. Having regards to the public benefits with the creation of jobs, support of business start-ups and existing growth and investment within a site which has been designated for such a use; on balance it is considered that the benefits are sufficient to outweigh the harm to the setting of the listed buildings in this instance.

## Highways

The Applicant provides that vehicle access to the site would be served via two existing access points located on the eastern boundary of the site off Buntsford Drive. The two existing locations were constructed during the development of the wider Buntsford Gate Business Park.

The proposal provides 82 parking spaces, 19 of which are to be assessable. The proposal also intends to provide 60 cycle spaces across 3 cycle storage units. The spaces provided are in keeping with the Streetscape Design Guide.

The applicants have submitted a Transport Statement which demonstrates that the proposed development will not result in a serve impact on the Local Highway Network. The Statement has included a capacity assessment which demonstrates that there will be an imperceptible impact on Redditch Road/Buntsford Drive as result of this development.

Worcestershire County Council have reviewed this submission and raised no objections to the application, subject to conditions relating to the provisions of the associated parking, Construction Management Plan and Travel Plan.

## Ecology and trees

The applicant has submitted a Preliminary Ecological Appraisal by Swan Environmental dated November 2022. The appraisal does not require any further surveys to be submitted however has recommended mitigation and enhancements which can be conditioned.

The main body of the site is completely devoid of any vegetation and the footprint of the proposed development is not envisage as creating any conflict with trees or hedges on any immediately adjoining properties or land. The proposal does provide some additional planting in the southwest of the site. The hedge which runs along the boundary of the site is outside the red line and therefore does not form part of this application.

The Tree Officer has raised no objection to the scheme.

## Noise

The submitted noise assessment is satisfactory and predicts a low impact at the nearest sensitive receptor. Further mitigation through the requirements for a 2m high acoustic fence and any forklift trucks on site being fitted with 'white noise' reversing alarms will protect the closet residential properties. This fence has been conditioned and an informative will be placed on this permission relating to the requirement for a white noise alarm to be fitted to forklift trucks used within the site. The fence will run directly adjacent to Block 2 and 3 below the bund and behind the proposed landscaping, thereby limiting views and buffering noise from the closest residential property Tan House Farm.

## Drainage

The site falls within flood zone 1 and is not shown to be susceptible to surface water flooding. No objection has been raised by Worcestershire Water Management to the drainage strategy proposed.

## Third Party Comments

Comments have been received from the Parish Council outlining concerns with the hedging along Buntsford Hill Drive. It should be noted that the hedge is outside of the red line of this application and therefore does not form part of the application site. The

applicant has proposed some further planting on this boundary and there will be an acoustic fence.

The neighbouring dwelling Tan House Farm has raised some concerns relating to overlooking and noise. There are no windows on the elevations which face this dwelling and through the submission of a Noise Assessment suitable measures can be conditioned to ensure noise is not a nuisance for the occupiers. The buildings are 30m from this dwelling with the separation of a road and therefore are considered to be an appropriate distance from this dwelling to ensure no overbearing or loss of light.

## Conclusion

Overall it is considered the proposed development is in accordance with the relevant policies of the Bromsgrove District Plan and can be properly characterised as sustainable development for the purposes of the NPPF. The harm to the Listed Buildings is considered to be less than substantial and given the public benefits of the development, this harm is considered to be outweighed.

**RECOMMENDATION:** That planning permission be **GRANTED**

## Conditions:

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

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

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

3366\_Site Section  
3366-01- Location Plan  
3366-02A- Existing Site Plan  
3366-03k- Proposed Site Plan  
3366-04k- Proposed Roof Plan  
3366-05A- Block 1 Plan & Elevations  
3366-06B- Block 2 Plan & Elevations  
3366-07B- Block 3 Plan & Elevations  
3366-08C- Block 4 Plan & Elevations  
3366-09B - Site Sections

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

- 3) The proposed buildings shall be finished in the following materials;

- Trapezoidal cladding Colour - Corus Colorcoat HPS200 - Mushroom SC (RAL 080 70 10)
  - PPC metal verge Colour - Corus Colorcoat HPS200 - Svelte Grey SC (RAL 080 50 20)
  - PPC metal fascia Colour - Corus Colorcoat HPS200 - Svelte Grey SC (RAL 080 50 20)
  - Trapezoidal cladding vertically laid Colour - Corus Colorcoat HPS200 - Mushroom SC (RAL 080 70 10)
  - PPC aluminium frames to windows and doors Colour - Bronze Fitted with Bronze tinted glazing
  - Kingspan Microrib cladding vertically laid Colour - White (RAL 9003)
  - Kingspan Microrib cladding Colour - Corus Colorcoat HPS200 - Svelte Grey SC (RAL 080 50 20)
  - PPC metal roller shutter Colour - Corus Colorcoat HPS200 - Svelte Grey SC (RAL 080 50 20)
  - Facing brick Colour - Buff

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

- 4) The development hereby approved shall incorporate the recommended cumulative noise limit for any fixed plant / equipment, detailed in Table 6.5 of the Noise Assessment dated February 2023 by Air and Acoustics Consultants.

Reason: To ensure low impact Noise at the nearest sensitive receptor

- 5) The 2m high Acoustic fence as shown on drawing 3366-03k- Proposed Site Plan shall be erected on site prior to the occupation of the proposed development and shall remain on site in perpetuity.

Reason - To protect the closest neighbouring properties from noise nuisance.

- 6) All proposed works shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisal by Swan Environmental, dated November 2022.

Reason: To ensure the protection of protected species and that the proposal results in a net gain of biodiversity.

- 7) Prior to each unit of the development hereby approved being brought into use, the access, parking and turning facilities associated with that unit shall be provided as shown on drawing 3366-03 Rev K.

REASON: To ensure conformity with submitted details.

- 8) The Development hereby approved shall not be brought into use until sheltered and secure cycle parking to comply with the Council's adopted highway design guide 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) Prior to each unit of the Development hereby approved being brought into use the accessible car parking spaces as shown on drawing 3366-03 Rev K Site Plan shall be provided onsite and thereafter shall be kept available for disabled users as approved.

REASON: To provide safe and suitable access for all.

- 10) Prior to each unit of the Development hereby permitted being first occupied, the associated electric vehicle charging point as shown on drawing 3366-03 Rev K Site Plan shall be fitted. 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 shall be of the same specification or a higher specification in terms of charging performance.

REASON: To encourage sustainable travel and healthy communities.

- 11) Prior to each unit of the Development hereby approved being brought into use, an Employment Travel Plan using Modeshift STARS Business shall be submitted. They must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation.

REASON: To reduce vehicle movements and promote sustainable access

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

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring; and
- Details of any temporary construction accesses and their reinstatement; and
- A highway condition survey, timescale for re-inspections, and details of any reinstatement
- Hours of Construction

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.

- 13) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:
1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.
  2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.
  3. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
  4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
  5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
  6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and



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

## REASON

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

- 14) The development shall be used for Class E(g), Class B2 and Class B8 purposes only as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended). No part of the development (not including offices ancillary to the employment use) shall be developed for use class E(a), E(b), E(c), E(d), E(e) or E(f) as defined in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Amendment with or without modification, and no part of the buildings shall be used for these use classes notwithstanding the provisions of Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Amendment with or without modification.

Reason: In the interests of proper planning and to maintain a supply of employment land.

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

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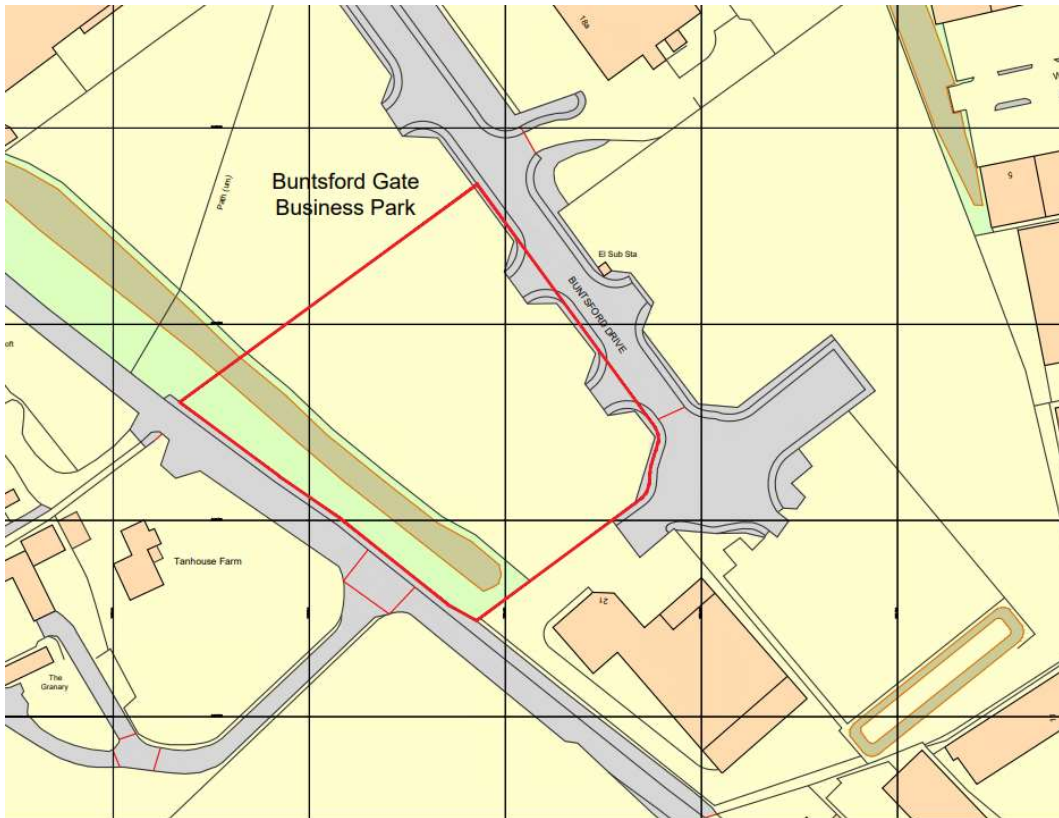
# 22/01530/FUL

Plot At Buntsford Gate Business Park, Buntsford Drive,  
Bromsgrove, Worcestershire

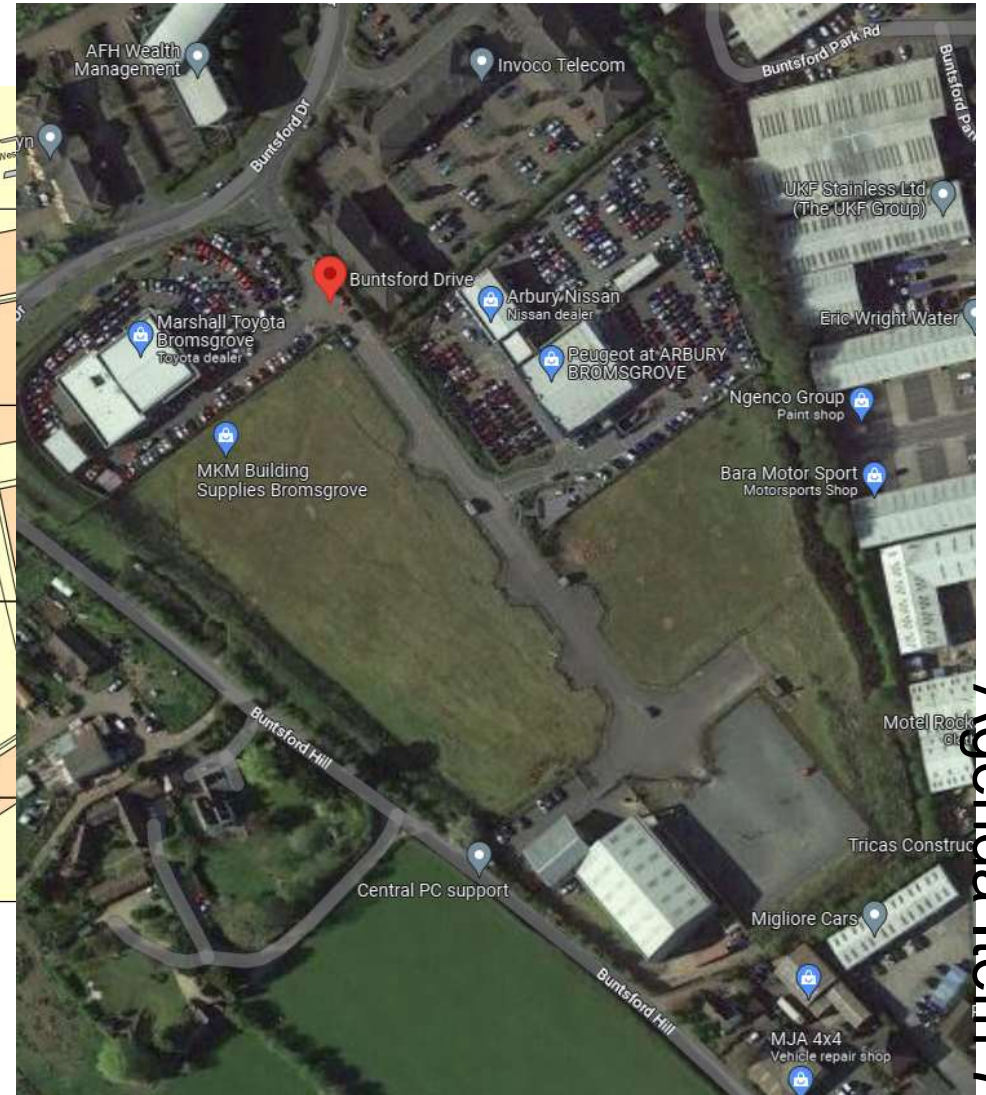
Erection of employment and commercial units Use  
Class E(g)(ii) and (iii), B2, B8 with ancillary offices,  
with vehicle parking and all associated engineering,  
including site clearance and all associated works.

Recommendation: Approve

# Site Location Plan



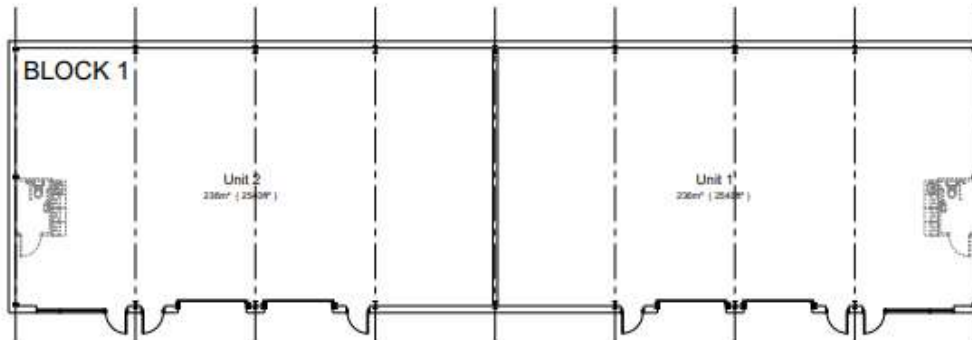
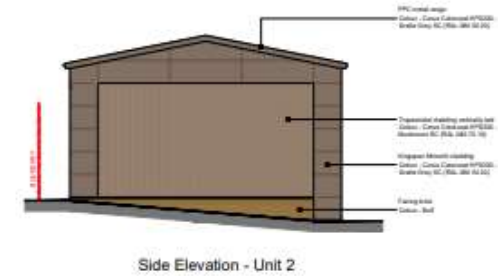
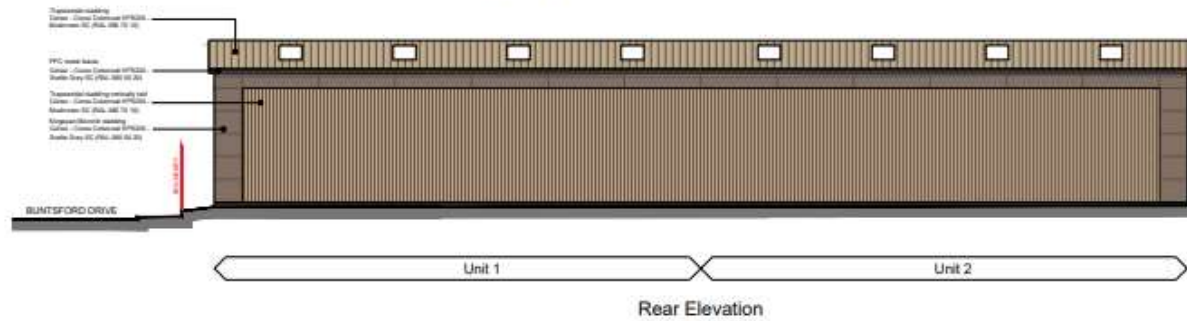
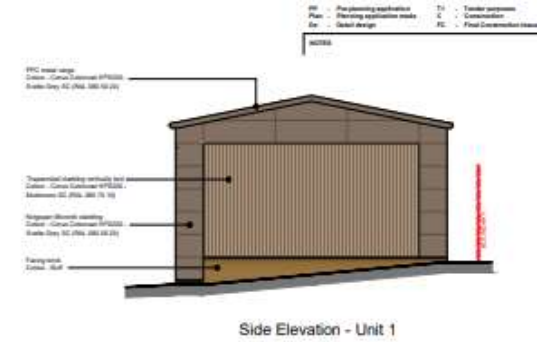
nance Survey. (c) Crown Copyright 2022. All rights reserved. Licence number 100022432



# Proposed Site Plan



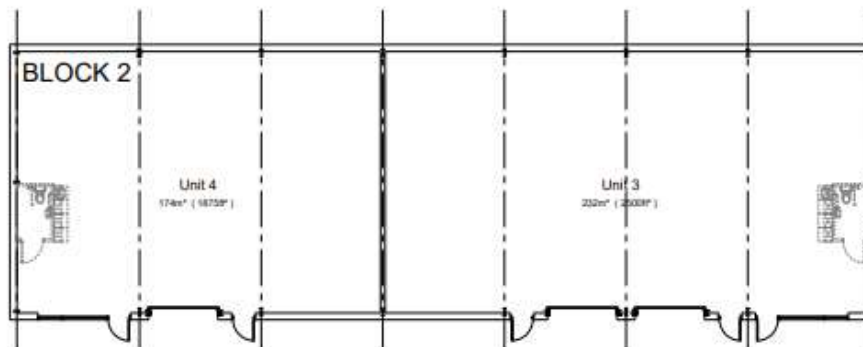
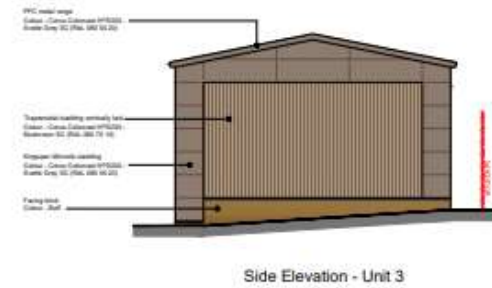
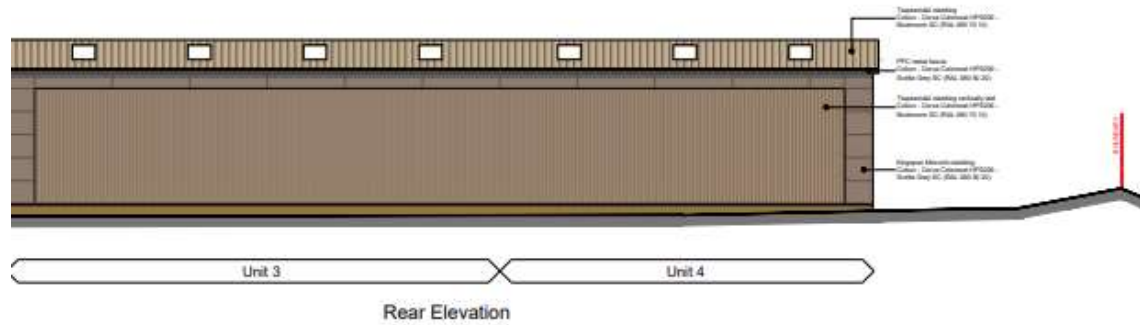
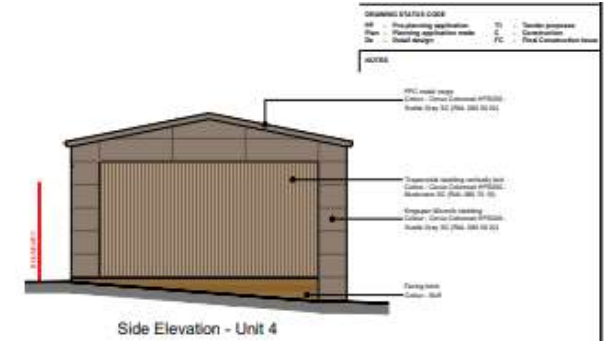
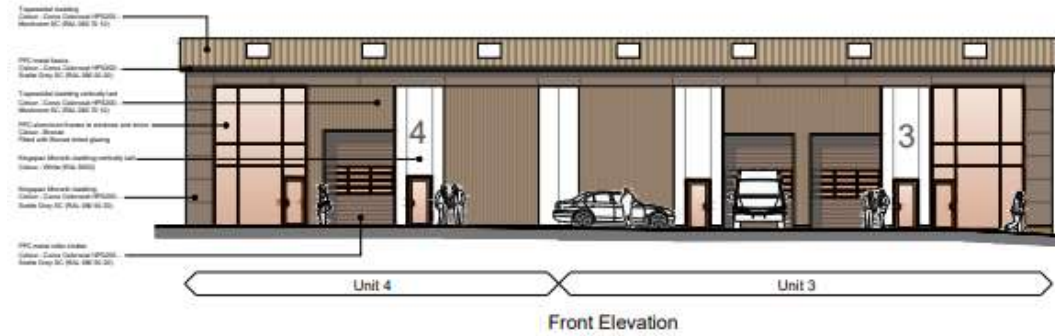
# Block 1



|    |                           |    |                          |
|----|---------------------------|----|--------------------------|
| AP | Approved application      | T1 | Tender process           |
| PA | Planning application made | S  | Construction             |
| DA | Detail design             | PC | Final Construction/Start |

|   |                           |          |            |
|---|---------------------------|----------|------------|
| A   | Building process complete | 2019-01  | 1/18       |
| Application   |                           | 2019-01  | 1/18       |
|   |                           |          |            |
| <b>CLIENT</b><br>Horgan Homes   |                           |          |            |
| <b>PROJECT</b><br>Proposed Industrial Units<br>Buntsford Gate Business Park<br>Bromsgrove |                           |          |            |
| <b>TITLE</b><br>Block 1<br>Plan & Elevations  |                           |          |            |
| SCALE   | 1:100                     | DATE     | 04/11/2022 |
| DESIGN  | MSM                       | CHECKED  | PDR        |
| REVISION NO.  | 3366-05                   | DATE     |            |
|   |                           | REVISION | A          |

# Block 2



**DRAWING STATUS CODES**

|    |                       |    |                    |
|----|-----------------------|----|--------------------|
| AR | Architectural         | TS | Structural         |
| ME | Mechanical            | CE | Construction       |
| PE | Planning and/or other | FC | Final Construction |
| DE | Design                |    |                    |

**NOTES**

WPC metal roof  
Colour - Charcoal (WPC20)  
Roofing Dry CC (P66, 180, 10, 20)

Translucent lighting vertically laid  
Colour - Charcoal (WPC20)  
Roofing Dry CC (P66, 180, 10, 20)

Empire® Slatted lighting  
Colour - Charcoal (WPC20)  
Roofing Dry CC (P66, 180, 10, 20)

Flooring  
Colour - Buff

WPC metal roof  
Colour - Charcoal (WPC20)  
Roofing Dry CC (P66, 180, 10, 20)

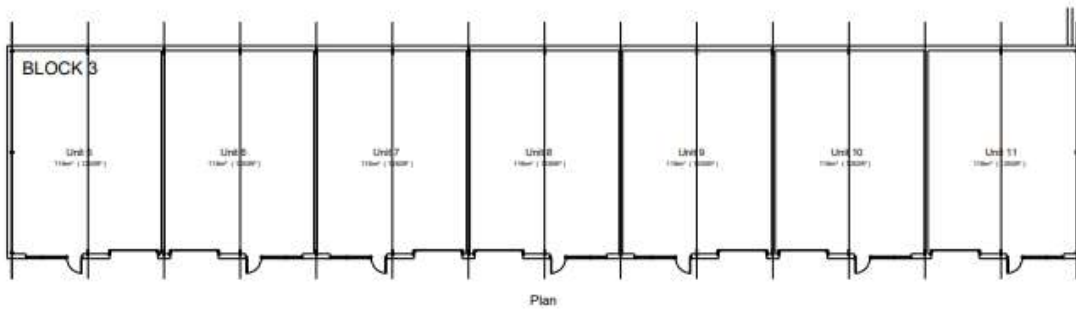
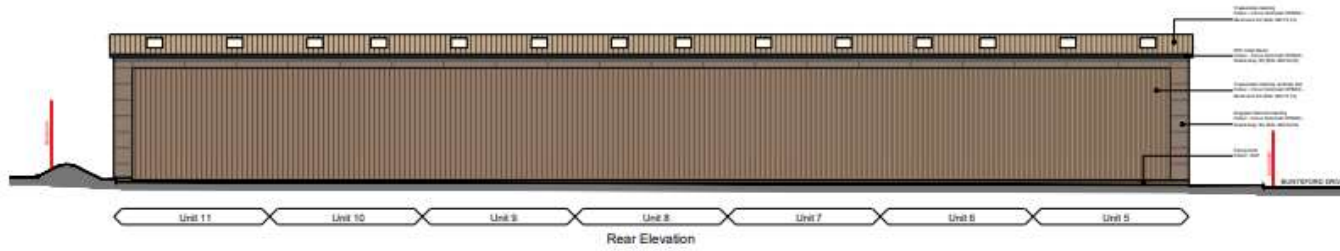
Translucent lighting vertically laid  
Colour - Charcoal (WPC20)  
Roofing Dry CC (P66, 180, 10, 20)

Empire® Slatted lighting  
Colour - Charcoal (WPC20)  
Roofing Dry CC (P66, 180, 10, 20)

Flooring  
Colour - Buff

|  |                       |         |            |
|--|-----------------------|---------|------------|
| B  | Not produced in situ  | 4887100 | UK         |
| A  | Working under changes | 4887100 | UK         |
|  | REVISED               | DATE    | BY         |
|  |                       |         |            |
| <b>CLIENT</b> Horgan Homes   |                       |         |            |
| <b>PROJECT</b> Proposed Industrial Units<br>Buntsford Gate Business Park<br>Bromsgrove |                       |         |            |
| <b>TITLE</b> Block 2<br>Plan & Elevations  |                       |         |            |
| SCALE  | 1:100                 | DATE    | 04/11/2022 |
| DRAWN BY   | MSM                   | CHECKED | PDR        |
| ISSUED NO.   | 3366-06               | SCALE   | REVISED    |
|  |                       |         | B          |

# Block 3

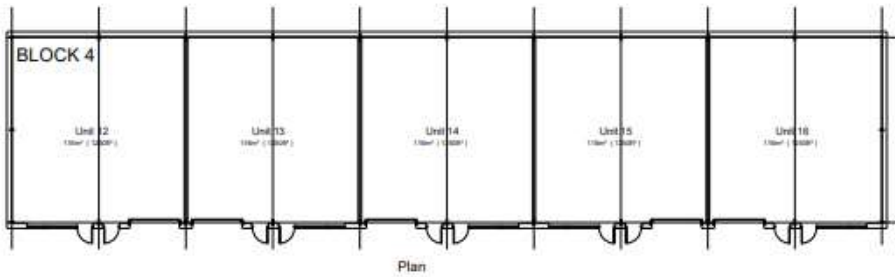
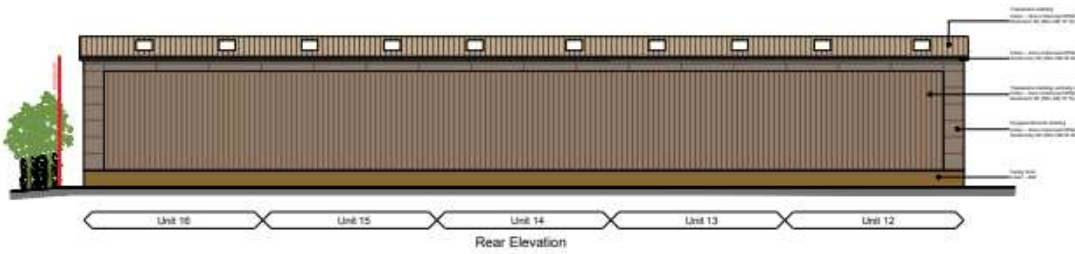
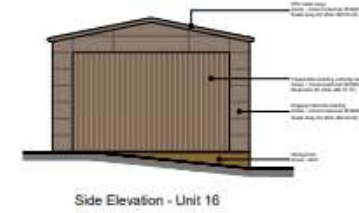
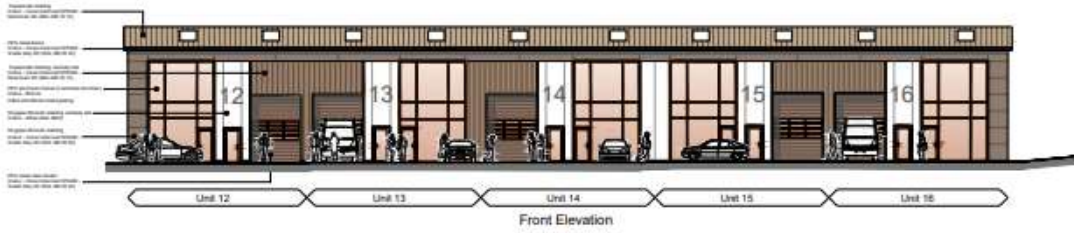


|              |                           |
|--------------|---------------------------|
| Project Name | Proposed Industrial Units |
| Project No.  | 3366-07                   |
| Revision     | 01                        |
| Date         | 08/11/2022                |
| Scale        | 1/8" = 1'-0"              |
| Author       | JK                        |
| Checker      | JK                        |
| Designer     | JK                        |
| Drawn By     | JK                        |

|             |   |
|-------------|---|
| Client      | Morgan Homes  |
| Project     | Proposed Industrial Units<br>Surreford Gate Business Park<br>Bromsgrove |
| Block       | Block 3<br>Plan & Elevations  |
| Scale       | 1/8" = 1'-0"  |
| Date        | 08/11/2022  |
| Author      | JK  |
| Checker     | JK  |
| Designer    | JK  |
| Drawn By    | JK  |
| Project No. | 3366-07   |
| Revision    | 01  |

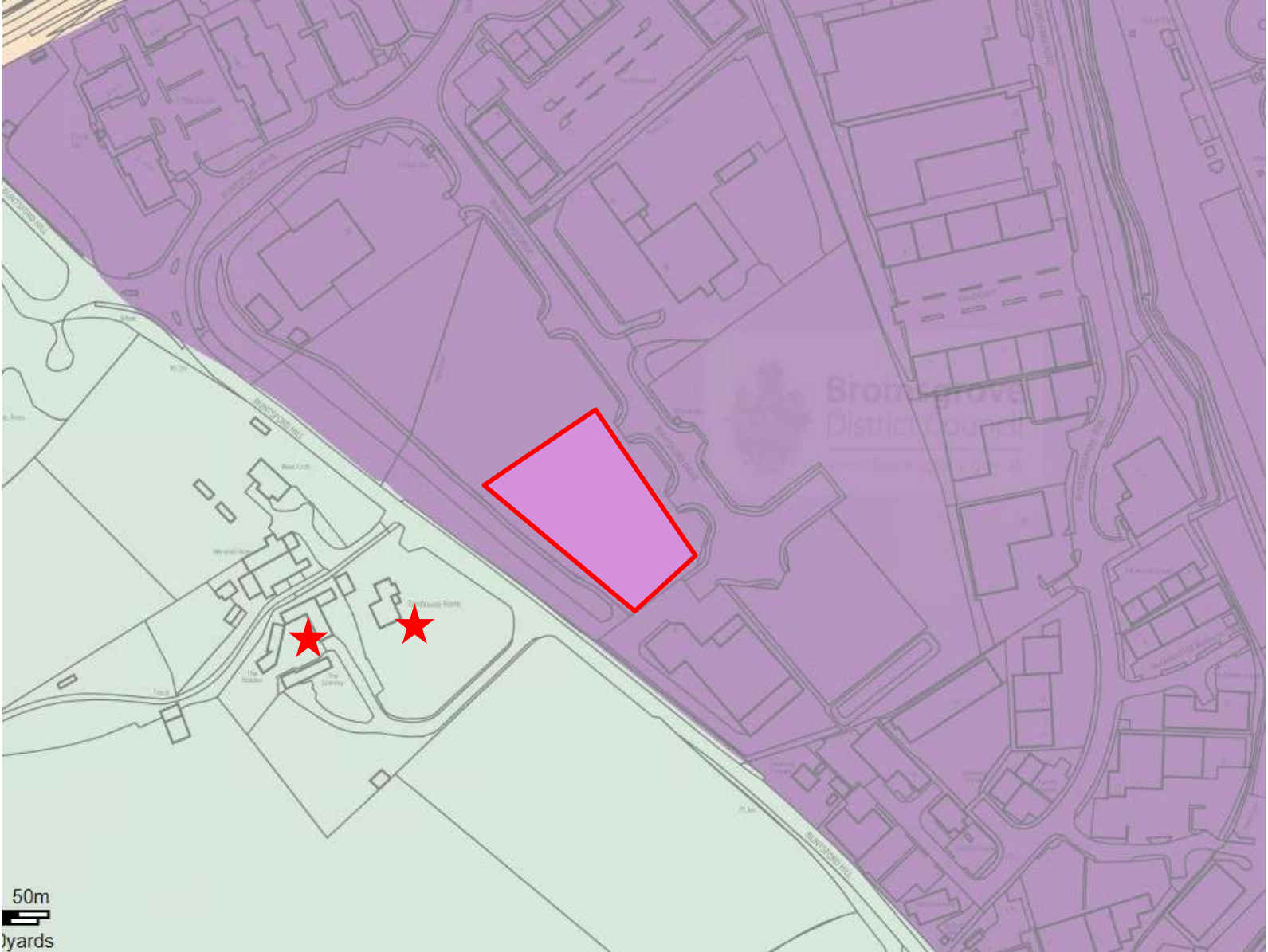


# Block 4



| <p>REVISIONS AND DATE</p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>ISSUED FOR PERMIT</td> <td>06/15/2023</td> </tr> <tr> <td>2</td> <td>REVISED PER COMMENTS</td> <td>06/15/2023</td> </tr> <tr> <td>3</td> <td>REVISED PER COMMENTS</td> <td>06/15/2023</td> </tr> </table> |                         | NO.        | DESCRIPTION | DATE | 1 | ISSUED FOR PERMIT | 06/15/2023 | 2 | REVISED PER COMMENTS | 06/15/2023 | 3 | REVISED PER COMMENTS | 06/15/2023 |
|---|-------------------------|------------|-------------|------|---|-------------------|------------|---|----------------------|------------|---|----------------------|------------|
| NO.   | DESCRIPTION             | DATE       |             |      |   |                   |            |   |                      |            |   |                      |            |
| 1   | ISSUED FOR PERMIT       | 06/15/2023 |             |      |   |                   |            |   |                      |            |   |                      |            |
| 2   | REVISED PER COMMENTS    | 06/15/2023 |             |      |   |                   |            |   |                      |            |   |                      |            |
| 3   | REVISED PER COMMENTS    | 06/15/2023 |             |      |   |                   |            |   |                      |            |   |                      |            |
| <p> </p> <p><b>Morgan Homes</b></p>   |                         |            |             |      |   |                   |            |   |                      |            |   |                      |            |
| <p>                 Proposed Industrial Units<br/>                 Burnford Gate Business Park<br/>                 Grimsby             </p>  |                         |            |             |      |   |                   |            |   |                      |            |   |                      |            |
| <p><b>Block 4</b><br/>Plan &amp; Elevations</p>   |                         |            |             |      |   |                   |            |   |                      |            |   |                      |            |
| <p>Scale: 1:100</p>   | <p>Date: 06/15/2023</p> |            |             |      |   |                   |            |   |                      |            |   |                      |            |
| <p>Author: NEM</p>  | <p>Checker: PDR</p>     |            |             |      |   |                   |            |   |                      |            |   |                      |            |
| <p>3365-08</p>  | <p>C</p>                |            |             |      |   |                   |            |   |                      |            |   |                      |            |

# Site Constraints



# Listed Buildings

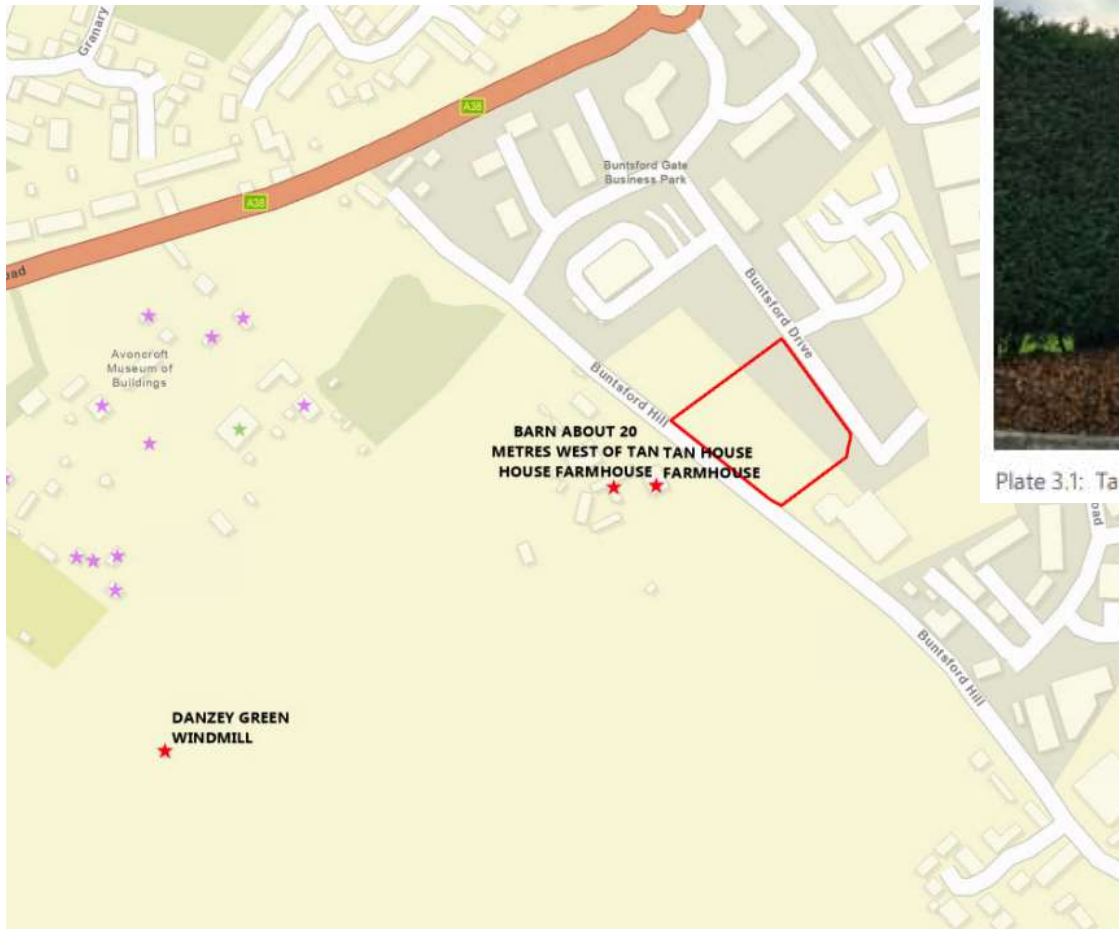
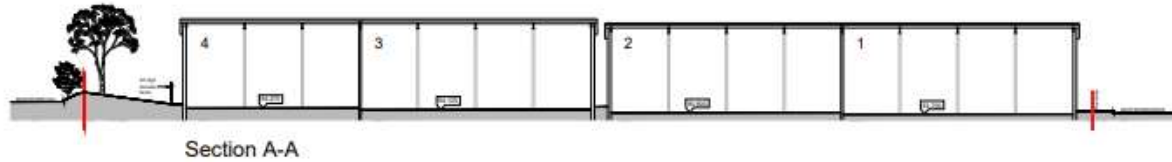


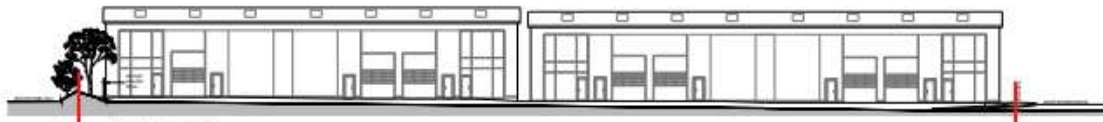
Plate 3.1: Tan House Farm - 20th Century extension



# Site Sections



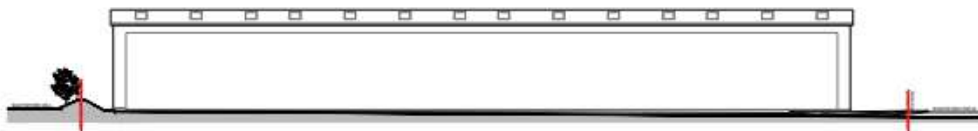
Section A-A



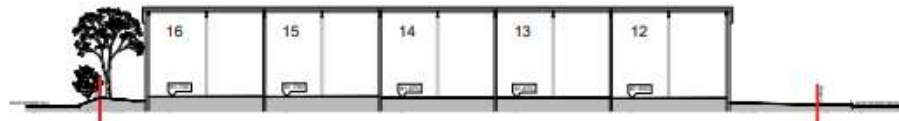
Section B-B



Section C-C



Section D-D



Section E-E

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**REVISIONS**

| NO. | DESCRIPTION              | DATE       |
|-----|--------------------------|------------|
| 01  | Issue for tender         | 01/03/2023 |
| 02  | Issue for construction   | 01/03/2023 |
| 03  | Final Construction Issue | 01/03/2023 |



Key Plan

|   |  |            |                           |
|---|--|------------|---------------------------|
| B   | Approved for construction, subject to planning consent and all other relevant approvals. | 01/03/2023 | JW                        |
| A   | Issue for tender.  | 01/03/2023 | JW                        |
| REVISIONS   |  | DATE       | BY                        |
| B   | D  | G          | Building Design Group Ltd |
| <p><b>CLIENT</b><br/>Horgan Homes</p> <p><b>PROJECT</b><br/>Proposed Industrial Units<br/>Buntsford Gate Business Park<br/>Bromsgrove</p> <p><b>TITLE</b><br/>Site Sections</p> |  |            |                           |
| SCALE   | 1:200  | DATE       | 01/03/2023                |
| DRAWN   | LW   | CHECKED    | PDR                       |
| REFERENCE NO.   | 3366-09  | STATUS     | REVISION                  |
|   |  |            | B                         |

# Site Photos



Existing hedge southwest boundary



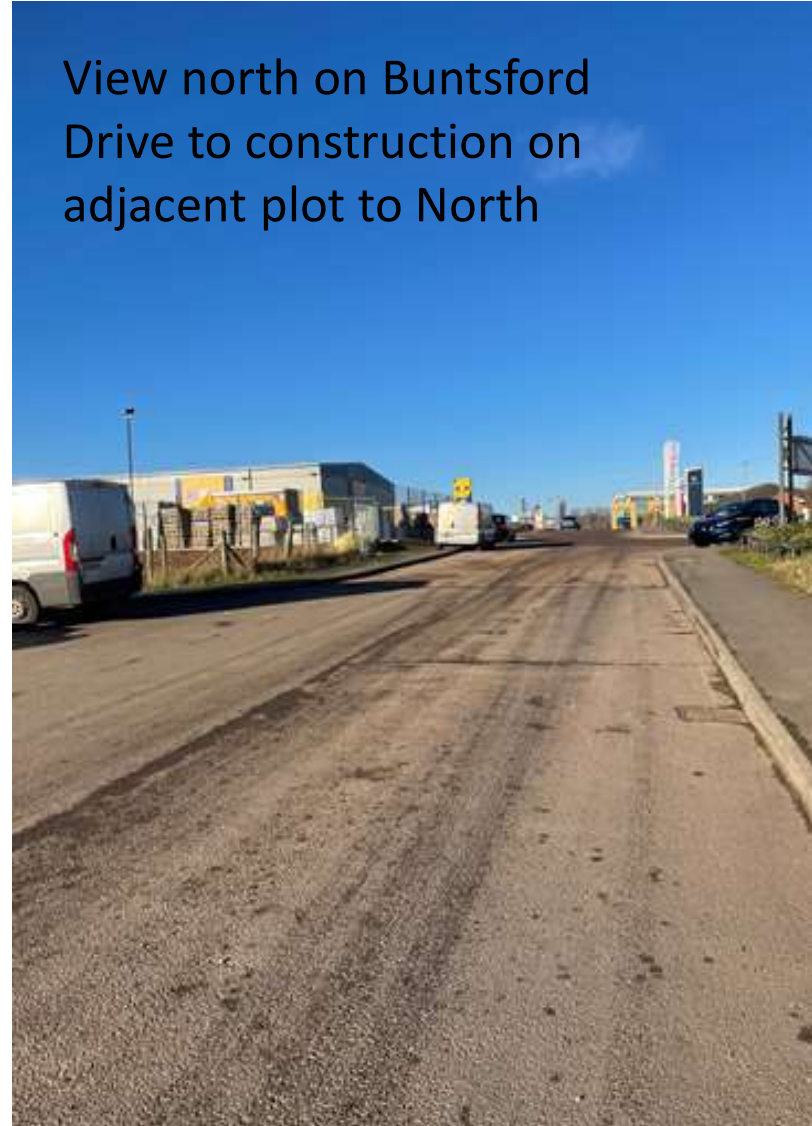
Vehicular access to  
Tan House Farm

# Site Photos

Northeast view from Buntsford Drive



View north on Buntsford Drive to construction on adjacent plot to North



Plot opposite (west) under construction

