



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 3RD JULY 2023

AT 6.00 P.M.

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

MEMBERS: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, S. J. Baxter, D. J. A. Forsythe, E. M. S. Gray, R. Lambert, B. McEldowney, J. Robinson, J. D. Stanley and D. G. Stewart

AGENDA

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

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 5th June 2023 (To Follow)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. Tree Preservation Order (6) 2023 Land Side of 41 High House Drive, Lickey, Bromsgrove, B45 8ET (Pages 5 - 36)

6. 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 37 - 82)
7. 23/00429/FUL - Proposed dwellinghouse, 32 Lickey Square, Lickey, Birmingham, Worcestershire, B45 8HB, Mr. D. Jones (Pages 83 - 118)
8. 23/00566/FUL - Two new detached dwellings on the site of two approved dwellings (extant consent ref 19/01388/FUL) using the previously approved access driveway, Land to the rear of 34 and 36 Lickey Square, Lickey, Birmingham, B45 8HB, Mr. M. Francis (Pages 119 - 150)
9. 23/00511/FUL -Change of use to a mixed use venue and Public House, The Dodford Inn Public House, Whinfield Road, Dodford, Worcestershire, B61 9BG, Mr. B. Wyatt (Pages 151 - 164)
10. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting.

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

23rd June 2023

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

Parkside, Market Street, Bromsgrove, B61 8DA

Tel: 01527 881406

Email: 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 by 12 noon on Thursday 29th June 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 29th June 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**
- 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

PLANNING COMMITTEE

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Tree Preservation Order (6) 2023 Land Side of 41 High House Drive, Lickey, Bromsgrove B45 8ET

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

1. SUMMARY OF PROPOSALS

- 1.1 The Committee is asked to consider the confirmation without modification of Tree Preservation Order (6) 2023 Land Side of 41 High House Drive, Lickey, Bromsgrove.

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (6) 2023 Land Side of 41 High House Drive, Lickey, Bromsgrove is confirmed without modification and made permanent as raised and shown in appendix (1).

3. KEY ISSUES

Financial Implications

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

Legal Implications

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

Service / Operational Implications

Background:

- 3.4 The provisional order was raised on 7th March 2023 as a result of a tree surgery company attending the site advising that they had been instructed to fell the trees included within the order.

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3.5 One objection has been received in respect of the provisional TPO having been raised as follows:

- A letter from Mr Terence Sowerby as shown in appendix (2).

My comments in relation to the issues raised in the objection are as follows:

High House Drive is a private road and dead end with no public foot paths leading from it in the area of the land containing the trees. However, access to High House Drive is not restricted by a gated entrance and serves 32 properties and Lickey Hills Primary and Nursery School. A section of the western end of the road is wider than the width of the rest of the carriageway which is generally narrow and therefore people in vehicles tend to go to that end of the road to turn around. The trees are clearly visible from a 50 metres section of the western end of the road where the turning take place. This 50 metre section of the western end of the road also offers a viewpoint due to its elevation over the wider landscape to the South which I believe many people visit to taken advantage of this outlook. I have received 13 Email messages of support for the TPO as shown in appendices (3) from residents of High House Drive and the surrounding area that evidences how much the trees are appreciated and valued.

Ivy only uses the structure of a tree as a climbing frame and therefore can be easily managed by either being fully removed from the crown or having a band width cleared within the growth on the main stem of the tree causing it to die off in the crown.

Crown pruning can easily be carried out to ensure that any phone or power lines are clear of disruption by the tree.

The tree that fell was a very mature age class Sycamore which from the evidence of the remaining stump looks to have had some decay issues within the main stem and buttressing which is likely to have led to it failing as shown in photo (6) of appendix (4).

There is one small wound on the main stem that is producing some Bleeding as shown in photo (1) of appendix (4), which could potentially be evidence of a Bleeding Canker infection in the tree. However, the tree is showing no other signs of decline that would indicate the presence of this disease in fact the crown is very well shaped and balance and in full leaf cover and strong growth

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throughout. Horse Chestnut trees are known to either go into remission from the effects of the disease or even recover. In view of the level of evidence that this disease is present in the tree and its overall vigour and good condition it would be far too early to condemn the tree for this reason at this time.

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

Customer / Equalities and Diversity Implications

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

4. RISK MANAGEMENT

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

5. APPENDICES

List Appendices.

Appendix (1) Schedule and Plan of Provisional Order as raised
Appendix (2) Letter of Objection from Mr Terence Sowerby
Appendix (3) Emails of Support For TPO
Appendix (4) photographs of Trees included within the order.

6. BACKGROUND PAPERS

PLANNING COMMITTEE

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None

7. KEY

TPO - Tree Preservation Order

7.1 Conclusion and recommendations:

Tree preservation order guidance states that “Orders should be made to protect selected trees and woodland if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Also, that the size and form of the tree/ trees, future potential amenity value where development might occur and the contribution to and relationship with the landscape of the tree should be considered.

The trees included within this order are of good growth habit and in strong vigour and add greatly to the character of the landscape of this area which would be poorer for their loss.

Therefore, I recommend to the committee that Tree Preservation Order (6) 2023 is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

Name: Gavin Boyes

Email: Gavin.Boyes@bromsgroveandRedditch.gov.uk

Tel: 01527 883094

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Bromsgrove District Council Tree Preservation Order (6) 2023Tree/s on land at Land At, 41 High House Drive, Lickey, Worcestershire, B458ET

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

Citation

1. This Order may be cited as **Tree Preservation Order (6) 2023**

Interpretation

- 2.— (1) In this Order “the authority” means Bromsgrove District Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

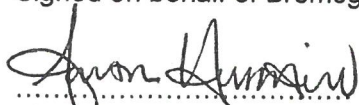
- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,
 any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

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

Dated this *Seventh day of March 2023*

Signed on behalf of Bromsgrove District Council



Authorised by the Council to sign in that behalf

First Schedule

Trees specified individually

(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Horse Chestnut	398856, 275165	In field adjacent to the Western side 41 High House Drive
T2	Sycamore	398859, 275179	On boundary of High House Drive to West of 41

Trees specified by reference to an area

(within a dotted black line on the map)

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

Groups of Trees

(within a broken black line on the map)

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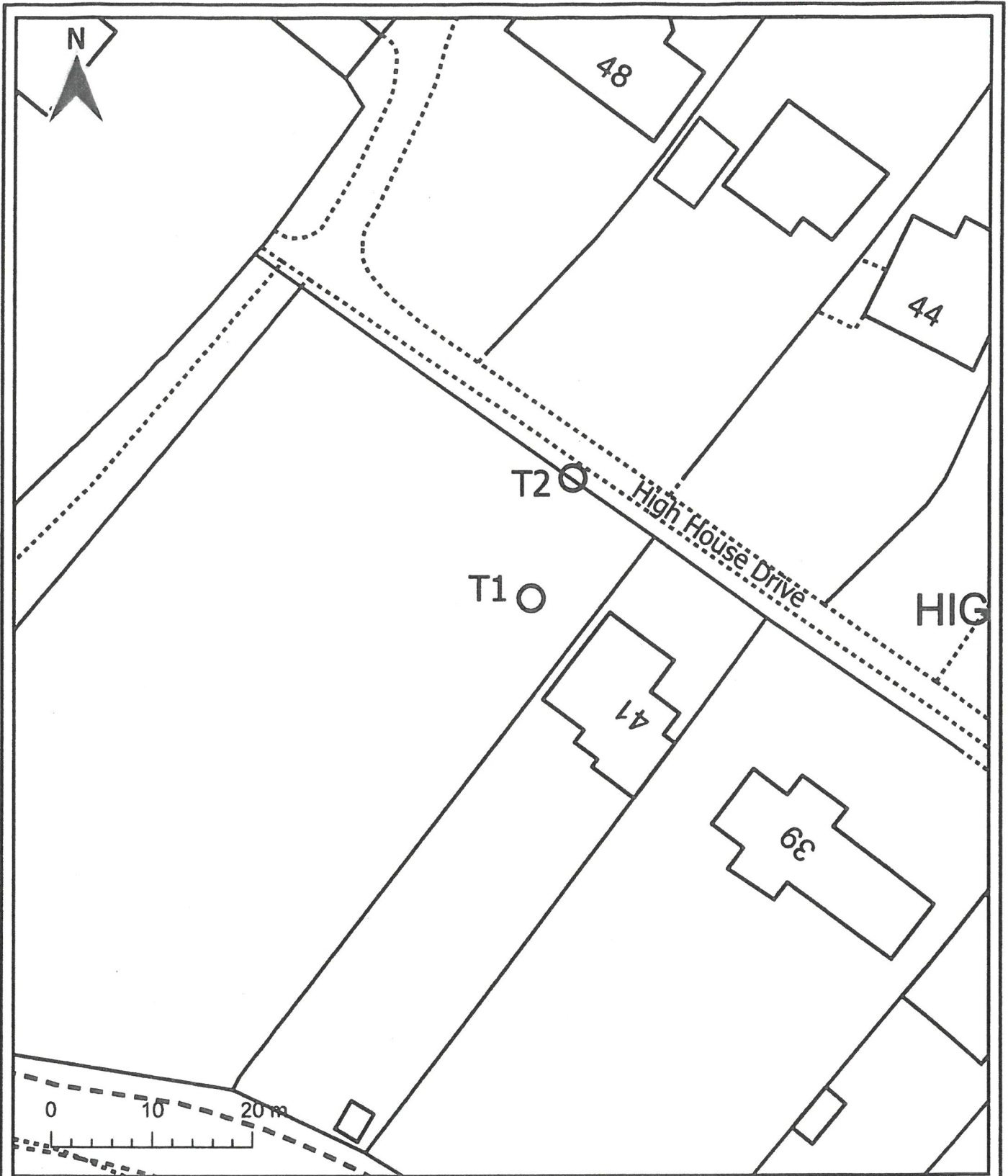
NONE

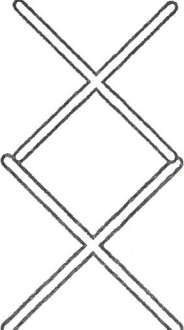
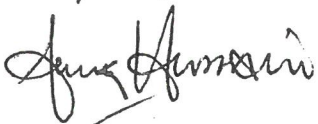
Woodlands

(within a continuous black line on the map)

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



	Project: Bromsgrove District Council TPO (6) 2023	Drawn: Gavin Boyes - Arboricultural Team	Environmental Services Town Hall Walter Stranz Square Redditch Worcs B98 8AH	07/03/2023 
	Drawing: Land Side Of 41 High House Drive, Lickey B45 8ET	Scale: 1:500 @ A4		
	Drawing No.: 1 of 1	Date: 3.2023	© Crown copyright and database rights 2022 Ordnance Survey 100023252	

For the attention of Gavin Boyes, Tree Officer.

Re: Tree/s on land at, 41 High house drive, Lickey, Worcestershire, B45 8ET

TPOs on trees marked as T1 and T2.

Amenity.

I contest that both the horse chestnut tree (T1) and the sycamore tree (T2) be considered as an amenity for the following reasons:-

- (i) The trees are on private land, not a public park where they may be enjoyed by the public for shade in the summer, shelter from the elements in the winter or for children to climb.
- (ii) The road is privately owned and since no public footpaths branch off this end of the drive the general public cannot view the trees. There are very few houses that can view the trees, even then the sycamore tree (T2) which is covered in ivy actually obscures the view of T1.

Threat of tree collapsing, blowing over.

You are probably unaware that on the 23rd February 2017 just 30 metres to the North West of T1 another horse chestnut tree of similar age and size was blown over by strong winds snapping off the roots. The tree fell across the drive landing on the lawn opposite of house number 48, taking down telephone cables but fortunately no one was injured.

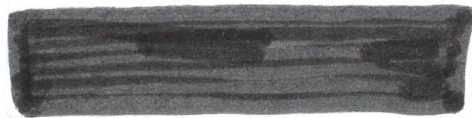
I called tree surgeon Chris Bishop and his team who came out promptly to cut the tree up and clear the drive. The stump of the tree was just pushed back into its original place by Chris and his men. The stump is still there today as the free end of the gate is attached to it.

We are all aware that T1 is diseased but to what extent is unclear. Has anyone checked its roots, lest the same thing happens to this horse chestnut tree.

It is common knowledge that "Climate Change" is causing more extremes of weather and since I insure the land (HW11642) I do not want the responsibility of the tree causing damage in the future. I wanted it cut down before it became too dangerous to do so safely.

If the trees were removed I would plant other trees as compensation.

Yours faithfully,



Mr. Terence Sowerby

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Gavin Boyes - Arboricultural Team

From: Chris Innes [REDACTED]
Sent: 07 April 2023 12:36
To: Gavin Boyes - Arboricultural Team
Subject: TPO High House Drive.

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Dear Sir,

As a Resident of High House Drive for over 20 years I would like to state what a fine example the Horse Chestnut is and how much it is admired by walkers along our road and residents alike. The Tree clearly helps maintain a variety of wildlife and is a joy to behold.

Regards,
D C Innes

Gavin Boyes - Arboricultural Team

From: Matt Banham [REDACTED]
Sent: 05 April 2023 18:50
To: Gavin Boyes - Arboricultural Team
Subject: Temporary Tree Preservation Order on High House Drive

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Dear Gavin,

I hope this email finds you well. I am writing with regards to a tree preservation order which I understand is in place for 2 trees on High House Drive in Lickey.

I wish to offer my support to make this TPO permanent for these horse chesnut and sycamore trees. I think these trees offer us a beautiful view from the end of the road and show off the road and the area in the best light. It offers a half way house and a safe location for my children to play up to in the road and supports all the other beautiful woodland around us within the Lickey area. I think they both add character to the road and should be protected as such. It also helps in slowing cars and vans down along out road which houses both school children in the morning and evening and children who play in the road in the evening.

Thank you for reading my email and I hope they will be protected for my children and many generations to come.

Matt Banham
[REDACTED]

Gavin Boyes - Arboricultural Team

From: L BATEY [REDACTED]
Sent: 06 April 2023 11:20
To: Gavin Boyes - Arboricultural Team
Subject: Temp TPO (6) 2023 High House Drive,Lickey B45 8ET

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Further to my e-mail dated 27/3/23 I would like to register my request to make the temporary TPO permanent due to the special amenity value they provide. They are a recognisable feature of our private drive and loved by all residents/owners.They add greenery and seasonality and help to provide oxygen, good health and life,

Regards,

Laurence Batey [REDACTED] High House Drive, (owner & resident)

Sent from Mail for Windows

Gavin Boyes - Arboricultural Team

From: Anwar Shah <[REDACTED]>
Sent: 07 April 2023 16:54
To: Gavin Boyes - Arboricultural Team
Subject: Bromsgrove District Council Tree Preservation Order (6) 2023 Tree/s on Land At, 41 High House Drive, Lickey, B45 8ET

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Dear Sir

I write with respect to the trees on High House Drive currently under a TPO, these being a Horse Chestnut (NGR 398856, 275165) and a Sycamore (NGR 398859, 275179). I was pleased to learn that these trees are currently protected, but concerned that protection is temporary.

Trees are an investment by nature in all our well-being, atmospheric, environmental, aesthetic, and as part of the eco-system. These trees will not be easily replaced. They are also in reasonable proximity to the greater number of trees in High House woods, currently subject to TPO's. High House woods are located directly opposite my home, and are a place of recreation and leisure for me and my children. We play in them, have held Easter egg hunts in them, I run in them, and they support wildlife including Muntjac deer and foxes. I feel very strongly that Tree Protection Orders in this area have immense value in safeguarding our natural wellbeing. I am concerned that lifting the protections on the two trees in question will set a precedent that may lead to other very valuable trees coming under threat.

The trees in question are an important part of the vista of that end of our road, and part of its character. They occupy only a limited area on the edge of the plot in question, so I'm unsure how any benefit in removing them could offset their loss from our landscape.

Thank you for your consideration.

Yours Sincerely

Anwar Shah

[REDACTED] High House Drive, Lickey, B45 8ET.

Gavin Boyes - Arboricultural Team

From: Chris Jenkins [REDACTED]
Sent: 06 April 2023 21:12
To: Tree Enquiries
Subject: Tree Preservation Order - High House Drive, Lickey REF 220242

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Dear Tree Preservation Team,

I live on High House Drive and was extremely concerned to hear that the Horse Chestnut Tree and the Sycamore Tree in the Horsefield in the middle of the Drive were about to be chopped down!

I am so grateful to the resident on the Drive who brought this to your attention - just in time to save this appalling action taking place. The Horse Chestnut tree must be well over 100 hundred years old and is beautiful. These majestic trees bring natural beauty and serenity to our surroundings. They provide habitat for wildlife and provide a beautiful vista to be enjoyed by all - not just residents, but those who come and enjoy High House Wood and our beautiful surrounding area of the Lickey Hills.

They provide a natural mid-point marker along this Drive and are an integral cherished feature of this woodland area, that we feel privileged to see everyday... throughout all of the different seasons, they provide interest and varied seasonality in their character and colour.

The amenity value of these two trees are priceless and to destroy them now they are in their full maturity and splendor would feel like a crime would be being committed!

I implore the council to make the temporary tree order permanent - please lets protect the beauty of these trees for future generations to enjoy and to marvel at their stature and majesty.

Thanks for taking the time to read my email and I hope you will do the right thing and protect these trees in perpetuity.

Christine Jenkins
High House Drive

Gavin Boyes - Arboricultural Team

From: Joanne Handford <[REDACTED]>
Sent: 06 April 2023 17:46
To: Gavin Boyes - Arboricultural Team
Subject: Tree Preservation Order - Land at end of High House Drive, Lickey, B45 8ET

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Dear Gavin,

We have been given your email address by one of our neighbours, so that we may write to you with our thoughts on the Tree Preservation Orders that have been put on two trees on High House Drive that last for six months.

We are strongly hoping that the TPO's will become permanent TPO's. High House Drive is a lovely area to live in and the drive has a feel of being rural. We have a lot of local people (not residents from the road) who regularly walk the length of High House Drive with their dogs, and joggers that run along it regularly, as well as parents who drop off children at the school who often walk younger siblings before and after school drop offs to the end of the lane. No doubt all these people from the local community do this for the enjoyment of the view and the environment in which these trees live.

Living on High House Drive is a pleasure and we have always felt very lucky to have such a beautiful rural environment for our family. We have always understood from talking to local people and visiting friends they enjoy walking the length of High House Drive to take in the view of the Malverns from the field which has an unobstructed view of Worcestershire.

The trees add a huge amount to the general vista, and the Horse Chestnut tree particularly is the perfect tree that a child would draw if asked to draw a tree, and so it would be very sad to lose this thing of beauty. We assume these trees have been here for longer than any of the houses on High House Drive, and feel they really add to the beauty of living in a green belt community, and to replace them would take decades.

These trees will also be providing a huge amount of habitat for wildlife, as well as benefitting the environment in terms of taking moisture out of the ground.

We so hope the TPO's will become permanent.

With kindest regards,

Jo Handford & Shane Owen
[REDACTED] High House Drive

Gavin Boyes - Arboricultural Team

From: Sandy Mackintosh [REDACTED]
Sent: 05 April 2023 14:49
To: Gavin Boyes - Arboricultural Team
Cc: Chris Jenkins
Subject: Tree preservation order on 2 trees opposite my home in High House Drive B 45

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I would like to add my voice to others in hoping this TPO can be made permanent These trees are very old and enhance our neighbourhood I think it would be scandalous if they are cut down and any request to do that must be for nefarious purposes

A J Mackintosh

[REDACTED] High House Drive

Sent from my iPhone

Gavin Boyes - Arboricultural Team

From: Malcolm Wharton <[REDACTED]>
Sent: 07 April 2023 21:40
To: Gavin Boyes - Arboricultural Team; Tree Enquiries
Subject: Tree preservation order on High House Drive

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Dear Gavin,

I understand that there is a temporary preservation order to be placed on two trees - a Horse Chestnut tree and Sycamore tree by 41 High House Drive, in Lickey and that this order will only protect them for 6 months. The order specifies that "The trees provide special amenity value and the TPO is made in the interests of amenity".

Please may we urge you to provide permanent protection for the two trees.

They are a beautiful sight at the end of our street and provide a wonderful addition to the views over valley below. Watching them change as the seasons progress is a real bonus to living on the road.

Please consider this note as our full support to help preserve these trees permanently.

Thank you.

Malcolm & Michelle Wharton.

● High House Drive,
Lickey,
Worcestershire.

Gavin Boyes - Arboricultural Team

From: Susan Prestor [REDACTED]
Sent: 05 April 2023 13:14
To: Gavin Boyes - Arboricultural Team
Subject: High House Drive (6)203 41 High House Drive

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I'm writing to you having recently been made aware that contractors are looking to remove trees from High House Drive, namely a Horse Chestnut tree, which is estimated to be at least 100 years old and a large Sycamore tree. We have resided on High House Drive for over 20 years and cannot imagine our outlook without these trees on the vista.

The amenity value to our Drive is wide ranging and a pleasure to notice the changing seasons throughout the years. The value to wildlife, birds, mammals, and insects is important for the bioversity of the area which we are very lucky to reside in.

We therefore wish to lodge our objection to these trees being removed .

Yours sincerely

Susan Preston and Philip Grantham

[REDACTED] High House Drive

Gavin Boyes - Arboricultural Team

From: Teresa Banham [REDACTED]
Sent: 07 April 2023 12:02
To: Gavin Boyes - Arboricultural Team
Subject: TPO High House Drive

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on ext 1766 internally or 01527 881766 externally. Failure to do this is a breach of the Information Security Policy.

Dear Gavin

I write in support of making the TPOs permanent on a beautiful pair of trees at the far end of High House Drive in Lickey. We often walk down the lane and enjoy seeing the original inhabitants of the area living on. These trees provide a wonderful habitat which newly planted ones would not provide for decades - let alone the fact new tree plantings are likely to be an Acer or Magnolia. The biodiversity within these mature specimens is a wonderful thing and we must protect it at all costs.

Thank you

Teresa Banham

[REDACTED] Marlbrook Lane

Get [Outlook for iOS](#)

Gavin Boyes - Arboricultural Team

From: Rhys Enfield [REDACTED]
Sent: 07 April 2023 07:17
To: Gavin Boyes - Arboricultural Team; Tree Enquiries
Subject: TPO on two trees at the end of High House Drive, Lickey B45 8ET

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on ext 1766 internally or 01527 881766 externally. Failure to do this is a breach of the Information Security Policy.

Dear Sirs,

I have lived on High House Drive for 18 years and part of the feature of the road is the general tree and hedge line that give it a particular feature.

With reference to the tree T1 this is a notable horse chestnut that is the less common pink flowering one and has a magnificent canopy in the spring/summer, particularly when in flower. When my children were younger we would often walk down to the end of the road and admire the scenery, including this and another horse chestnut tree that by the entrance to the field but this became diseased and came down during a storm. I also note that a number of Horse chestnut trees have become diseased over recent years and therefore it is paramount that this one is preserved.

With regard to tree T2, this denotes the end of the houses on this side of the road and starts to form a visible 'tree tunnel' which gives the road a particular and unique feature.

The loss on one or both trees would have a detrimental impact on the overall street scene, in particular the loss of the Horse chestnut would reduce the overall enjoyment that people gain from walking down to this end of the road and enjoying the view, which includes this beautiful tree.

Regards,
Rhys Enfield
[REDACTED] High House Drive.

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Gavin Boyes - Arboricultural Team

From: Penny Pech <[REDACTED]>
Sent: 05 April 2023 17:23
To: Tree Enquiries
Cc: Gavin Boyes - Arboricultural Team; [REDACTED]
Subject: Fwd: Tree Preservation Order (6) 2023: Trees on: land at 41 High House Drive, Lickey, Worcestershire B45 8ET

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on ext 1766 internally or 01527 881766 externally. Failure to do this is a breach of the Information Security Policy.

Dear Tree Enquiries Team,

I have received an out-of-office from Gavin in response to the email below and so have forwarded accordingly, as per his instructions.

Please let me know if I need to forward/provide this commentary to any further addresses, either by email or letter.

Many thanks,

Penny

----- Forwarded message -----

From: Penny Pech <[REDACTED]>
Date: Wed, Apr 5, 2023 at 5:18 PM
Subject: Tree Preservation Order (6) 2023: Trees on: land at 41 High House Drive, Lickey, Worcestershire B45 8ET
To: Gavin Boyes - Arboricultural Team <Gavin.Boyes@bromsgroveandredditch.gov.uk>
Cc: [REDACTED]

Dear Gavin,

We are writing to express our appreciation for the recent decision by the Council to put a Tree Preservation Order (TPO) on the horse chestnut (T1 on the TPO plan) and sycamore (T2) trees that stand near our property. As residents of this area, we have always admired the beauty of these

Agenda Item 5

trees, particularly the magnificent horse chestnut, which we understand to be well over one hundred years old.

Both trees are iconic features of the natural landscape in our road - the sycamore providing a noteworthy member of an informal tree-lined avenue along the road (with various residents maintaining trees in their front gardens to give this look) and the horse chestnut providing a lovely natural and pronounced "punctuation mark" which can be seen from half way down the road if not further, and which confirms the countryside lies just beyond.

While there are no public footpaths with access at the end of High House Drive, we can confirm that the road is used by a large number of visitors (in addition to the residents), who walk, run and cycle it's length - some coming from the Monument Woodland (which is public open space and with access onto our road); others either simply using the road for amenity leisure purposes, or else accessing Lickey Hills Primary School from its pedestrian access point opposite the Monument Woodland entrance. Both trees would, without doubt, be appreciated by anyone using the road - they offer a green and natural landscape, with seasonal interest, towards the end of the run of properties.

As a family, living next to these trees, we particularly love the horse chestnut and would suggest that anyone who sees this magnificent tree would feel the same. Its seasonal cycle is really lovely - we look forward to its delicate pink and white blossoms in the spring, followed by the lush green foliage in the summer, after which the tree transforms into a vibrant palette of golden, orange, and red hues, creating a stunning display in the fall. It's a big tree! - and is (by all accounts) very old and has been there longer than the vast majority of houses on the road (we assume the farm at the end being the only exception).

We cannot help but question the need to remove either tree - neither appear to be causing any problems or difficulties to the landowner and the current use of this land, nor to the adjacent properties. It therefore feels totally unnecessary and unreasonable to consider removing them without just cause.

The fact that Bromsgrove Council has recognised the importance of preserving these trees for future generations is highly commendable and we are very grateful for the care and attention that you have given to ensuring their longevity. The TPO is a testament to your commitment to protecting our natural environment and preserving the beauty of our community.

In closing, we would like to express our thanks to you (and Bromsgrove District Council) for taking the necessary steps to protect both the horse chestnut and sycamore trees near our home. Your actions have brought comfort to ourselves and many others and we are proud to be a part of a community that values and cherishes its natural heritage.

Kind regards,

Penny and Dan Pech

Gavin Boyes - Arboricultural Team

From: Tree Enquiries
Sent: 05 April 2023 11:01
To: Tarek Ball; Gavin Boyes - Arboricultural Team
Subject: FW: TPO's High House Drive Lickey B45 8ET REF 219987

FYI

From: STEPHEN MAY [REDACTED]
Sent: 05 April 2023 06:03
To: Tree Enquiries <tree.enquiries@bromsgroveandredditch.gov.uk>
Subject: TPO's High House Drive Lickey B45 8ET REF 219987

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Information Security Policy.

Dear Sir

I live at [REDACTED] High House Drive and my name is Stephen May.

I am abroad at the moment but have been informed by High House Drive Residents Association (HHdra) that you have put a temporary TPO on 2 trees in the Drive.

No. on Map

T1

T2

No. on Map

No. on Map

No. on Map

Description

Horse Chestnut

First Schedule

Trees specified individually

(encircled in black on the map)

NGR

398856,

275165

Situation

In field adjacent to the Western side 41 High House Drive

Sycamore

398859,

275179

On boundary of High House


Agenda Item 5

Drive to West of 41

These 2 trees are a recognisable feature of this end of the road; they add greenery and seasonality to the street; they are a punctuation mark for the end of the housing that's visible from the halfway point of the road. We have already over the past years (I have been there 30 years) had to many trees removed.

I would urge the council in their wisdom to make these TPO's permanent.

Regards

Stephen May  HHD

Sent from my iPad Sent from my iPad

APPENDIX (4)



APPENDIX (4)

PHOTO (2) View Of Tree (1) From South



APPENDIX (4)

PHOTO (3) Tree Viewed From Western End Of High House Drive



APPENDIX (4)

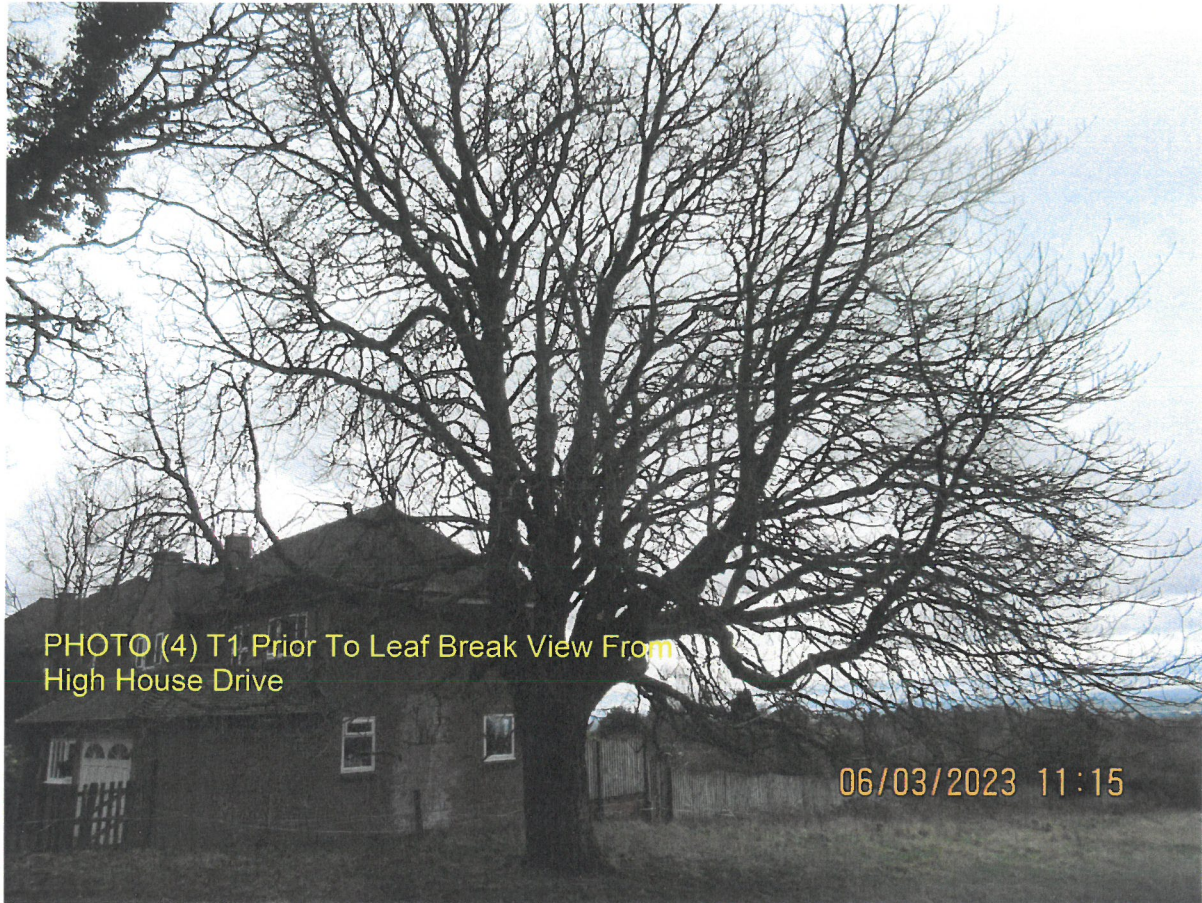


PHOTO (4) T1 Prior To Leaf Break View From High House Drive

APPENDIX (4)

PHOTO (5) T2 Prior To Leaf Break
From Eastern Side



APPENDIX (4)



Name of Applicant	Proposal	Expiry Date	Plan Ref.
Taylor Wimpey UK Ltd.	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	7.7.2023	21/01626/REM

This application was deferred at Planning Committee on 3 April 2023 at the request of former District Councillor Spencer in order for a Committee site visit to take place.

The site visit took place on 27 June 2023.

RECOMMENDATION:

- (1) MINDED to **APPROVE** Reserved Matters
- (2) 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 March 2023 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 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.

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 (HMP) has been submitted as part of the reserved matters documents with respect to planning Condition 8. 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, reporting and archiving has been completed.

Community Safety

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.

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.

No objection to the footpath link onto Perryfields Road.

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 to the specification as shown C-1948-06 Rev D.

The feeder access road link to the site of Stourbridge Road starts to feed into the site in close proximity to T60 and T61 which are subject to protection under Bromsgrove District Council Tree Preservation Order (4) 2022. There is a small area of landscaping shown as retained around the base of these trees, but the existing ground levels will need to be retained within this landscaped area to ensure that no root damage is caused to them the trees. There is also a path shown passing through the landscaped area which will run within the RPA of these trees 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

Three public consultations have taken place as follows:-

167 neighbour letters sent on:-
26th October 2022 (expire 19th November 2022)
26th January 2023 (expire 12th February 2023)

23rd March 2023 (expire 6th April 2023)

Site notices displayed:

4th November 2022 (expire 28th November 2022)

1st February 2023 (expire 18th February 2023)

22nd March 2023 (expire 5th April 2023)

Press notice published:

4th November 2022 (expire 21st November 2022)

27th January 2023 (expire 1st February 2023)

24th March 2023 (expire 8th April 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

The third consultation took place at the time of drafting the report for April's Planning Committee. The consultation was required due to revisions to the scheme which included the pedestrian crossing.

4 representations received raising the following issues:

- Concern that the current Perryfields Road through route diverting through traffic away from the town centre carries 2 national speed limits of 60mph which would be reduced to 20mph along the route planned by the developers. It is clear that such a limit would only be allowed on a determined diversion through route.
- The plans are not in accordance with the approved Parameter Plans set out in Condition 4 of the outline permission.
- There is no need to provide an access footpath from the proposed development on to Perryfields Road opposite No. 13 Perryfields Road. The only way they can conform to this requirement is to dig up and remove all of the existing hedge. Hedge provides valuable nesting and feeding for birds and natural screening for existing residents on Perryfields Road.
- Concern that the developers will want to provide a vehicular access off Perryfields Road.
- Hedgerow provides a natural screening for the existing occupiers.
- Footpath situated on a bend in the road, could it be positioned closer to plot 136?

The Bromsgrove Society

Objection

The Society refers to condition 4 of the Inspector's appeal decision letter which provides a list of 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, 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 with it being 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 proposal shows the spine road will have residential properties on both side for around half its length through the site.

Consequently, The Society are of a view that the submitted layout is not in accordance with the 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:- Whilst the spine road design will encourage lower speeds, the impact of which will deter off-site through traffic from using it as a route between A448 Kidderminster Road and B4091 Stourbridge Road due to the additional length of spine road, and the likelihood of vehicles parked on the highway due to the residential frontages.

The question arises as to which alternative routes drivers 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. The Applicant's layout proposals are very likely to lead to further undesirable rat-running trips through 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 which 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"; as well as Paragraph 8.162 of the District Plan which 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".

The Society refer to the Parkside junction, and improvements made to the traffic lights as a result of the Norton Farm development, and traffic modelling to demonstrate that development at the Perryfields Town Expansion Site will not have an adverse impact on this junction.

The Society refer to the Perryfields spine road and question if this or subsequent reserved matters applications will encourage drivers to use alternative routes to the spine road.

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, 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 was carried out.

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 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 housetypes 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 encouraging distinctiveness and wayfinding throughout the site. The same materials palette will be used on both market and affordable housing 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 and the Environment Agency are happy with the overall enhancement works proposed.

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 address conditions 8 and 29. 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. These amendments have now been incorporated within the Protection Plan.

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 and sought additional information in respect to discharge rates, detailed designs of SuDS ponds, detailed drainage designs in respect to 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. At the time of drafting the report, finer details of the drainage works/enhancements were being negotiated. 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.

The applicant has provided the following additional information that addresses the issues raised by third parties at the meeting of Planning Committee held on 3 April:

- Members are referred to the description of the outline application and in particular, that whilst all matters were reserved for future consideration, the exception was access details from Kidderminster Road and Stourbridge Road. The Appeal decision makes it clear that all other matters, including internal roads, were indicative and reserved for future consideration.
- With regard to the Bromsgrove Society's reference to the Figure 3.6 Parameter Plan - Access and Movement Plan, this is an approved plan under the outline planning permission. The applicant emphasises that the 'main movement route corridor' is hatched, so is clearly not a detailed road design. In addition, the key on the plan states 'exact route to be agreed'. It is therefore clear that the internal spine road alignment is not fixed by the outline permission. There is scope for amendments to be made through the reserved matters process.
- The principle of providing a main movement corridor through the site remains unchanged from the outline parameter plans and as such the proposed development is in accordance with the details submitted and approved as part of the outline planning permission.
- Following the grant of outline planning permission, work began in preparing the reserved matters for phase 1. The design for the spine road was developed on the basis of speeds of 20mph, in order to create an environment conducive to cycling and walking, consistent with the Local Plan transport policies for the site and for the District as a whole. It was also designed to be compliant with the traffic modelling and transport assessment which accompanied the outline planning permission, which recognised that the internal spine road pattern required a 6.1m width and a 20mph speed limit. To achieve these speeds and the associated benefits, it became apparent that in built traffic calming measures, including additional bends to reduce speeds, would be required along the spine road.
- The applicant states that they have worked hard with Worcestershire County Council over a period of 9-10 months to agree an acceptable spine road pattern which would successfully / safely achieve these speeds. This has resulted in no objection from WCC Highways and an independent assessor (Mott McDonald).

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 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

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.

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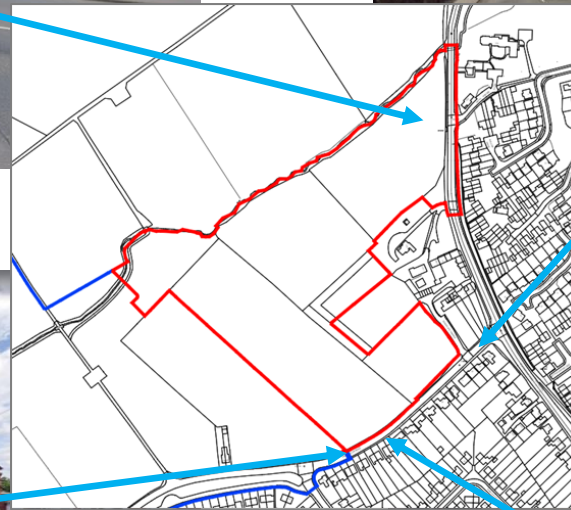
The Reserved Matters application seeks consent in line with condition 1 for detailed matters of appearance, landscaping, layout, and scale.

Recommendation: MINDED to APPROVE Reserved Matters 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.

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%
Total	107	100.00%

AFFORDABI		
UNITS	PERCENTAGE	
1 Bed	0	0.00%
2 Bed	27	64.29%
3 Bed	13	30.95%
4 Bed	2	4.76%
Total	42	100.00%

Total	UNITS	PERCENTAGE
Private	107	71.81%
Affordable	42	28.19%
Total	149	100.00%

Agenda Item 6

Legend

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

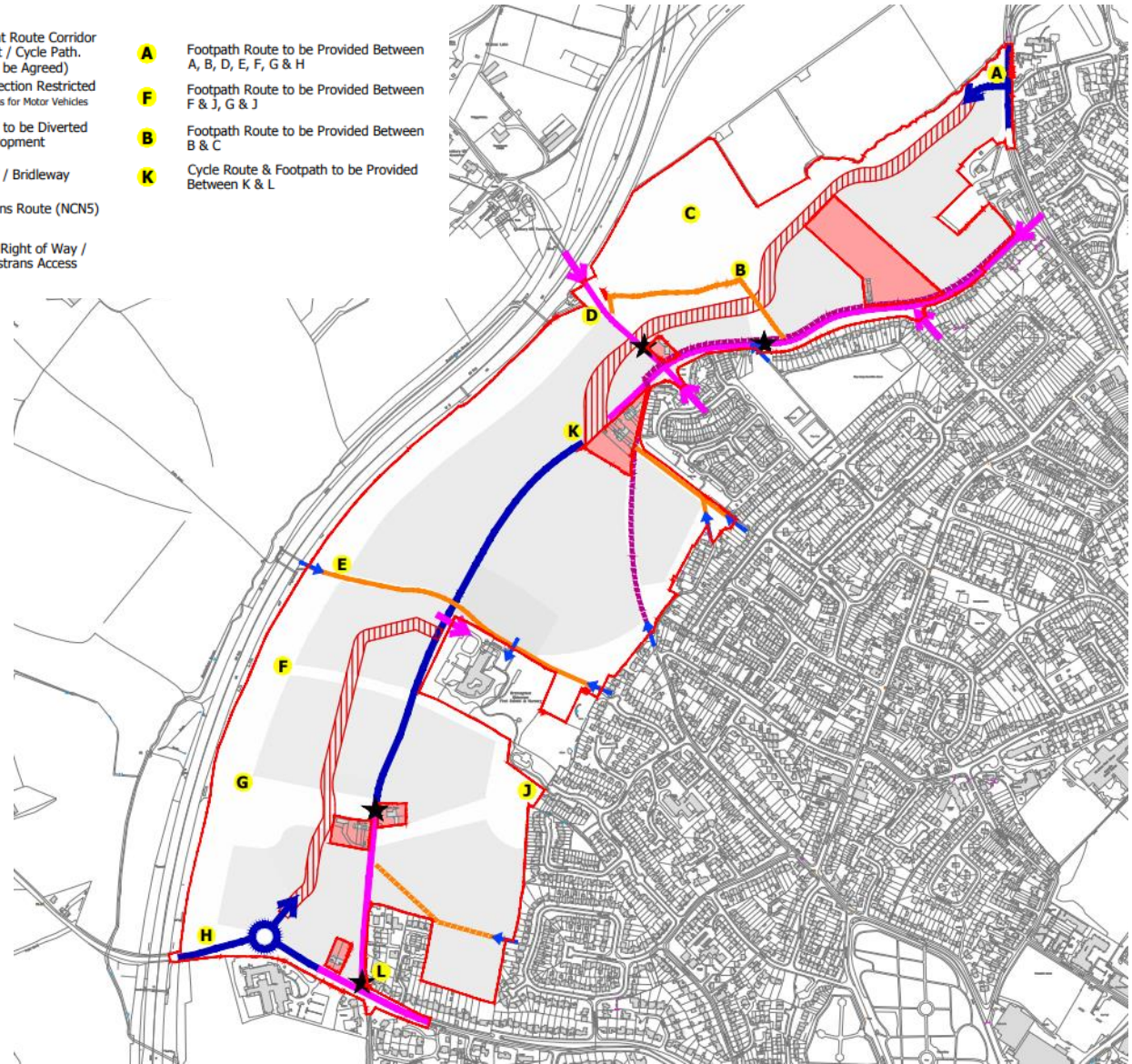


Figure 3.6
Parameter plans
Access and
Movement
(outline application plan)

For information purposes
for this presentation



Appeal Decisions

Inquiry Held on 25-28 May and 1 June 2021

Site visits made on 20 May and 29 May 2021

by **Mike Worden BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th August 2021

Appeal A

Appeal Ref: APP/P1805/W/20/3265948

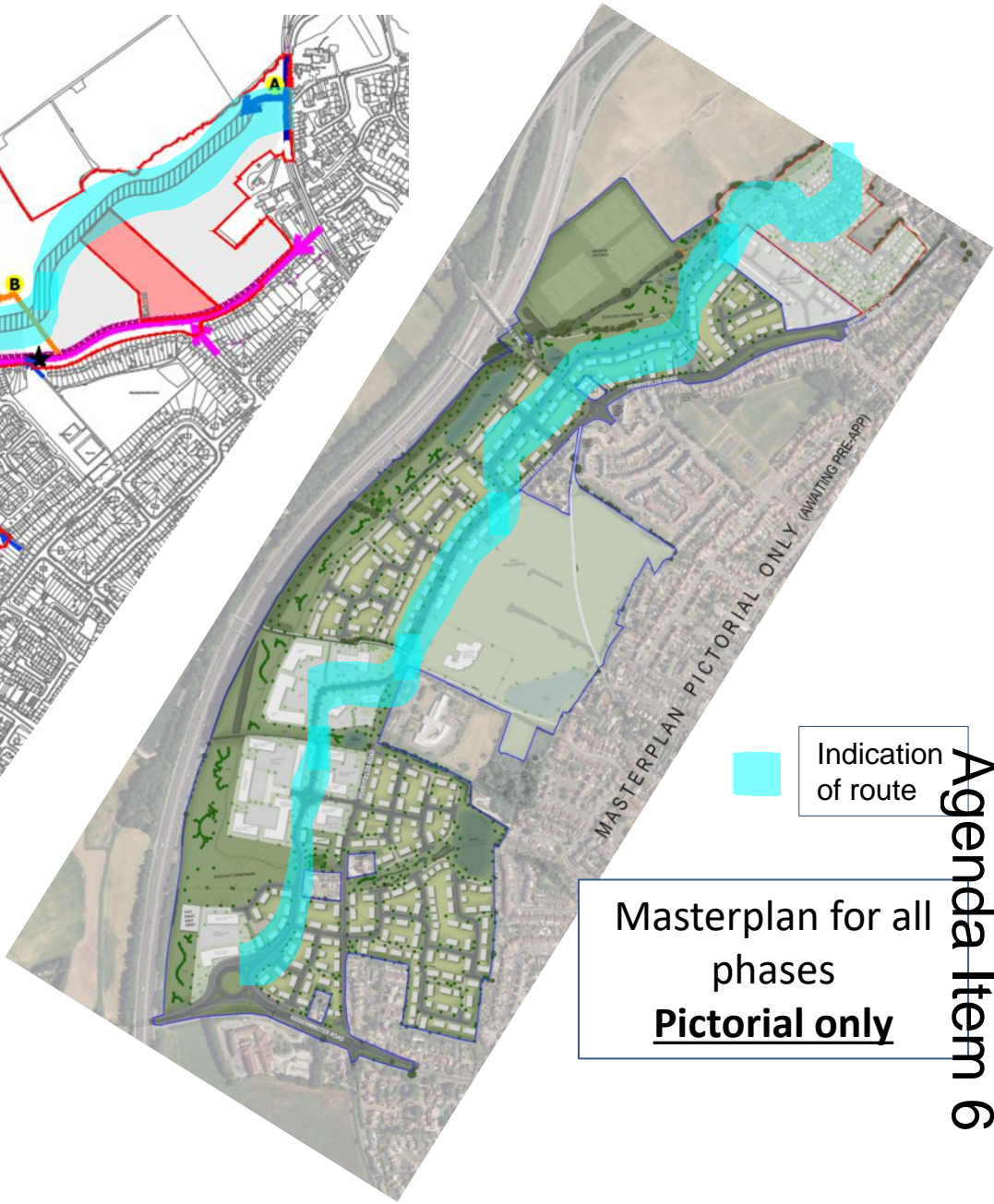
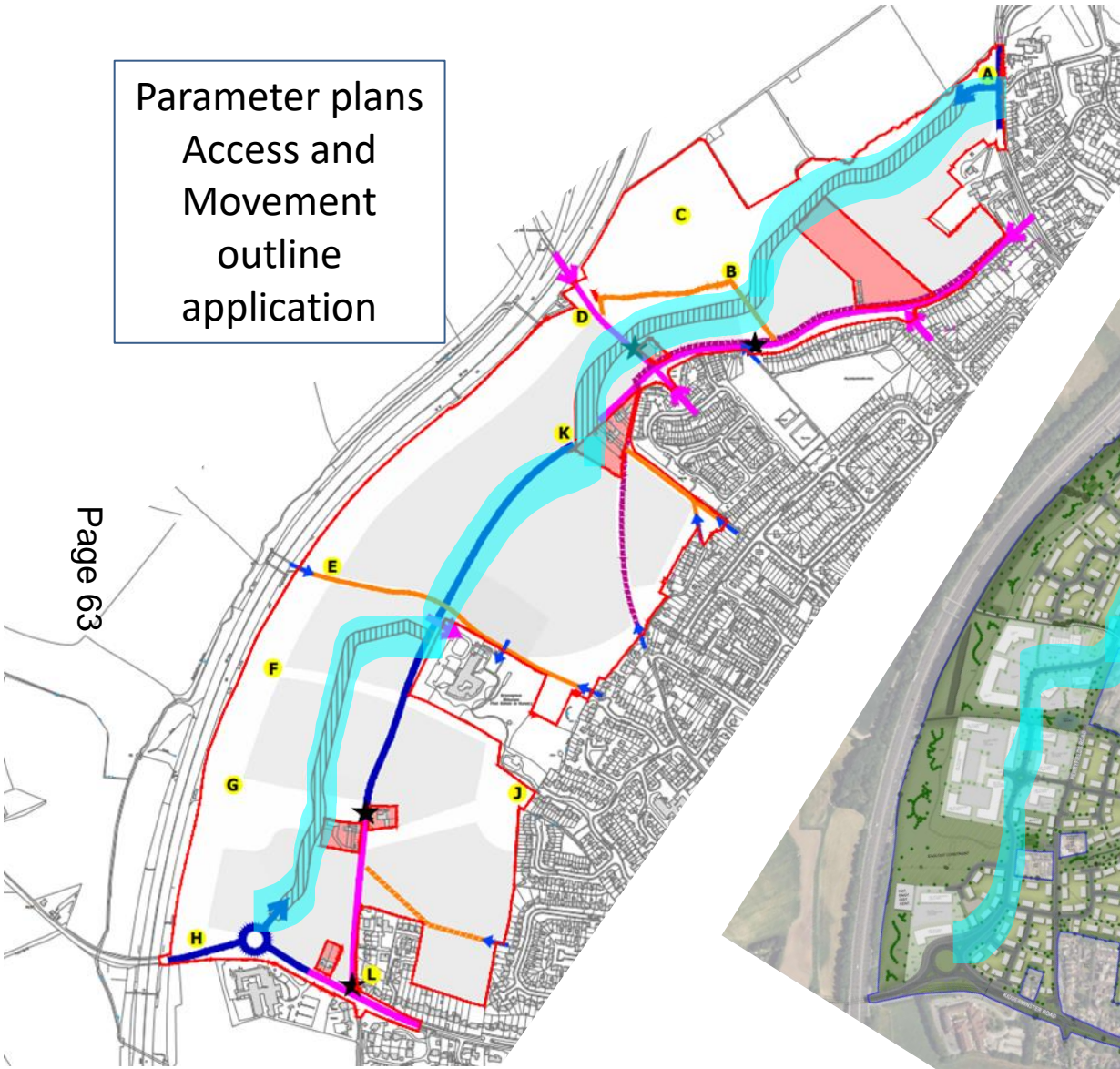
Land at Perryfields Road, Bromsgrove

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Taylor Wimpey UK Ltd against Bromsgrove District Council.
 - The application Ref 16/0335/DUT, is dated 23 March 2016.
 - The development proposed is outline application 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 Kiddeminster and Stourbridge Road, with associated highway works (including altered junctions at Perryfields Road/Kiddeminster Road and Perryfields Road/Stourbridge Road) submitted for consideration at this stage.
-

27. A spine road would run through the site and would be designed for speeds of 20mph in order to create an environment conducive to cycling and walking. This is consistent with the Local Plan transport policies for the site and for the district as a whole in seeking good design and to create more opportunities for sustainable transport.

Parameter plans
Access and
Movement
outline
application

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Masterplan for all
phases
Pictorial only

Agenda Item 6

Connectivity Plan

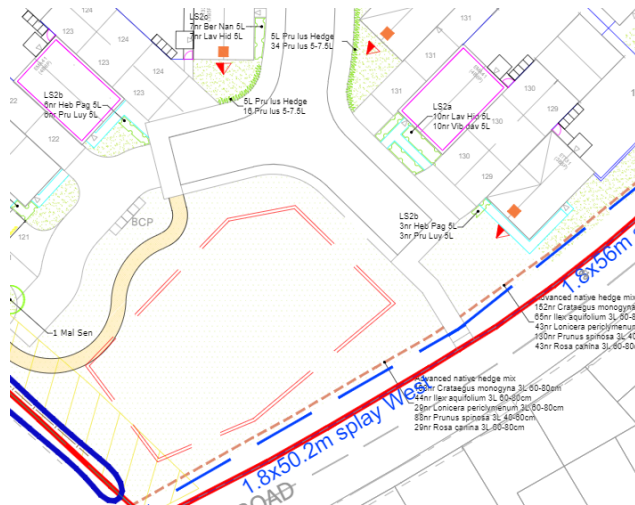
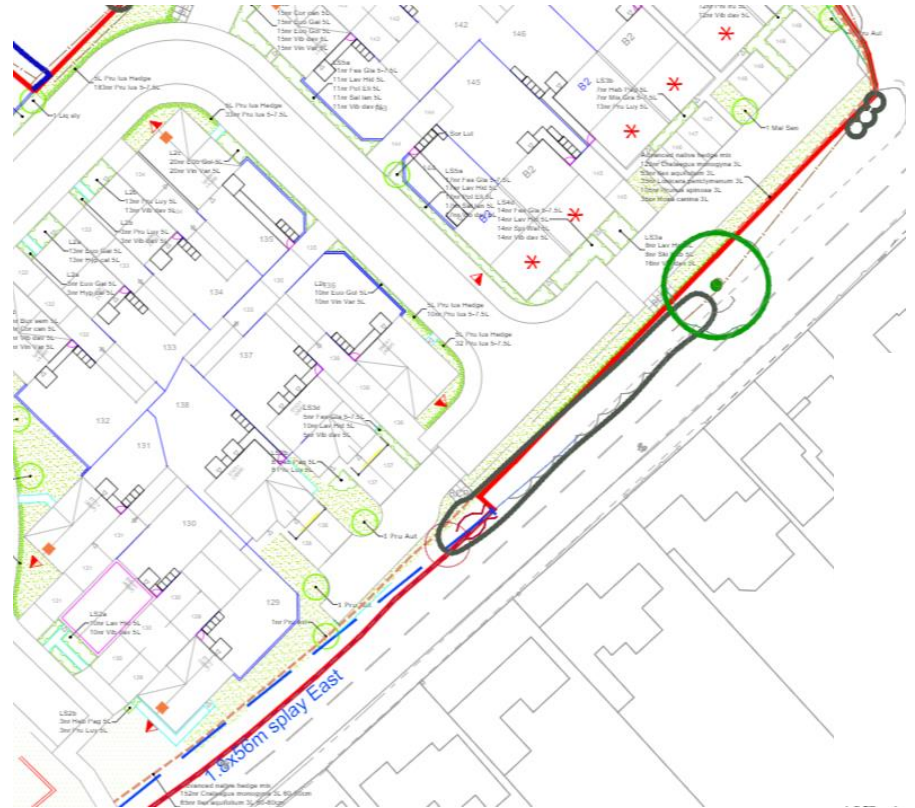
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-  PEDESTRIAN CONNECTION/ROUTE
-  CYCLE CONNECTION
-  CYCLE ROUTE



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



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

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Agenda Item 6



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)

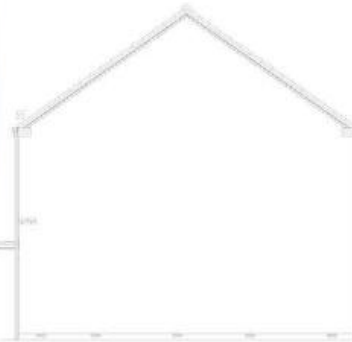
ETA 31 - AMBLEFORD (AMB) CORE

1:100@A3

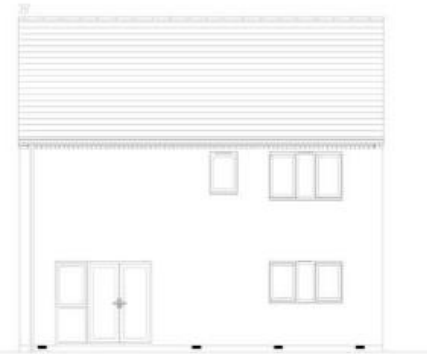
Sample of housetypes



FRONT ELEVATION
DETACHED



SIDE ELEVATION
DETACHED



REAR ELEVATION
DETACHED



SIDE ELEVATION
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN



FRONT ELEVATION
END/SEMI DETACHED
(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)

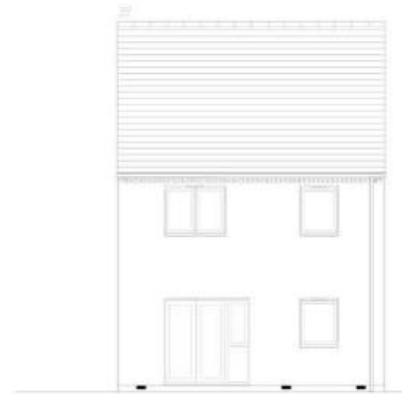
ETA 32 - BRAMBLEFORD (BRAM) GREEN EDGE 1:100@A3



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

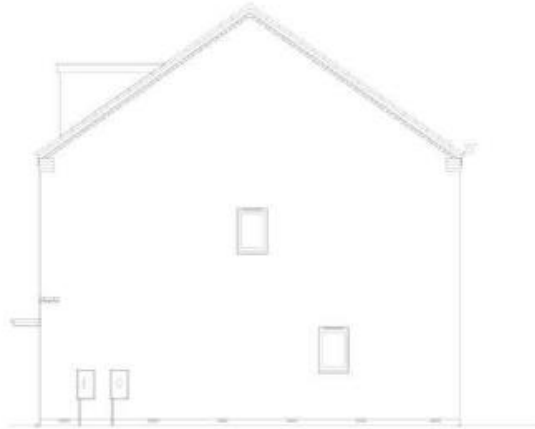


FIRST FLOOR PLAN

ETA 46 - RIGHTFORD (RIG) CENTRAL 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)



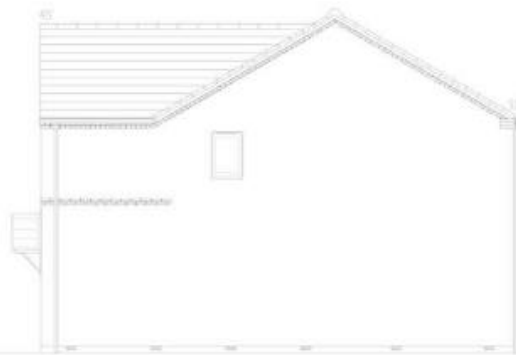
SECOND FLOOR PLAN (END/SEMI)

ETB 32 - DWLTON (OWL) GREEN EDGE

1:100@A3



FRONT ELEVATION
DETACHED



SIDE (LEFT) ELEVATION
DETACHED



REAR ELEVATION
DETACHED

Page 74



SIDE (RIGHT) ELEVATION
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN

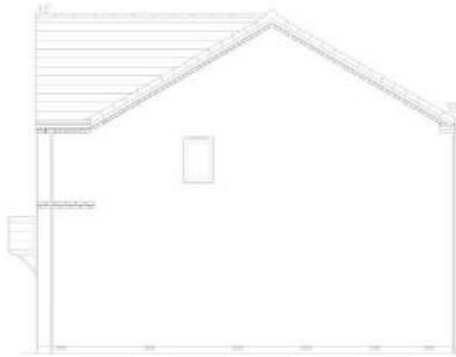
ETG 42 - CORKHAM (COR) CENTRAL RENDER

1:100@A3

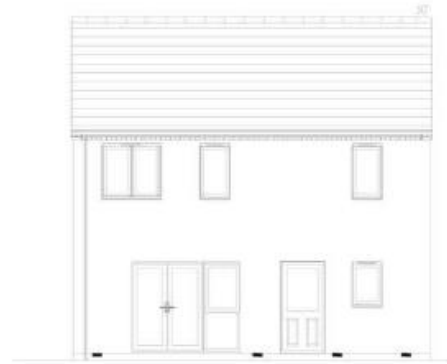
Agenda Item 6



FRONT ELEVATION
DETACHED



SIDE ELEVATION
DETACHED



REAR ELEVATION
DETACHED



SIDE ELEVATION
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN



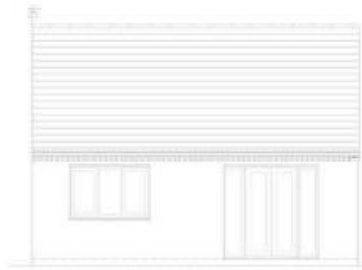
Floor Plan



Front Elevation



Side Elevation

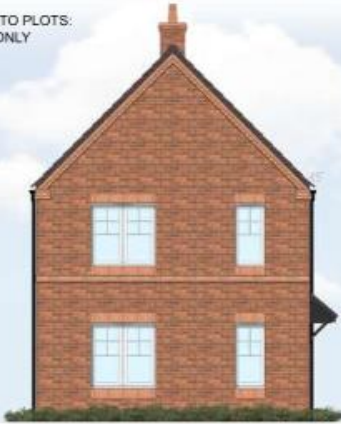


Rear Elevation



Side Elevation

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



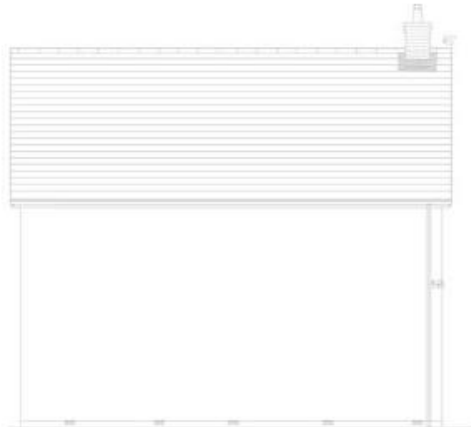
SIDE (LEFT) ELEVATION
DETACHED



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

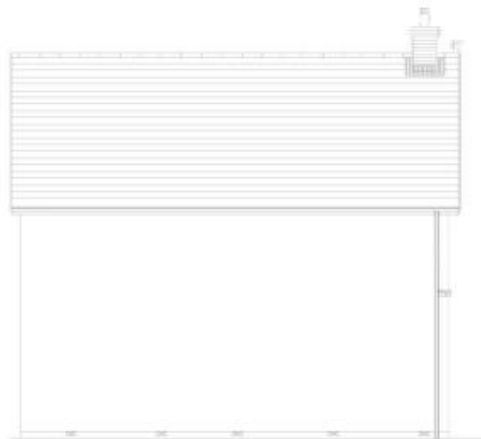


FRONT ELEVATION
DETACHED



SIDE (RIGHT) ELEVATION
DETACHED

Page 78



REAR ELEVATION
DETACHED



GROUND FLOOR PLAN



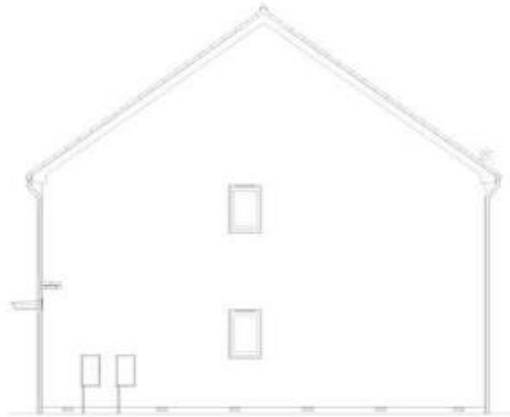
FIRST FLOOR PLAN

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

Agenda Item 6



FRONT ELEVATION
END/SEMI DETACHED



SIDE ELEVATION
END/SEMI DETACHED



REAR ELEVATION
END/SEMI DETACHED



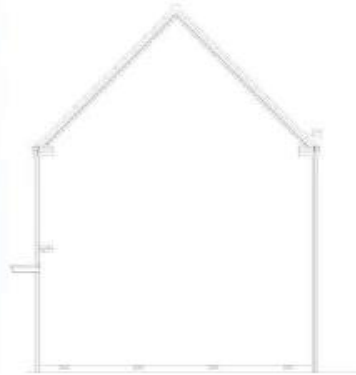
GROUND FLOOR PLAN



FIRST FLOOR PLAN



FRONT ELEVATION
DETACHED

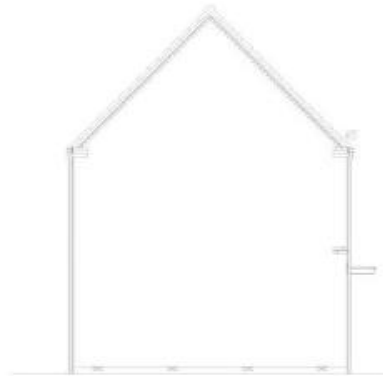


SIDE ELEVATION (RIGHT)
DETACHED



REAR ELEVATION
DETACHED

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SIDE ELEVATION (LEFT)
DETACHED



GROUND FLOOR PLAN



FIRST FLOOR PLAN

ETT 32 - CARRDALE (CAR) GREEN EDGE

1:100@A3

Agenda Item 6

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



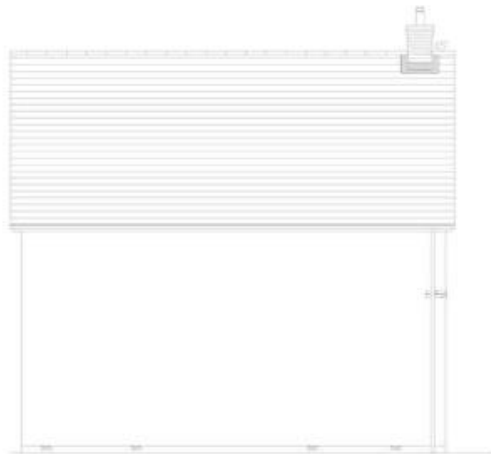
SIDE (LEFT) ELEVATION
END/SEMI DETACHED



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



SINGLE



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Agenda Item 7

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr David Jones	Proposed dwellinghouse 32 Lickey Square, Lickey, Birmingham, Worcestershire, B45 8HB	07.07.2023	23/00429/FUL

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

This application was deferred at the Planning Committee meeting of 5th June 2023 at the request of Councillor Bailes for a Committee site visit to take place.

The site visit took place on Tuesday 27th June 2023.

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Lickey and Blackwell Parish Council Comments received 04.05.2023

Comments summarised as follows:

Lickey and Blackwell Parish Council objects to this application for the following reasons:

The enlarged house is rotated by 10 degrees from the previously rejected application, which makes this large house even closer to 16 The Badgers.

The dwelling is split over three levels, and the Parish considers that the wall of 16 The Badgers facing the proposed new dwelling has habitable rooms, which contravenes SPD 4.2.48 and 4.2.49.

The height, mass and form of this dwelling is out of proportion to the existing houses in Lickey Square, The Badgers and Stretton Drive.

The Parish is concerned regarding visibility and notes that WCC Highways had placed a condition that a stipulated visibility splay should be met.

Rear garden development such as this contravenes Neighbourhood Plan Policy NDP BD3 and District Plan Policy BDP19N.

The plan submitted doesn't closely resemble the extent of the building.

Other public comments echo our belief that this application for a large dwelling is out of proportion and infringes on the privacy of the residents in 16 The Badgers.

The Ecology report is considered to be out of date

Trees and Wildlife would be affected

Drainage concerns raised with associated impact upon The Badgers

Worcestershire County Highways Comments received 26.04.2023

No objections, subject to conditions
Comments summarised as follows:

I have no highway objections to the proposed detached dwelling subject to the recommended visibility splay condition applied to the earlier consent, and conditions requiring the first 5 metres of access road being surfaced in a bound material; the provision of an Electric Vehicle charging point and sheltered and secure cycle parking provision.

The site has previously had outline permission for 5 dwellings, a separate full planning permission for two dwellings, ref 19/01388/FUL and a full planning permission for a single dwelling ref 21/00312/FUL and 22/00978/FUL.

A consent, granted on appeal by the planning inspectorate (ref 16/0190) did not raise any concerns on the ability to deliver the visibility splay subject to a condition. The inspector will have considered the reasonableness of any conditions and clearly has judged that the visibility splay condition meets the relevant tests.

It is noted that there is space within the site to provide the 3 car parking spaces required in accordance with WCC car parking standards.

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 not be an unacceptable impact and therefore there are no justifiable grounds on which an objection could be maintained.

North Worcestershire Water Management Comments received 17.04.2023

Comments summarised as follows:

The site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be an area susceptible to surface water flooding. Should you be minded to grant permission I would request that a surface water drainage strategy for the proposed development be submitted (via condition)

Arboricultural Officer Comments received 28.04.2023

No objections, subject to conditions regarding tree protection

Comments summarised as follows:

There is a mature Douglas Fir tree and Oak tree standing within the grounds of 34 Lickey Square which the driveway access passes between. These trees are subject to protection under Bromsgrove District Council Tree Preservation Order (4) 2011. Due to the size and proximity of these trees to the access driveway and associated hardstandings the footprint of these features causes an incursion into the BS5837:2012 recommended Root Protection Area (RPA) of the trees. Therefore, the access driveway / hardstandings

should be installed by use of a No Dig method of construction over the existing ground levels to ensure that the development does not affect the health or stability of these trees. No plans showing the intended routes of any utility services have been provided. Excavation work required to install these services has the potential to cause root damage to trees. Therefore, I request that plans to show the intended route and specification for their installation are provided. As previously stated, there will be no adverse impact caused by this proposal to the T903 Douglas Fir tree. I have no objection to the repositioning of the hedge line to the front of 36 to achieve the sightline splay required.

I agree with the reasoning and comments of the Planning Inspector that there should be no need to remove any of the TPO protected trees on the site to achieve the visibility splay required at the entrance of the site.

Publicity

Neighbour notifications sent 12.04.2023. Expiry date 06.05.2023

Site Notice displayed 13.04.2023. Expiry date 07.05.2023

Neighbour Responses

14 letters of objection received

Objection summary:

- The proposed development represents 'garden grabbing', contrary to the Lickey and Blackwell and Cofton Hackett Neighbourhood Development Plan and the Bromsgrove District Plan.
- The development would be detrimental to the character and quality of the area
- Detrimental impact on trees
- The proposed dwelling is too large for the plot
- Over-development of the site
- Proposal would overshadow neighbouring dwellings resulting in a loss of light
- The site is elevated from 'The Badgers'. Overlooking would occur resulting in a loss of privacy to existing occupiers
- Proposal would be overbearing, overwhelming and be visually intimidating in nature
- Separation distances between existing dwellings and the proposed dwelling are insufficient having regard to level differences
- Increased traffic to and from the site would be prejudicial to highway safety
- Drainage and flooding concerns due to elevated, steeply sloping nature of the site
- Harm to wildlife would occur
- Noise and light pollution concerns
- Smaller houses are required in this area not large 5 bedroomed detached houses
- Inadequate bin storage facilities

Cllr B. Kumar comments received 08.05.2023

Objects to application. I would like to call in this application in view of the size, proximity to 16 The Badgers and not in keeping with the neighbouring dwellings

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP7 Housing Mix and Density
BDP19 High Quality Design
BDP21 Natural Environment
BDP23 Water Management

Others

Lickey and Blackwell Village Design Statement
Lickey and Blackwell and Cofton Hackett Neighbourhood Plan
Bromsgrove High Quality Design SPD
NPPF National Planning Policy Framework (2021)

Relevant Planning History

23/00566/FUL: Two new detached dwellings on the site of two approved dwellings (extant consent ref 19/01388/FUL) using the previously approved access driveway. PENDING DETERMINATION

22/00978/FUL: New dwelling on the site of a previously approved dwelling (ref:21/00312/FUL) using a previously approved access drive: rear garden of No.32 Lickey Square. Granted by BDC 08.02.2023

21/00312/FUL: 1 detached dwelling using previously approved access driveway: rear garden of No.32 Lickey Square. Granted by BDC 06.07.21

20/00759/REM: Reserved Matters Application for five detached dwellings seeking consent for appearance, landscaping, layout and scale following outline consent through appeal (ref 16/0190
Appeal against the non-determination of the application within prescribed timeframes.
Appeal dismissed 18.12.2020

19/01388/FUL: 2 detached dwellings rear of 34 to 36 Lickey Square. Appeal against the non-determination of the application within prescribed timeframes. Appeal allowed 30.07.2020

19/00477/FUL: 1 detached dwelling: rear garden of No.34 Lickey Square. Granted by BDC 07.08.2019

18/01322/FUL: 1 detached dwelling: rear garden of No.34 Lickey Square. Refused by BDC 20.02.2019

16/0190: 5 detached dwellings on land to the rear of No's 32, 34, and 36 Lickey Square. Refused by BDC,19.08.2016. Allowed at appeal subject to conditions 06.07.2017. The

outline planning permission reserved all matters apart from the proposed access point leading to a private drive between no. 34 and 36 Lickey Square which was allowed

14/0166: 1 detached dwelling: rear garden of No.32 Lickey Square. Refused by BDC 11.04.2014

Assessment of Proposal

Background

Planning permission was granted for a two-storey dwelling at this site under reference 21/00312/FUL on 06.07.2021. Following this, planning permission was granted for a part two storey, part three storey dwelling at the site under reference 22/00978/FUL on 08.02.2023.

The elevations of the dwelling as approved under reference 22/00978/FUL are included within the presentation pack which accompanies this report.

A 'Composite Site Plan' contained within the presentations pack indicates the footprint of the dwelling as approved under 21/00312/FUL in red and the dwelling as approved under 22/00978/FUL in blue. The dwelling together with attached garage as proposed under the current application is edged in green on the same plan.

Members will note that the footprint of the proposed dwelling would occupy the same part of the site which was to be developed under the above earlier (extant) consents. As such, if planning permission were to be granted for the current proposal and this permission were to be implemented, the earlier permissions could not also be implemented.

The principle of the development including its means of access from Lickey Square has been established and it is only necessary to compare the respective detailed changes between the proposal and the extant approvals in terms of its siting and appearance in considering whether the current application is acceptable or not.

As referred to under the planning history above, an appeal was allowed following the refusal of planning application 19/01388/FUL for the erection of 2 detached dwellings on land to the rear of 34 to 36 Lickey Square. The appeal decision remains extant. The location of the two dwellings allowed at appeal relative to the location of the respective consents on land to the rear of 32 Lickey Square is also shown within the presentation pack.

The site and its surroundings

The site is located within the settlement of Lickey within a residential area. The site is not within the Green Belt.

The property fronting the application site to the north (No.32 Lickey Square) is a large two storey detached dwelling, facing the southern side of the road. It is set within large grounds containing many mature trees to both the front and rear gardens many of which are protected by Tree Preservation Orders (TPO's). This part of Lickey Square is fronted by other individually designed, large, detached houses set within substantial plots. The site falls steeply from front to back (north to south).

Adjacent to the rear (south) of the site is an end of a cul-de-sac 'The Badgers' a more recent development of detached two storey dwellings with smaller gardens than numbers 32 to 36 Lickey Square. The plot would be accessed via an unclassified road, Lickey Square and benefits from a footpath and street lighting on the opposite (the northern side) of the road. There are no parking restrictions in force in the vicinity. The site is located approximately 340 metres from Lickey Hills Primary School and approximately 140 metres from a bus route and a bus stop.

The proposed development

It is proposed to construct a three-storey dwelling with an attached double garage which, from the rear, would be 13 metres in overall height (including the basement) and 9.3 metres high to eaves. The dwelling, including the attached garage would be a maximum of 19.8 metres wide and a maximum of 12.5 metres deep. Due to the slope across the site, the front (north facing) elevation would be two-storey measuring 9.8 metres to ridge and 6.5 metres to eaves.

The front elevation would be articulated with two gables with ground floor and upper floor bay windows, whilst the rear elevation would contain two gables. Walls would be finished in facing brick.

The design of the dwelling is not dissimilar to that of extant consent 22/00978/FUL.

Assessment

Character and appearance

The underlying character of the locality is one of large detached, two storey houses of varying ages and styles. Many are set within substantial and maturely landscaped, verdant plots. However, there is also a clear pattern of rear gardens having been developed along Lickey Square and surrounding streets. There are also several examples of higher density developments than that of the application site as can be seen on the cul-de-sac estates of Cleveland Drive and Stretton Drive to the east of the site, and The Badgers, a gated two-armed cul-de-sac to the south of the site.

The Lickey and Blackwell Village Design Statement (SPD) states that new housing should generally reflect the character, setting and style of housing in the immediate vicinity. Given the variety of densities and surrounding layouts it is considered that the application would accord with the mixture and pattern of development in the area and would form a natural extension to the layout of development allowed by the Planning Inspectorate under reference 19/01388/FUL. The design of the dwelling is not dissimilar to that of extant consent 22/00978/FUL.

The gap between the proposed dwelling and the nearest dwelling approved under 19/01388/FUL, (being approximately 24 metres) is considered to be ample and would provide visual relief, avoiding cumulative harm.

As referred to in earlier reports to the Committee and also by the Planning Inspector at appeal, the sloped characteristics of the site limit public views of the development from the Lickey Square street scene. Further, the proposed positioning of the dwelling together with the location of existing trees to be retained would provide adequate screening.

The Councils Tree Officer has raised no objections to this application subject to the inclusion of necessary tree protection conditions.

Under consideration of application 20/00759/REM (Reserved Matters Application for 5 dwellings to the rear of 32 to 36 Lickey Square, the density of development on the site as a whole (5 rather than the 3 which would occur if planning permission were to be granted under this application) was much higher, with gardens serving the dwellings being relatively modest by comparison. Here, occupiers would benefit from a generously sized garden area would greatly exceed the Councils minimum requirement as set out in the High-Quality Design SPD which is 70 Square metres and a 10.5m garden length.

Many representations received object to the fact that the proposed dwelling would accommodate a basement and would therefore have accommodation over three storeys. The developer comments that the proposals would make better use of what is a sizeable plot, utilising the potential afforded by the naturally sloping nature of the site. As stated above, the proposed dwelling would appear as a two-storey dwelling from the north (Lickey Square), only appearing as a three-storey dwelling from 'The Badgers' to the south. The garage would accommodate a room in the roof area, a feature which is not uncommon in the Lickey / Barnt Green residential area.

The overall height of the dwelling would not exceed that of the development granted under reference 22/00978/FUL.

In this context, the proposed development would deliver acceptable design and would not harm the overall character and appearance of the surrounding area. It would comply with Policy BDP19 of the Bromsgrove District Plan (adopted January 2017), Policies BD2, BD3 and NE3 of the Lickey and Blackwell and Cofton Hackett Neighbourhood Plan (LBCHNP) (adopted January 2020) and Paragraph 130 of the National Planning Policy Framework (the Framework). Collectively, these policies seek, amongst other things, to deliver high quality development that is in keeping with the character and quality of the local environment.

Residential amenity considerations

The current application, unlike extant consents 21/00312/FUL and 22/00978/FUL proposes an attached garage. To minimise the impact the development would have upon the occupiers of number 16 The Badgers having regard to the perception of overlooking / loss of privacy raised during the consideration of earlier applications, the proposed dwelling has been rotated clockwise via its south-west corner by approximately 18 degrees such that the rear elevation would face more towards the south-west, looking less directly towards the side garden serving number 16 The Badgers.

The Council's High Quality Design Supplementary Planning Document (SPD) (adopted June 2019) serves as a guide to calculate the appropriate separation distance between habitable windows of properties that directly face each other. It comments at 4.2.31 that 21 metres is required between rear dwelling windows that directly face each other and that where there is a gradient difference, further distance may be required, with an additional two metres added for each metre difference in ground level as specified on Figure 4 of the SPD.

Importantly, the proposed rear face of the dwelling would not face towards the rear face of No.16 The Badgers nor, directly to any other rear facing habitable windows serving 15, 17 or 18 The Badgers. Rather, the rear wall to the dwelling would face obliquely towards the garden serving 16 The Badgers, not directly towards habitable room windows.

As such, the 21m (or greater) distance set out within Figure 4 of the SPD does not apply in this case because the minimum distance only applies between rear dwelling windows that directly face each other. This minimum distance DID apply under consideration of appeal ref APP/P1805/W/20/3245957 where the rear face of those proposed dwellings faced directly towards rear habitable room windows serving, in particular, No's 17 and 18 The Badgers.

Whilst the minimum separation distance of 21 metres did apply in this case, even here, the Inspector noted, in finding the appeal to be acceptable that neither of the two proposed dwellings directly align with either Nos 17 or 18 The Badgers, creating a more acute line of site between the respective sets of properties by reason of their offset positioning.

It is noted that a (north facing) ground floor side window serves number 16 The Badgers. However, as a side window, this is neither a rear window nor a window which would directly face the windows serving the new dwelling. Views from the ground floor side window in question are largely obscured by the presence of the existing close boarded fence separating the two plots, but also by significant, largely evergreen planting (primarily laurel), which, having regard to natural ground levels provides a very good natural screen.

The Inspector in case APP/P1805/W/20/3245957 also considered that existing vegetation screening between the properties would further obscure any perceived views between the habitable rooms of the dwellings.

Photographs within the presentation pack show the southern boundary during winter (January this year). These images demonstrate that whilst many of the taller trees to this boundary are indeed deciduous, the lower lying screening, which would be retained in the event that planning permission is granted (see recommended Condition 10 below) is largely evergreen.

Representations received comment that balconies to the rear elevation are in contravention of the Councils SPD 4.2.32 which comments that balconies will only be acceptable when there is no direct overlooking of windows, or at close quarters, the rear garden of adjacent properties. Whilst the plans show that 'Juliet' balconies are proposed to three ground floor windows a 'true' balcony includes a platform where persons can stand. A Juliet balcony has no such platform and acts just as a guard rail. Submitted floor plans show that no platforms are proposed and as such, these are not 'balconies' as far as SPD 4.2.32 is concerned. True balconies (with a raised platform) always require separate planning consent. Notwithstanding this, the applicants attention has been drawn to this matter via recommended Condition 7 below which also seeks to remove householder permitted development rights which would otherwise allow future occupiers from carrying out works without needing to apply for planning permission.

To conclude on the matter of privacy, the proposal is considered to comply with the Councils SPD in terms of separation having regard to amenity considerations. The proposed dwelling has been rotated though 18 degrees to mitigate the perception of loss of privacy and would not directly face towards existing rear habitable room windows.

Only partial views of No.16's garden would be viewed from upper floor windows serving the dwelling. There is not considered to be anything particularly unusual or out of the ordinary with such a relationship and views from one property's habitable room window into a neighbouring properties rear garden are commonplace in many residential environments. It is for the decision maker to determine whether a material loss of amenity would occur based on the individual circumstances of the case. I have taken into consideration the existing screening which exists (and which would be retained) to the southern boundary of the site, much of which is evergreen, and consider that this, together with any additional planting in this area which could be introduced by means of a separate planning condition, would safeguard privacy.

It is not considered that the proposed development would result in a material loss of light to existing dwellings, taking into consideration the orientation of the dwelling, to the north of the nearest existing residential dwelling and separation distances which exist. Accordingly, the proposed development would not be considered to harm the living conditions of neighbouring occupants in The Badgers. The proposal is therefore considered to comply with the Councils High Quality Design SPD, which seeks to deliver development of a high-quality design which does not adversely affect the living conditions of neighbouring occupiers.

Other matters

The Council cannot currently demonstrate a five-year housing land supply (3.23 years at the time of writing). The presumption in favour of sustainable development therefore applies in accordance with Paragraph 11(d) of the Framework. In this case, Paragraph 11 (d) ii comments that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Significant weight should be attributed to the positive contribution the proposal would make towards addressing this current significant housing shortfall.

Concerns raised by neighbouring occupiers with respect to the potential increase of flooding and drainage water from the site as a result of the proposed development are noted. However, the site is at low risk of fluvial flooding and drainage can be appropriately dealt with under building regulations. The Councils Drainage Engineer (NWWM) has raised no objection subject to an appropriately worded site drainage strategy condition (as set out below).

Concerns regarding traffic generated by the proposal and the safety of the proposed access to Lickey Square are also noted. However, the Inspectorate have assessed the suitability of the access for a new development utilising the same access and serving 5 dwellings under an earlier application and have found access arrangements to be acceptable. The Inspector in considering APP/P1805/W/20/3245957 similarly raised no concerns on the matter commenting that the erection of two dwellings (to the rear of 34

and 36 Lickey Square) would likely generate a small amount of traffic not amounting to any harmful effects to the highway network. In terms of planning conditions attached to that particular consent, the Inspector went further commenting at Para 25 of the decision letter that: *I am not satisfied that the suggested visibility splays condition is necessary given the nature of traffic along Lickey Square and the access design for similar rear garden development along Lickey Square.*

The County Highway Authority have again reviewed the proposed development and have raised no objection to the proposal subject to the same conditions applied to earlier consents and I have concluded that a single dwelling would likely generate a small amount of additional traffic and as such I am similarly satisfied that the proposal would not amount to any harmful effects to the highway network, subject to conditions. WCC Highways have confirmed that the visibility splay requirements set out in Condition 13 are both achievable and deliverable.

There are no protected species concerns arising from the development although Paragraph 180 of the NPPF comments that opportunities to incorporate biodiversity in and around developments should be encouraged. To enhance ecological biodiversity, permanent bat and bird nesting opportunities should be integrated within the scheme. An appropriately worded planning condition is recommended to be imposed.

Conclusion

The proposed development would not cause unacceptable harm in respect of the main issues: the character and appearance of the area, or the living conditions of existing and future occupants. Moreover, the proposals are acceptable in terms of the other issues which include drainage considerations and highway safety. The proposal would make a contribution to the Councils housing land supply where a 5-year supply cannot be demonstrated, and the application is supported.

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:

Site Location Plan
Site Plan
Site Sections
Proposed Plans
Ecological report
Tree report

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

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

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

- 4) No development shall commence until a written Arboricultural Method Statement (AMS) and Tree Protection Plan is submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved document.

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

- 5) All trees to be retained within the site shall be given full protection in accordance BS5837:2012 recommendations throughout any ground or development work on the site

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

- 6) Any section of the proposed access driveway and parking areas that fall within the BS5837:2012 should be installed by use of a suitable grade of No Dig construction. A plan showing the area to be constructed by the use of No Dig construction and specification of the material to be used should be supplied together with a plan showing the intended route and specification for the installation of all utility services should be provided. All works shall be carried out in accordance with the approved document.

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

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E including any alterations at roof level, and including the creating of balconies shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To protect the living conditions of the occupants of adjacent properties, and the adjacent protected trees from root disturbance and additional pressure from future occupants to undertake tree works

- 8) No development above foundation level of the scheme hereby approved shall take place until a site drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff attenuation and treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

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

- 9) No development above foundation level of the scheme hereby approved shall take place until a scheme of landscaping, including details of proposed tree and shrub planting and boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the sizes, numbers, species and grade of all proposed trees/plants; and specifications to ensure successful establishment and survival of new planting.

The approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and in accordance with the approved details.

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

- 10) No trees, hedges or boundary planting on the application site, shall be topped, lopped, felled or uprooted without the specific written permission of the Local Planning Authority.

Reason: In the interests of visual and residential amenity

- 11) Prior to the first occupation of the development hereby approved, a scheme for the provision of bat roost opportunities and bird nest boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme

shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of National Planning Policy Framework

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

Reason: In the interests of highway safety.

- 13) Prior to the construction of the vehicular access, visibility splays shall be provided 43 metres from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway. No shrubs, trees or other vegetation shall be allowed to grow above 0.6 metres in height, and no structure or erection exceeding 0.6m in height shall be placed, within the visibility splays.

Reason: In the interests of highway safety.

- 14) The Development hereby permitted shall not be first occupied until the proposed dwelling has been fitted with an electric vehicle charging point. The charging point 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 point shall be retained for the lifetime of the development unless it is required to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities

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

Reason: To comply with the Council's parking standards

- 16) The development hereby approved shall not be first occupied until a refuse and bin collection facilities shall be constructed in accordance with details first submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure an appropriate bin collection area is installed in the interest of visual amenity and highway safety.

- 17) Construction work on the dwelling hereby approved shall not be commenced until details of the existing ground levels, proposed finished floor levels of the dwelling hereby approved and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details as approved and retained as such thereafter

Reason: To ensure that residential amenities are not compromised

Case Officer: Steven Edden Tel: 01527 548474
Email: steve.edden@bromsgroveandredditch.gov.uk

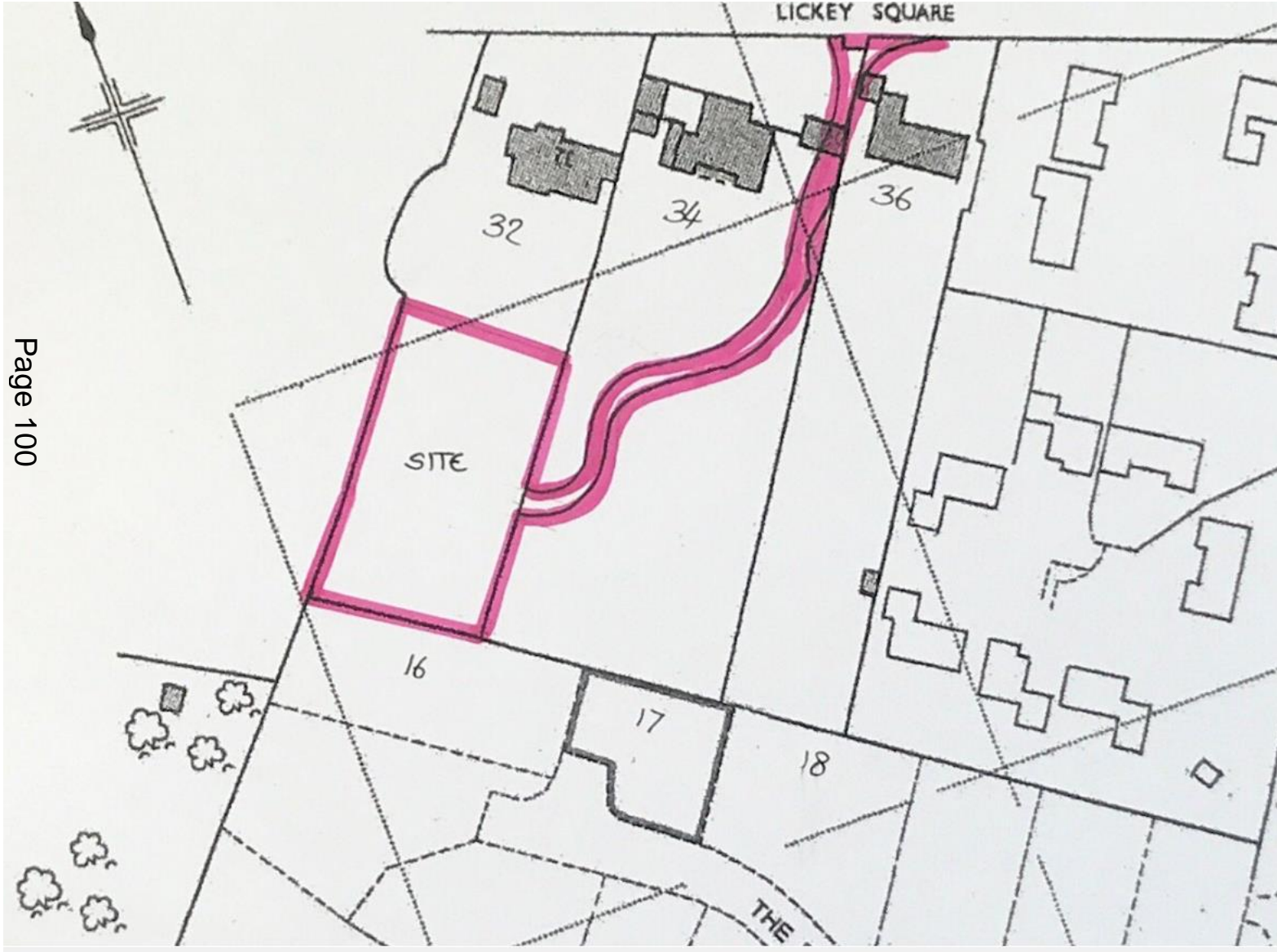
23/00429/FUL

32 Lickey Square, Lickey, B45 8HB

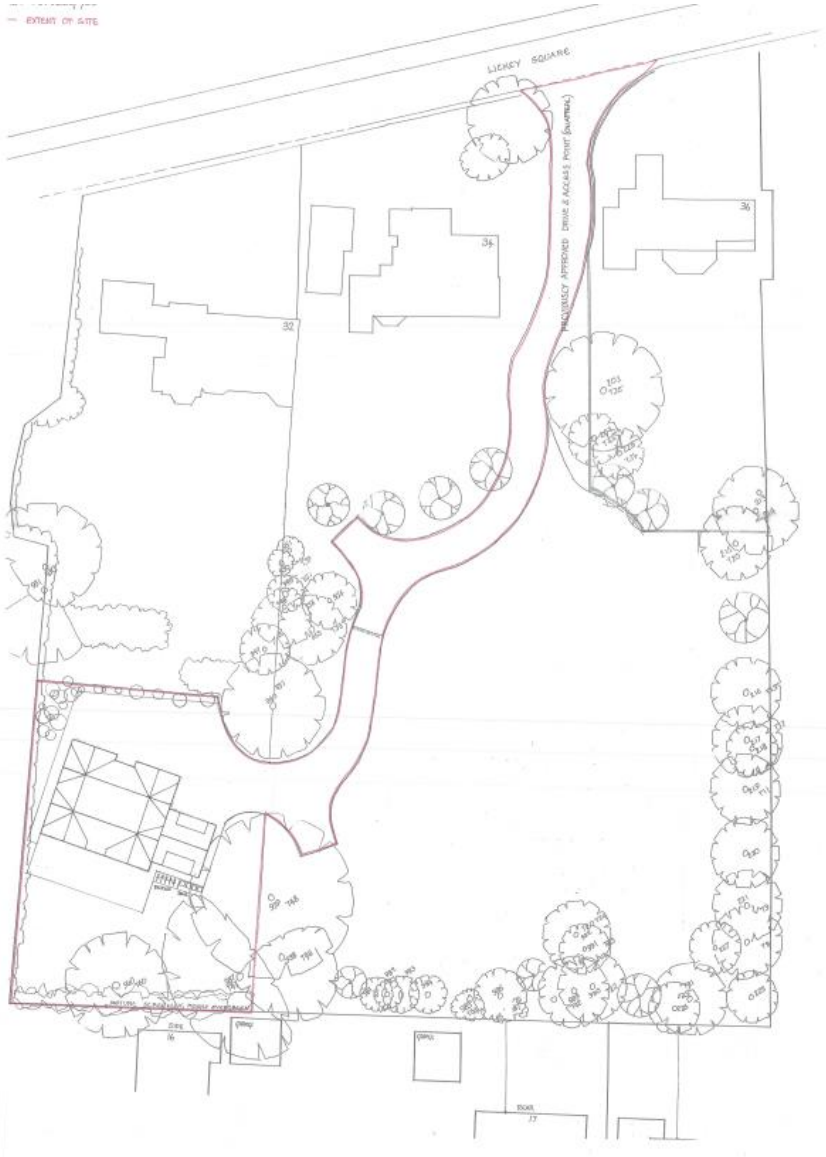
Proposed dwellinghouse using a previously
approved access drive

Recommendation: Approve

Site Location



Site layout



Site layout detail



Site layout as approved under applications 21/00312/FUL and 22/00978/FUL

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Composite site plan

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View of site in direction of 16 The Badgers (January 2023)



Boundary to 16 The Badgers (January 2023)



Boundary to 16 The Badgers (January 2023)

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View of site looking south to north (January 2023)



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View of site looking west to east (January 2023)



Satellite View



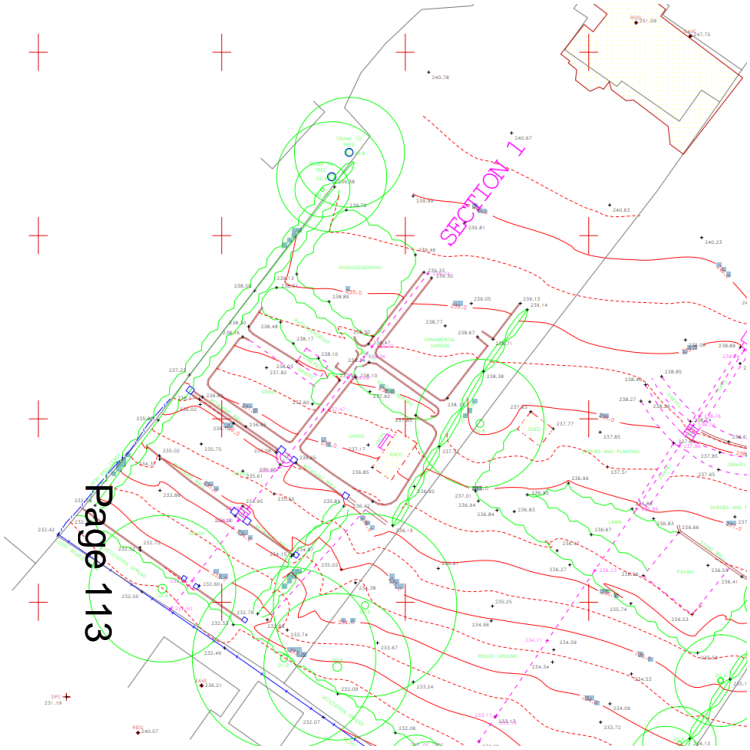
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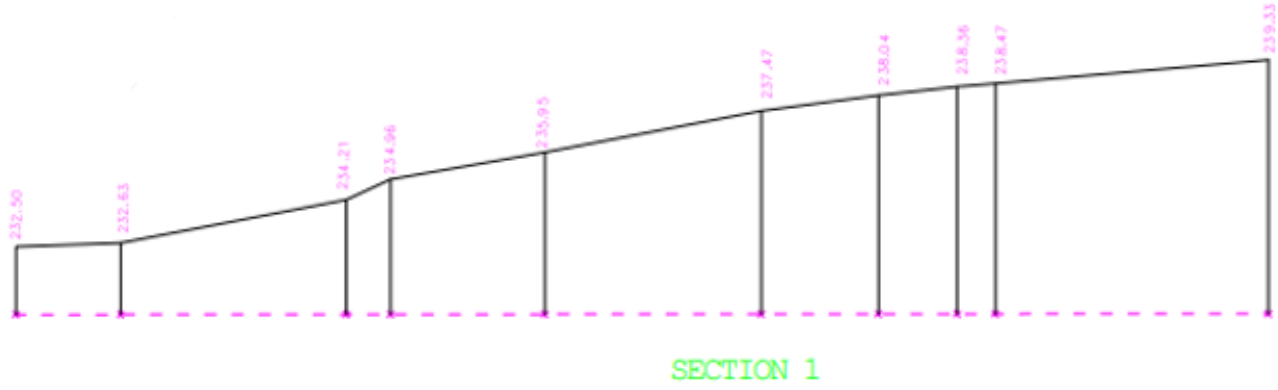
Birds eye view 2



Section



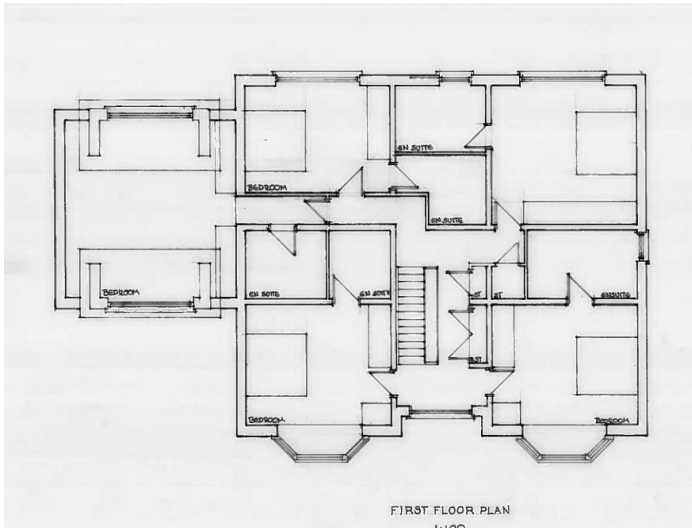
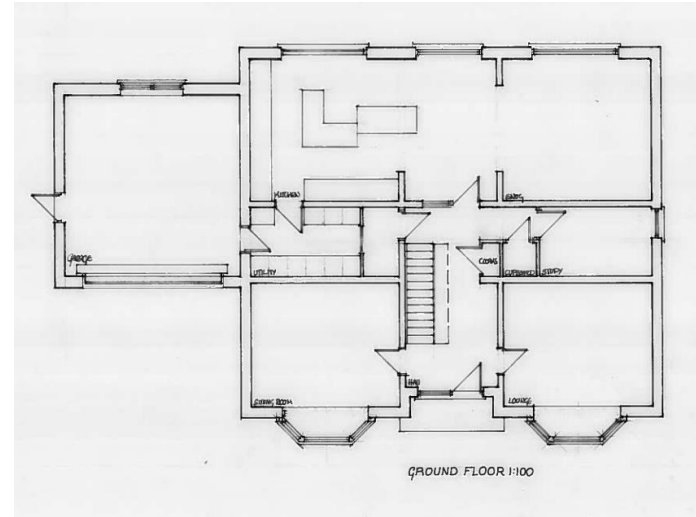
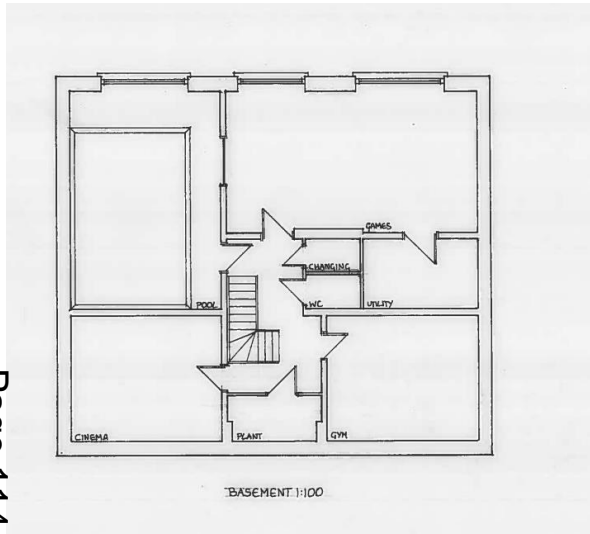
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Proposed floor plans

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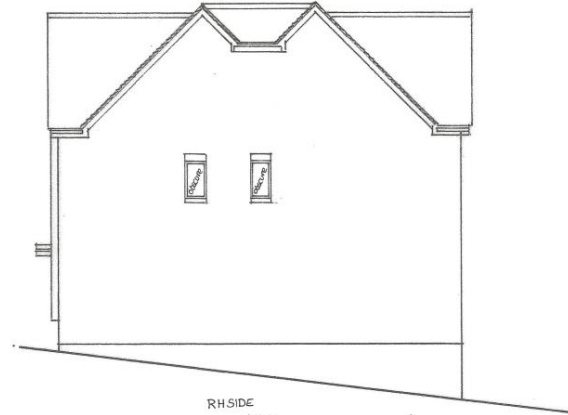


Agenda Item 7

Elevations as approved under ref 22/00978/FUL



FRONT

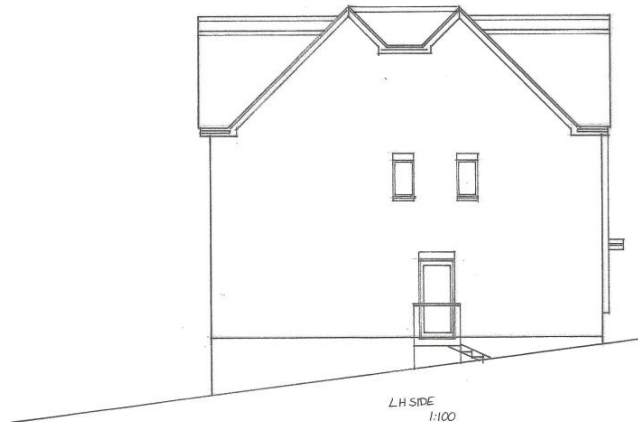


RHSIDE

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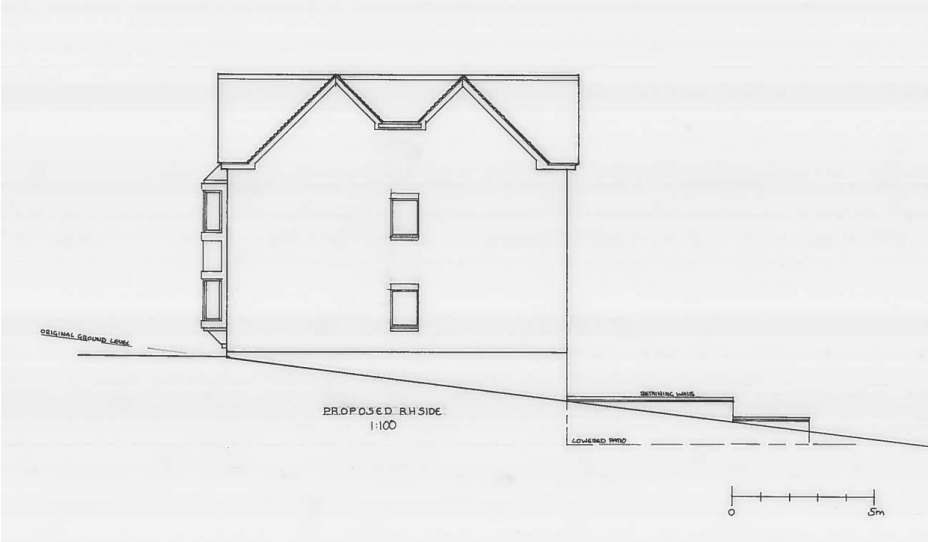
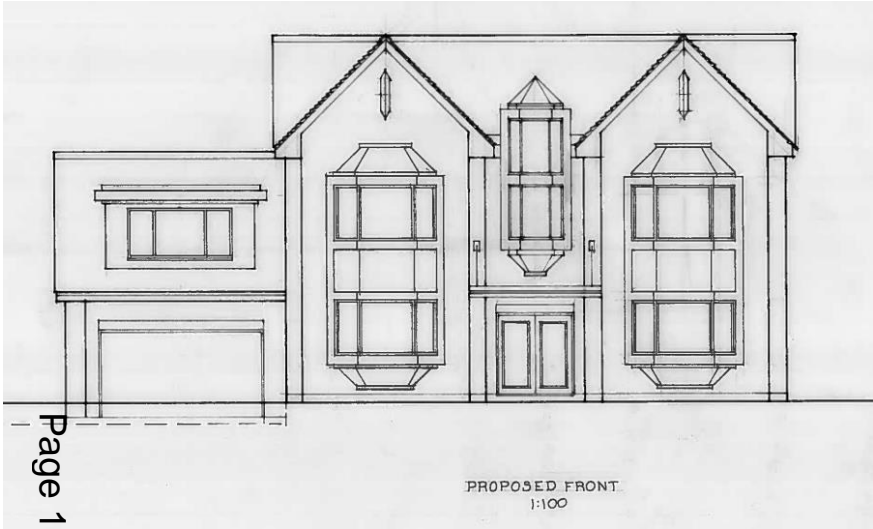


PROPOSED REAR 1:100

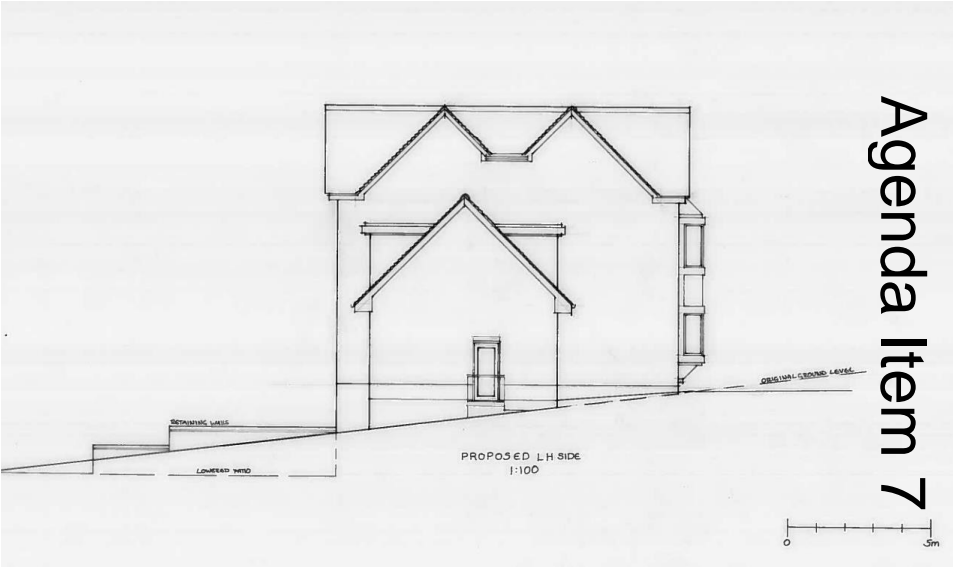


LH SIDE
1:100

Proposed Elevations

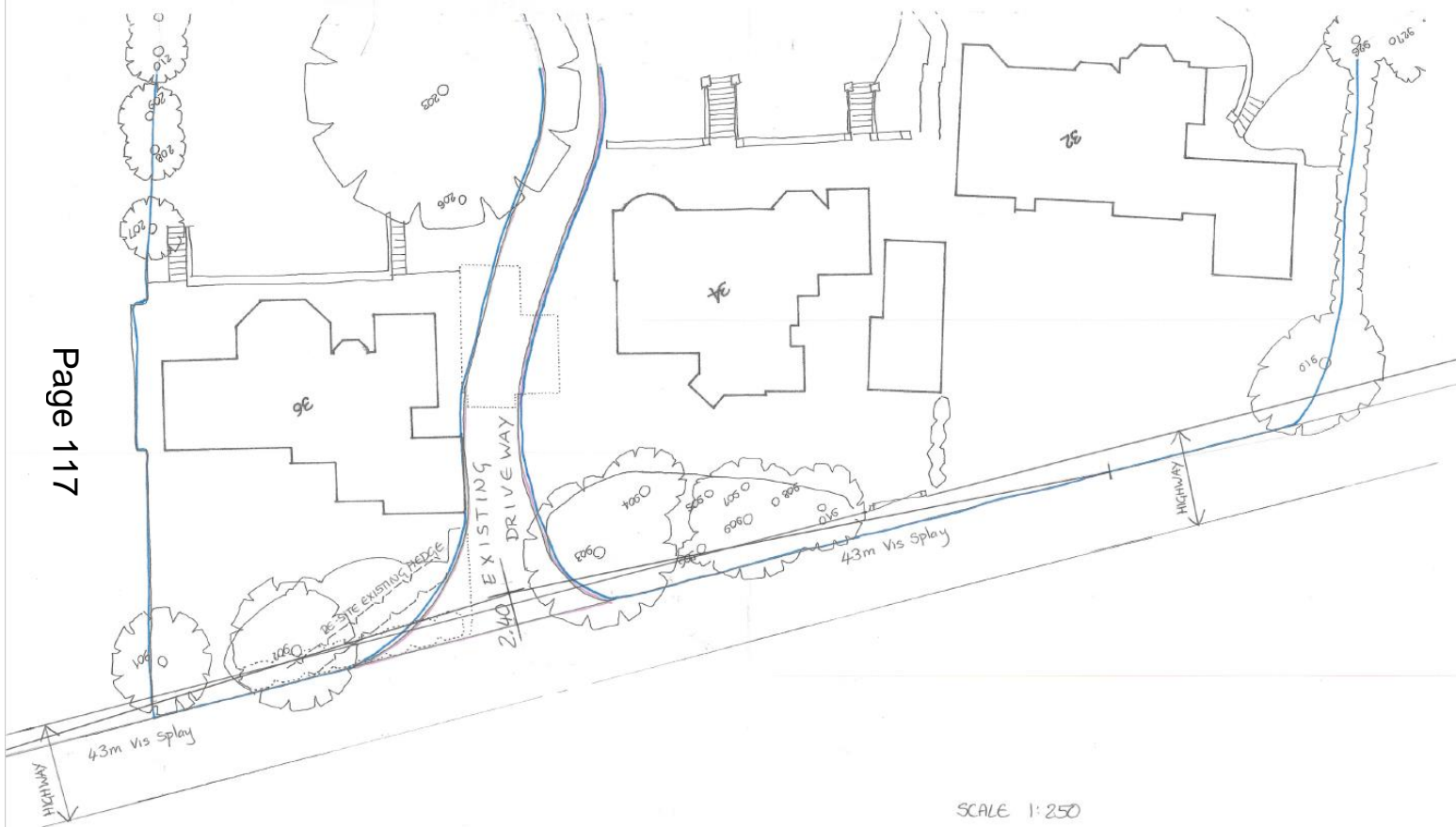


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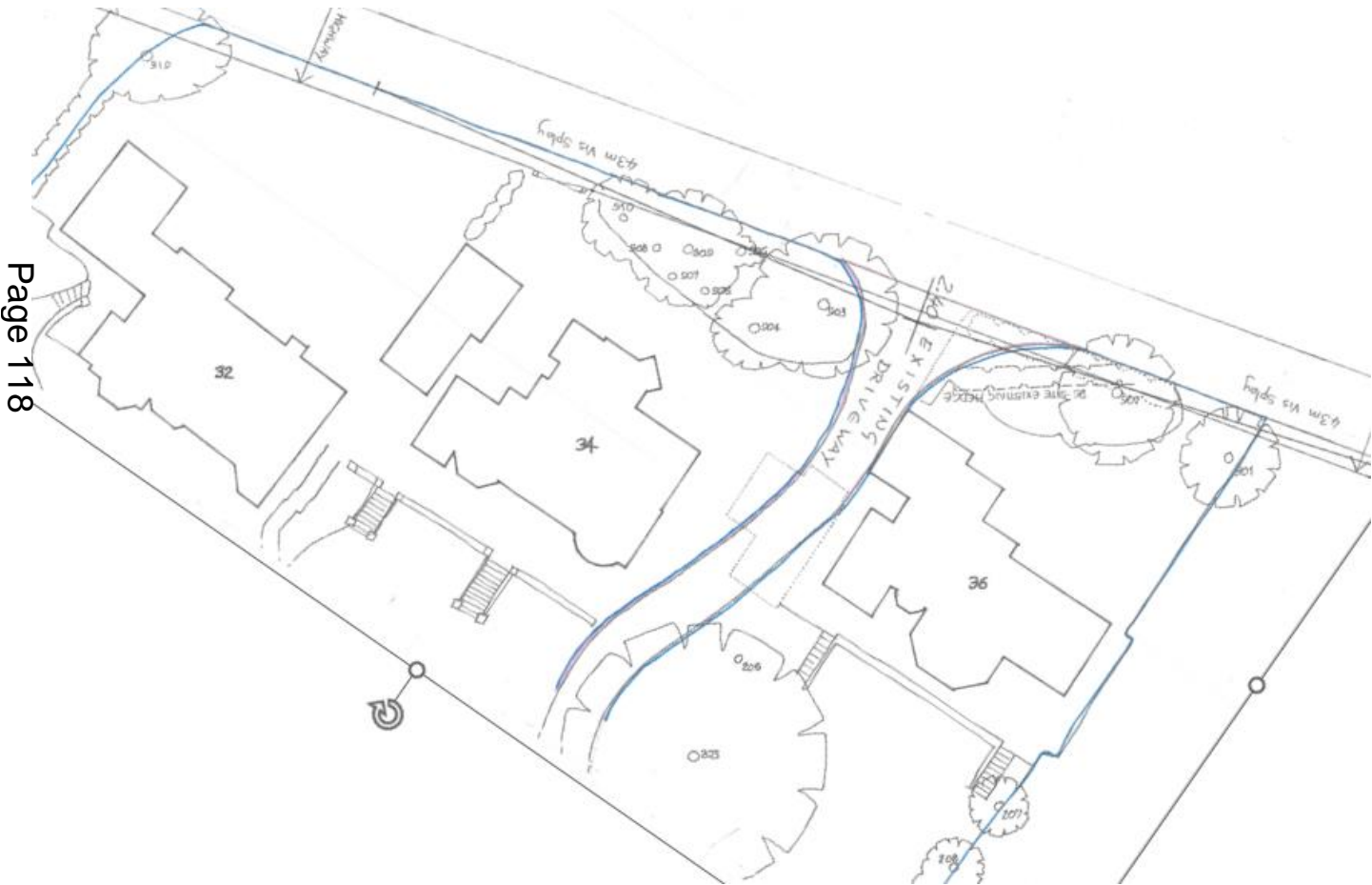
Visibility splays



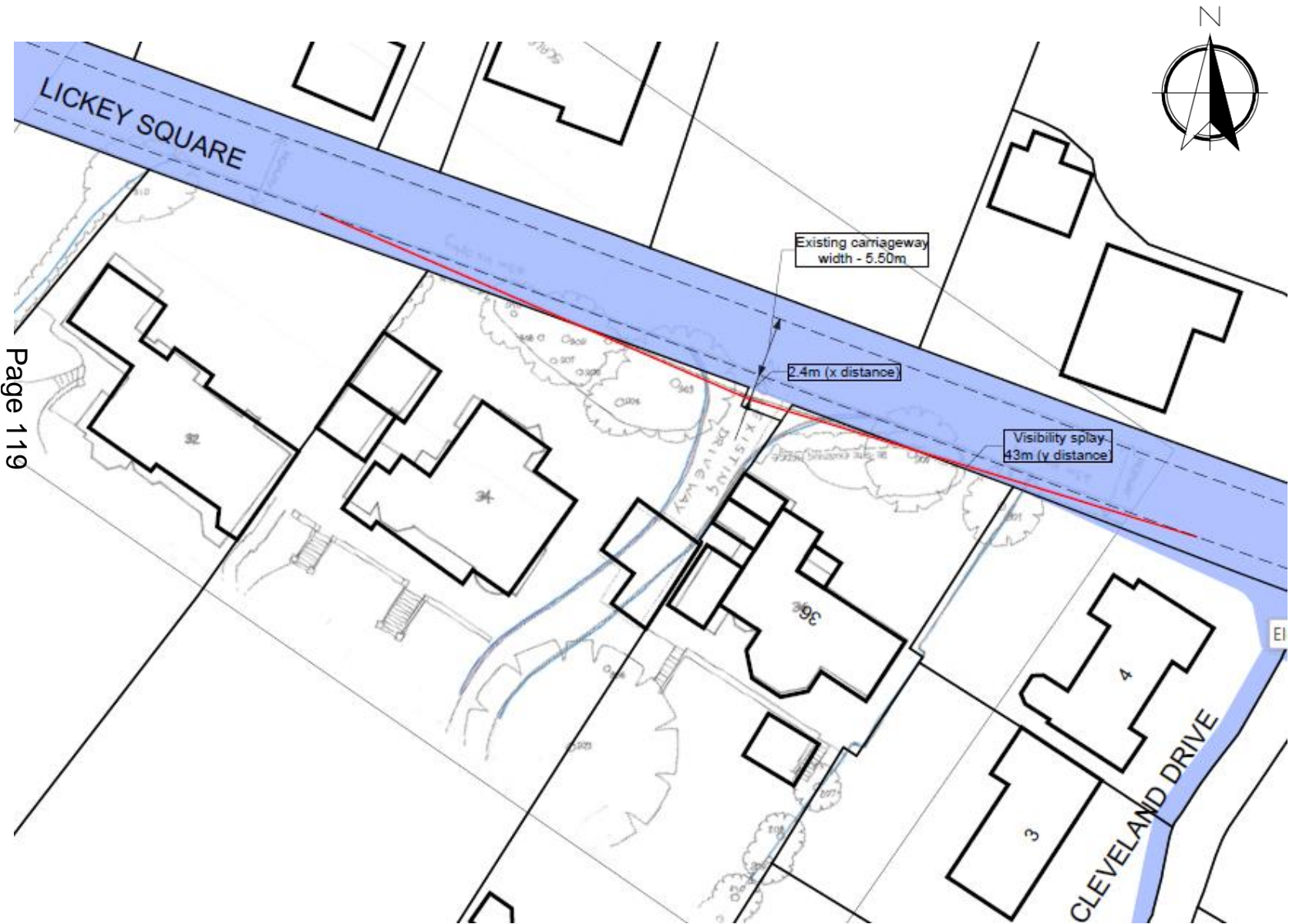
SCALE 1:250

VISIBILITY SPLAY AT 4.3m at 2.40m at 30MPH
SHOWING SPLAY WITHIN LAND CONTROLLED BY APPLICANT
OR IN HIGHWAY LAND.

Visibility splays



Visibility splays



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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Matthew Francis	Two new detached dwellings on the site of two approved dwellings (extant consent ref 19/01388/FUL) using the previously approved access driveway Land to the rear of 34 and 36 Lickey Square, Lickey, Birmingham, B45 8HB	13.07.2023	23/00566/FUL

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

A site visit was undertaken on Tuesday 27th June 2023.

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Lickey and Blackwell Parish Council Comments received 07.06.2023

Comments summarised as follows:

Lickey and Blackwell Parish Council objects to this application for the following reasons:

- The dwellings are out of character to the neighbouring area and contravene the Parish Council's Neighbourhood Development Plan
- Privacy to the residents in The Badgers, Stretton Drive and Cleveland Drive will be affected, although the developers have decided to turn the buildings. This will mean the dwellings will be closer to the above-mentioned neighbours. The separation distance has been reduced with the side wall having two windows facing 17 The Badgers. These contravene NDP BD3, District Plan Policy BDP19, and the Councils SPD. Although there is a mention of trees, there are no guarantees that the new owners will keep them.
- Trees with TPOs will be affected during construction of these houses.
- Visibility splay concerns.
- Wildlife would be affected
- The plans are drawn on a flat surface, whilst the grounds slope.

Worcestershire County Highways Comments received 26.05.2023

No objections, subject to conditions
Comments summarised as follows:

I have no highway objections to the proposed 2 new detached dwellings on the site of two approved dwellings (extant consent ref 19/01388/FUL) using the previously approved access driveway subject to conditions requiring the first 5 metres of access road being surfaced in a bound material; the provision of in-curtilage parking and an Electric Vehicle charging point and sheltered and secure cycle parking provision.

Further, it should be noted that for this planning application to be acceptable to the highway authority the applicant would be required to ensure that the approved visibility splays 2.4m x 43m (required by condition under earlier applications) are in place pre-occupation - in the interests of pedestrian and vehicular safety.

Under a previous planning application, granted on appeal by the planning inspectorate no concerns were raised regarding the ability to deliver the visibility splay. The inspector will have considered the reasonableness of any conditions and clearly has judged the visibility splay condition to meet the relevant tests.

It is noted that there is space within the site to provide the 3 car parking spaces required in accordance with WCC car parking standards.

Manual for Streets states that residents shouldn't have to drag their bin for more than 30 metres. However, if this can't be complied with but in all other aspects the development is acceptable, we would provide an on-balance decision not to object.

I have noted that, under the consideration of application 19/01388/FUL (as granted at appeal), the Inspector raised no objections to the bin carry distance being exceeded.

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 not be an unacceptable impact and therefore there are no justifiable grounds on which an objection could be maintained.

North Worcestershire Water Management Comments received 24.05.2023

Comments summarised as follows:

The site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be in an area susceptible to surface water flooding. Should you be minded to grant permission I would request that a surface water drainage strategy for the proposed development be submitted (via condition)

Arboricultural Officer Comments received 01.06.2023

No objections, subject to conditions regarding tree protection
Comments summarised as follows:

The access driveway and cycle parking on plot number 2 creates an incursion into the BS5837:2012 Root Protection Area (RPA) of tree protected under Bromsgrove District Council Tree Preservation Order (TPO) (4) 2011. Therefore, any section of this hardstanding that incurs 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 edging.

All the major tree stock within the site is subject to protection under Bromsgrove District Council TPO (4) 2011. Therefore, all trees to be retained must be protected in accordance with BS5837:2012 recommendations and a tree protection plan and method statement should be submitted. No plans showing the intended routes of any utility services have been provided. Excavation work required to install these services has the potential to cause root damage to trees. Therefore, I request that plans to show the intended route and specification for their installation are provided.

The size of the plots on this development allow ample scope to provide further tree planting which I would encourage.

As previously stated, there will be no adverse impact caused by this proposal to the T903 Douglas Fir tree. I have no objection to the repositioning of the hedge line to the front of 36 to achieve the sightline splay required.

I agree with the reasoning and comments of the Planning Inspector that there should be no need to remove any of the TPO protected trees on the site to achieve the visibility splay required at the entrance of the site.

Publicity

Neighbour notifications sent 23.05.2023. Expiry date 16.06.2023

Site Notice displayed 20.05.2023. Expiry date 13.06.2023

Neighbour Responses

10 letters of objection received

Objection summary:

- The proposed development represents 'garden grabbing', contrary to the Lickey and Blackwell and Cofton Hackett Neighbourhood Development Plan and the Bromsgrove District Plan.
- The development would be detrimental to the character of the area
- The houses will be intrusive and will overlook neighbouring dwellings
- Detrimental impact on trees
- The proposed dwellings are too large for the plot
- Over-development of the site
- Proposal would overshadow neighbouring dwellings resulting in a loss of light
- The properties would be overbearing and would result in a loss of light to existing dwellings
- Separation distances between existing dwellings and the proposed dwelling are insufficient having regard to level differences
- Increased traffic to and from the site would be prejudicial to highway safety
- Concerns that visibility requirements cannot be met
- Drainage and flooding concerns due to elevated, steeply sloping nature of the site
- Harm to wildlife would occur

- Noise and light pollution concerns
- Smaller houses are required in this area not large 5 bedrooomed detached houses
- Insufficient information submitted to assess the application
- Inadequate bin storage facilities

Cllr B. Kumar Comments received 07.06.2023

I object to this application and would like to call in the application on the following grounds:

Height and Mass: The two proposed dwellings are out of character for the area contrary to SPD 4.2.3 and SPD 4.2.51 and 4.2.52.

Privacy: neighbourhood impact should be considered. The Houses are located on a steep slope where overlooking should be prevented. Neighbours in The Badgers and Stretton Drive will be particularly affected.

Although the dwellings show a degree of rotation, the development would cause a loss of light, overshadowing and loss of privacy for existing occupiers.

TPOs: Concerns regard impact of the development upon existing protected trees

Drainage: Surface water drainage which already occurs to occupiers of the Badgers needs to be considered.

Visibility. The required 43 x 2.4 metre visibility requirements of the Highway Authority needs to be achieved. Increased vehicle movements via the access from the proposed two dwellings together with the new dwelling to the rear of 32 Lickey Square will have a considerable impact on Lickey Square, which is always busy.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP7 Housing Mix and Density
BDP19 High Quality Design
BDP21 Natural Environment
BDP23 Water Management

Others

Lickey and Blackwell Village Design Statement
Lickey and Blackwell and Cofton Hackett Neighbourhood Plan
Bromsgrove High Quality Design SPD
NPPF National Planning Policy Framework (2021)

Relevant Planning History

23/00429/FUL: Proposed dwellinghouse: rear garden of No.32 Lickey Square. PENDING DETERMINATION

22/00978/FUL: New dwelling on the site of a previously approved dwelling (ref:21/00312/FUL) using a previously approved access drive: rear garden of No.32 Lickey Square. Granted by BDC 08.02.2023

21/00312/FUL: 1 detached dwelling using previously approved access driveway: rear garden of No.32 Lickey Square. Granted by BDC 06.07.21

20/00759/REM: Reserved Matters Application for five detached dwellings seeking consent for appearance, landscaping, layout and scale following outline consent through appeal (ref 16/0190)
Appeal against the non-determination of the application within prescribed timeframes.
Appeal dismissed 18.12.2020

19/01388/FUL: 2 detached dwellings rear of 34 to 36 Lickey Square. Appeal against the non-determination of the application within prescribed timeframes. Appeal allowed 30.07.2020

19/00477/FUL: 1 detached dwelling: rear garden of No.34 Lickey Square. Granted by BDC 07.08.2019

18/01322/FUL: 1 detached dwelling: rear garden of No.34 Lickey Square. Refused by BDC 20.02.2019

16/0190: 5 detached dwellings on land to the rear of No's 32, 34, and 36 Lickey Square. Refused by BDC, 19.08.2016. Allowed at appeal subject to conditions 06.07.2017. The outline planning permission reserved all matters apart from the proposed access point leading to a private drive between no. 34 and 36 Lickey Square which was allowed

14/0166: 1 detached dwelling: rear garden of No.32 Lickey Square. Refused by BDC 11.04.2014

Assessment of Proposal

Background

Planning permission was granted for a detached dwelling on land to the rear of 34 Lickey Square by Bromsgrove District Council on 07.08.2019 under planning reference 19/00477/FUL. An appeal against the non-determination of application 19/01388/FUL within prescribed timeframes, which proposed the erection of two new dwellings on land to the rear of 34 to 36 Lickey Square was lodged with the Planning Inspectorate and allowed on appeal on 30.07.2020.

The elevations and floorplans of the two dwellings as allowed at appeal, under reference 19/00477/FUL, together with the approved site layout plan are included within the presentation pack which accompanies this report.

The principle of the development including its means of access from Lickey Square has been established and it is only necessary to compare the respective detailed changes between the proposal and the extant approval referred to above in terms of its siting and appearance in considering whether the current application is acceptable or not.

The site and its surroundings

The site is located within the settlement of Lickey within a residential area. The site is not within the Green Belt.

The two properties fronting the application site to the north (No's.34 and 36 Lickey Square) are large two storey detached dwellings, facing the southern side of the road. Both dwellings are set within large grounds containing many mature trees to both the front and rear gardens many of which are protected by Tree Preservation Orders (TPO's). This part of Lickey Square is fronted by other individually designed, large, detached houses set within substantial plots. The site falls steeply from front to back (north to south).

Adjacent to the rear (south) of the site is 'The Badgers' a more recent development of detached two storey dwellings with smaller gardens than numbers 32 to 36 Lickey Square. Beyond the plots eastern boundary lie the dwellings 5 and 6 Stretton Drive. The development of Stretton Drive, a small cul-de-sac comprising 7 dwellings (with access via Mearse Lane), and the development of Cleveland Drive, another small cul-de-sac comprising 4 dwellings (with access via Lickey Square) were granted permission under a single application for 11 dwellings in 1991 (ref B/19815/1990).

The site would be accessed via an unclassified road, Lickey Square and benefits from a footpath and street lighting on the opposite (the northern side) of the road. There are no parking restrictions in force in the vicinity. The site is located approximately 340 metres from Lickey Hills Primary School and approximately 140 metres from a bus route and a bus stop.

The proposed development

It is proposed to construct two detached dwellings with attached garages.

Plot 1

Plot 1 would be situated to the west of No. 6 Stretton Drive, appearing as a two-storey dwelling viewed from the west and three storeys from the east, incorporating a basement below the natural ground level. Viewing the (side) elevation from the north, the dwelling would measure 9.2 metres to ridge above existing ground level. Viewing the (side) elevation from the south, the dwelling would measure 12.2 metres to ridge above existing ground level. The overall height of the dwelling viewed from the east would be 13 metres (including the basement). The dwelling would measure a maximum height of 11 metres to ridge from the west (the front elevation). Plot 1 would incorporate an attached garage with accommodation above. The dwelling, including the attached garage would be a maximum of 19.8 metres wide and a maximum of 16.5 metres deep. Aside from the addition of the attached garage, the appearance of the dwelling would be very similar to that of the dwelling approved by the BDC Planning Committee in February 2023 under reference 22/00978/FUL which also proposed a basement. The front elevation would be articulated with three gables, whilst the rear elevation would contain two gables. Walls would be finished in facing brick.

Plot 2

Plot 2 would be situated further to the south and would be identical in terms of design, scale and accommodation provided to that of application 23/00429/FUL (proposed new dwelling to the rear of 32 Lickey Square). At the time of writing this application is pending determination following is deferral at the BDC Planning Committee meeting of 5th June 2023 in order for a site visit to take place.

Plot 2 would be situated to the west of No. 5 Stretton Drive, appearing as a two-storey dwelling viewed from the west and three storeys from the east, again incorporating a basement. Viewing the (side) elevation from the south (The Badgers), the dwelling would measure 11.5 metres to ridge. The overall height of the dwelling viewed from the east would be 13 metres (including the basement). The dwelling would measure a maximum height of 9.8 metres to ridge from the west (the front elevation).

The dwelling, including the attached garage would be a maximum of 19.8 metres wide and a maximum of 12.5 metres deep.

The front elevation would be articulated with two gables with ground floor and upper floor bay windows, whilst the rear elevation would contain two gables. Walls would be finished in facing brick.

Assessment

Character and appearance

The underlying character of the locality is one of large detached, two storey houses of varying ages and styles. Many are set within substantial and maturely landscaped, verdant plots. However, there is also a clear pattern of rear gardens having been developed along Lickey Square and surrounding streets. There are also several examples of higher density developments than that of the application site as can be seen on the cul-de-sac estates of Cleveland Drive and Stretton Drive to the east of the site, and The Badgers, a gated two-armed cul-de-sac to the south of the site.

The Lickey and Blackwell Village Design Statement (SPD) states that new housing should generally reflect the character, setting and style of housing in the immediate vicinity. Policy BDP.19 n) of the Bromsgrove District Plan comments that development within garden land must integrate into the residential area and should be in keeping with the character and quality of the local environment. Given the variety of densities and surrounding layouts it is considered that the application would accord with the mixture and pattern of development in the area. The design of the dwellings is not dissimilar to that of extant consents including that of application 22/00978/FUL.

As referred to in earlier reports to the Committee and also by the Planning Inspector at appeal, the sloped characteristics of the site limit public views of the development from the Lickey Square street scene. The location of existing trees to be retained, including in particular, T203, a protected Copper Beech in the rear garden of No 34 would assist in screening the development from Lickey Square.

The Councils Tree Officer has raised no objections to this application subject to the inclusion of necessary tree protection conditions.

Under consideration of application 20/00759/REM (Reserved Matters Application for 5 dwellings to the rear of 32 to 36 Lickey Square, the density of development on the site as a whole (5 rather than the 3 which would occur if planning permission were to be granted under this application) was much higher, with gardens serving the dwellings being relatively modest by comparison. Here, occupiers would benefit from a generously sized garden area would greatly exceed the Councils minimum requirement as set out in the High-Quality Design SPD which is 70 Square metres and a 10.5m garden length.

Many representations received comment that the dwellings are too large. Whilst it cannot be denied that both are sizeable houses, numbers 32, 34 and 36 Lickey Square are themselves large dwellings and the density of development across the combined site is relatively low, and certainly lower than that of the adjacent Stretton and Cleveland Drive developments.

Whilst providing accommodation over three storeys rather than two, the developer comments that the proposals would make better use of two large plots, utilising the potential afforded by the naturally sloping nature of the site. The overall height of the dwellings is not considered to be significant taking account of existing ground levels. The attached garages serving the dwellings would accommodate a room in the roof area, a feature which is not uncommon in the Lickey / Barnt Green residential area.

In this context, the proposed development would deliver acceptable design and would not harm the overall character and appearance of the surrounding area. It would comply with Policy BDP19 of the Bromsgrove District Plan (adopted January 2017), Policies BD2, BD3 and NE3 of the Lickey and Blackwell and Cofton Hackett Neighbourhood Plan (LBCHNP) (adopted January 2020) and Paragraph 130 of the National Planning Policy Framework (the Framework). Collectively, these policies seek, amongst other things, to deliver high quality development that is in keeping with the character and quality of the local environment.

Residential amenity considerations

Extant consent reference 19/01388/FUL orientated the two dwellings such that the rear gardens would face towards rear gardens serving 17 and 18 The Badgers. The Councils High Quality Design SPD serves as a guide to calculate appropriate separation distances between habitable windows of properties that directly face each other, specifying that a minimum separation distance of 21 metres is required and that where there is a gradient difference further distance may be required. The Inspector, in considering the appeal under 19/01388/FUL recognised the (proposed) rear habitable room window to (existing) rear habitable room window relationship, albeit recognising that neither of the dwellings directly aligned with either No.17 or 18 The Badgers by reason of their slightly off set positioning and also recognised that the presence of screening was a material consideration in accepting that the (rear to rear) relationship was in that case acceptable.

Under the current application, the orientation of the dwellings has been fundamentally altered. In terms of Plot 2 (which is nearest to No.17 The Badgers), two windows would serve the (south facing), side elevation. The first would be a first-floor bathroom ensuite, which would be obscurely glazed. The second would serve a ground floor study. This would look towards the garage serving No. 17 The Badgers. The dwellings' positioning

within the plot, together with the presence of existing screening, much of which is evergreen, lead me to consider that a request to obscurely glaze this window would be unreasonable. The distance between the rear wall serving No.17 The Badgers to the site's boundary is approximately 10 metres. The distance from the same rear wall to the nearest part of the proposed side wall serving Plot 2 would be 22 metres. Para 4.2.49 of the Councils High Quality Design SPD comments that where a two-storey dwelling faces a flank wall of a two storey building a minimum separation of 12.5 metres is required. Where a two-storey dwelling faces a flank wall of a three-storey building, a separation distance of 15.5 metres is required. The key word in this statement is 'faces'. The rear wall serving No.17 would not face either the flank wall of Plot 2 nor the two proposed windows in question. Aside from this, a 22 metre separation is achieved. This fact, coupled with the presence of existing tree screening (which would be retained) together with the knowledge that rear gardens serving numbers 17 and 18 The Badgers face north/north-east has led me to the conclusion that residential amenities enjoyed by the occupiers of these existing dwellings would not be materially harmed in terms of any overbearance or overshadowing effect.

The rear garden serving Plot 1 would face towards a (side) wall serving number 6 Stretton Drive. The rear garden serving Plot 2 would face towards a (side) wall serving number 5 Stretton Drive. Plot 2 would have a rear garden ranging from between 25.5 to 31 metres and would not materially impact upon the amenities enjoyed by the occupiers of this property. The rear garden serving Plot 1 would be shorter, ranging from between 12 to 17 metres. A single storey garage serving 6 Stretton Drive is situated just over two metres from the boundary and the side wall serving No. 6 is a further 5.7 metres from the boundary. The combined distance which would exist would be considered to provide the occupiers of Plot 1 with a satisfactory level of amenity and satisfactory levels of sunlight considering the overall rear garden size. A window serves the first-floor side elevation to No.6 Stretton Drive. However, this serves a bathroom window and is thus, not a habitable room. I am satisfied that the relationship of the proposed development to these adjoining properties is acceptable and have also noted that no objections have been received from numbers 5 and 6 despite being notified of the proposals.

Representations received comment that balconies to the rear elevation are in contravention of the Councils SPD 4.2.32 which comments that balconies will only be acceptable when there is no direct overlooking of windows, or at close quarters, the rear garden of adjacent properties. Whilst the plans show that some 'Juliet' balconies are proposed, a 'true' balcony includes a platform where persons can stand. A Juliet balcony has no such platform and acts just as a guard rail. Submitted floor plans show that no platforms are proposed and as such, these are not 'balconies' as far as SPD 4.2.32 is concerned. True balconies (with a raised platform) always require separate planning consent. Notwithstanding this, the applicant's attention has been drawn to this matter via recommended Condition 7 below which also seeks to remove householder permitted development rights which would otherwise allow future occupiers from carrying out works without needing to apply for planning permission.

Accordingly, the proposed development would not be considered to harm the living conditions of neighbouring occupants. The proposal is therefore considered to comply with the Councils High Quality Design SPD, which seeks to deliver development of a high-quality design which does not adversely affect the living conditions of neighbouring occupiers.

Other matters

The Council cannot currently demonstrate a five-year housing land supply (3.23 years at the time of writing). The presumption in favour of sustainable development therefore applies in accordance with Paragraph 11(d) of the Framework. In this case, Paragraph 11 (d) ii comments that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Significant weight should be attributed to the positive contribution the proposal would make towards addressing this current significant housing shortfall.

Concerns raised by neighbouring occupiers with respect to the potential increase of flooding and drainage water from the site as a result of the proposed development are noted. However, the site is at low risk of fluvial flooding and drainage can be appropriately dealt with under building regulations. The Councils Drainage Engineer (NWWM) has raised no objection subject to an appropriately worded site drainage strategy condition (as set out below).

Concerns regarding traffic generated by the proposal and the safety of the proposed access to Lickey Square are also noted. However, the Inspectorate have assessed the suitability of the access for a new development utilising the same access and serving 5 dwellings under an earlier application and have found access arrangements to be acceptable. The Inspector in considering APP/P1805/W/20/3245957 similarly raised no concerns on the matter commenting that the erection of two dwellings (to the rear of 34 and 36 Lickey Square) would likely generate a small amount of traffic not amounting to any harmful effects to the highway network. In terms of planning conditions attached to that particular consent, the Inspector went further commenting at Para 25 of the decision letter that: *I am not satisfied that the suggested visibility splays condition is necessary given the nature of traffic along Lickey Square and the access design for similar rear garden development along Lickey Square.*

The County Highway Authority have again reviewed the proposed development and have raised no objection to the proposal subject to the same conditions applied to earlier consents and I have concluded that two dwellings would likely generate a small amount of additional traffic and as such I am similarly satisfied that the proposal would not amount to any harmful effects to the highway network, subject to conditions. WCC Highways have confirmed that the visibility splay requirements set out in Condition 13 are both achievable and deliverable.

There are no protected species concerns arising from the development although Paragraph 180 of the NPPF comments that opportunities to incorporate biodiversity in and around developments should be encouraged. To enhance ecological biodiversity, permanent bat and bird nesting opportunities should be integrated within the scheme. An appropriately worded planning condition is recommended to be imposed.

Conclusion

The proposed development would not cause unacceptable harm in respect of the main issues: the character and appearance of the area, or the living conditions of existing and future occupants. Moreover, the proposals are acceptable in terms of the other issues which include drainage considerations and highway safety. The proposals would make a contribution to the Councils housing land supply where a 5-year supply cannot be demonstrated, and the application is supported.

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:

Site Location Plan
Site Plan
Site Sections
Proposed Plans
Ecological report
Tree report

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

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

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

- 4) No development shall commence until a written Arboricultural Method Statement (AMS) and Tree Protection Plan is submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved document.

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

- 5) All trees to be retained within the site shall be given full protection in accordance BS5837:2012 recommendations throughout any ground or development work on the site

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

- 6) Any section of the proposed access driveway and parking areas that fall within the BS5837:2012 should be installed by use of a suitable grade of No Dig construction. A plan showing the area to be constructed by the use of No Dig construction and specification of the material to be used should be supplied together with a plan showing the intended route and specification for the installation of all utility services should be provided. All works shall be carried out in accordance with the approved document.

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

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E including any alterations at roof level, and including the creating of balconies shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To protect the living conditions of the occupants of adjacent properties, and the adjacent protected trees from root disturbance and additional pressure from future occupants to undertake tree works

- 8) No development above foundation level of the scheme hereby approved shall take place until a site drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff attenuation and treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

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

- 9) No development above foundation level of the scheme hereby approved shall take place until a scheme of landscaping, including details of proposed tree and shrub planting and boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the sizes, numbers, species and grade of all proposed trees/plants; and specifications to ensure successful establishment and survival of new planting.

The approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and in accordance with the approved details.

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

- 10) No trees, hedges or boundary planting on the application site, shall be topped, lopped, felled or uprooted without the specific written permission of the Local Planning Authority.

Reason: In the interests of visual and residential amenity

- 11) Prior to the first occupation of the development hereby approved, a scheme for the provision of bat roost opportunities and bird nest boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of National Planning Policy Framework

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

Reason: In the interests of highway safety.

- 13) Prior to the construction of the vehicular access, visibility splays shall be provided 43 metres from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway. No shrubs, trees or other vegetation shall be allowed to grow above 0.6 metres in height, and no structure or erection exceeding 0.6m in height shall be placed, within the visibility splays.

Reason: In the interests of highway safety.

- 14) The Development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging point 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 it is required to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities

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

Reason: To comply with the Council's parking standards

- 16) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of each dwelling for the parking of 3 cars at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

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

- 17) The development hereby approved shall not be first occupied until a refuse and bin collection facilities shall be constructed in accordance with details first submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure an appropriate bin collection area is installed in the interest of visual amenity and highway safety.

- 18) Construction work on the dwellings hereby approved shall not be commenced until details of the existing ground levels, proposed finished floor levels of the dwelling hereby approved and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details as approved and retained as such thereafter

Reason: To ensure that residential amenities are not compromised

Case Officer: Steven Edden Tel: 01527 548474
Email: steve.edden@bromsgroveandredditch.gov.uk

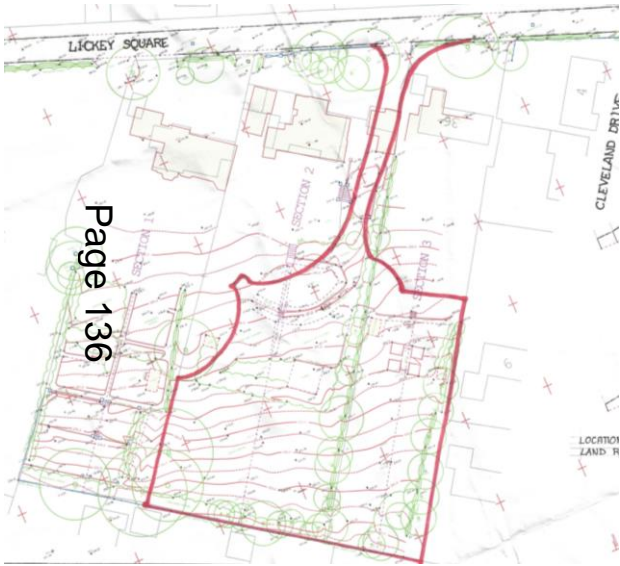
23/00566/FUL

Land to rear of 32 to 34 Lickey Square,
Lickey, B45 8HB

Two new detached dwellings on the site of two approved dwellings (extant consent ref 19/01388/FUL) using the previously approved access driveway

Recommendation: Approve

Site Location

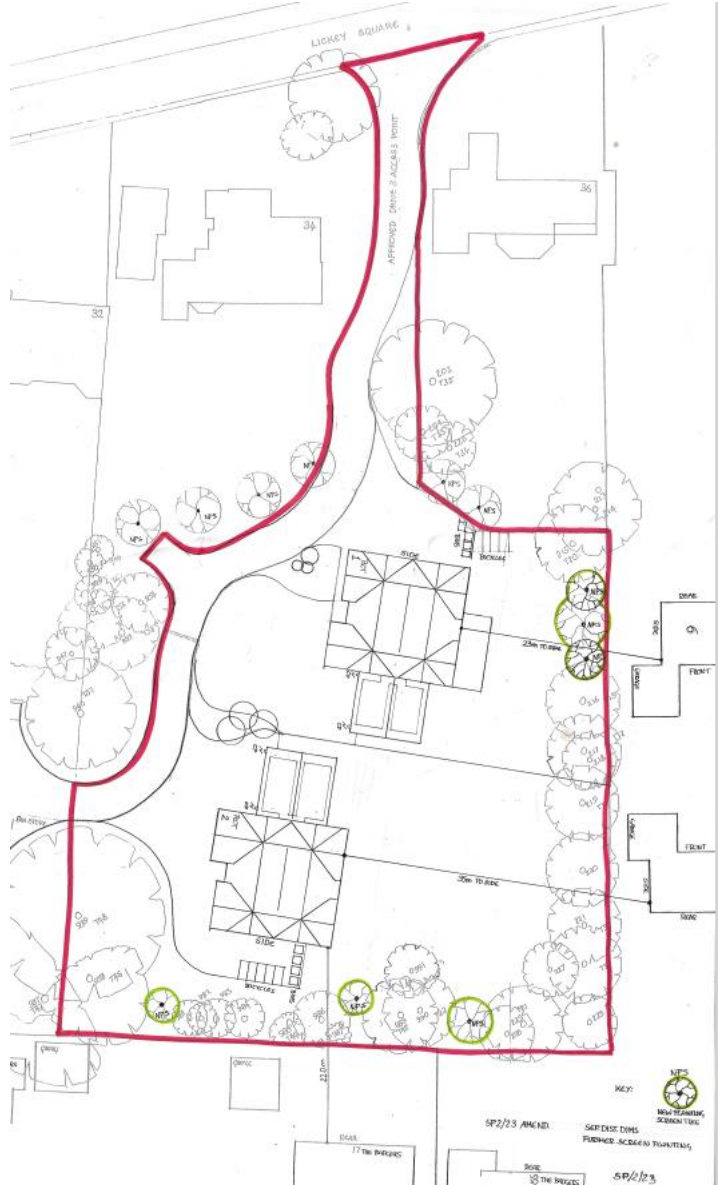
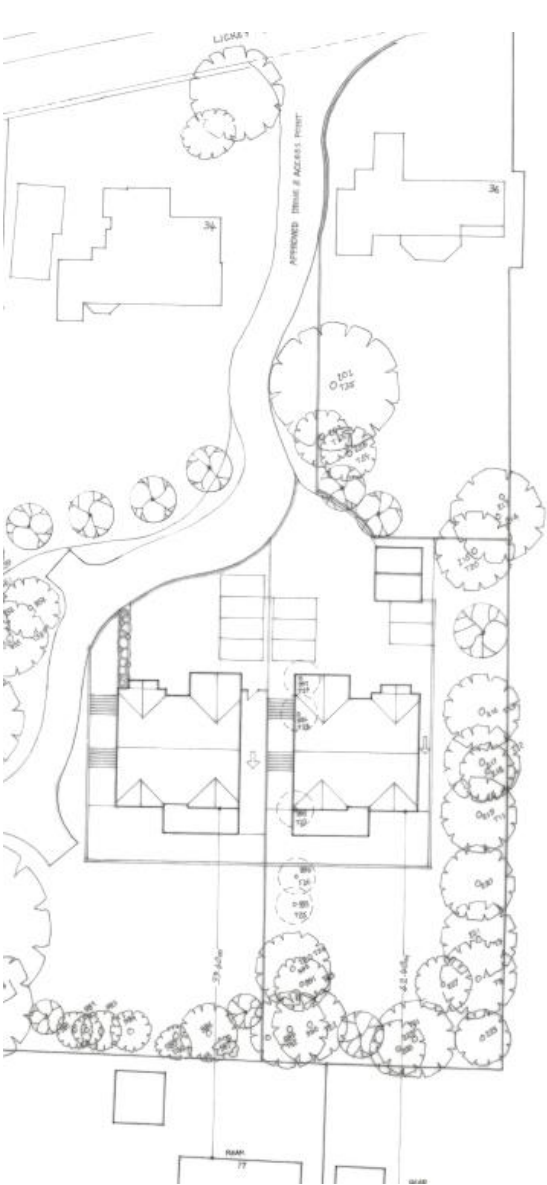


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Site layout comparisons



Satellite View



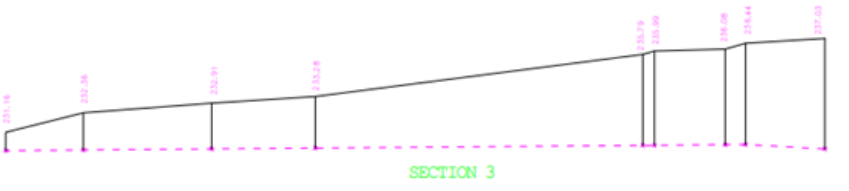
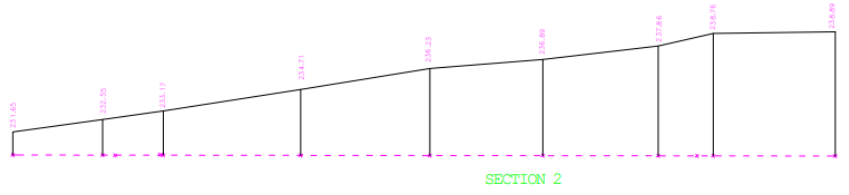
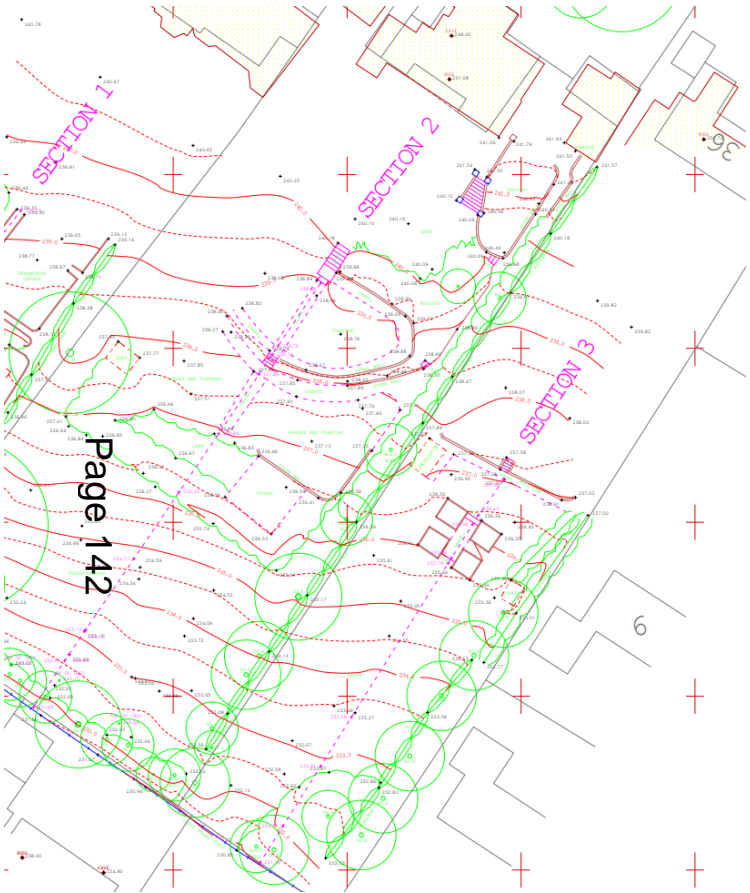
Birds eye view 1



Birds eye view 2



Section



Approved elevations 19/01388/FUL



PLOT 1

PLOT 2

PLOT 2 SIDE

FRONT ELEVATION PLOTS 1 & 2



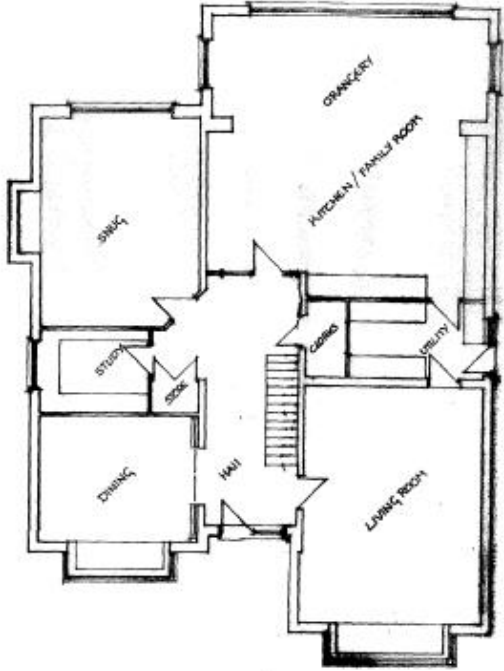
PLOT 2

PLOT 1

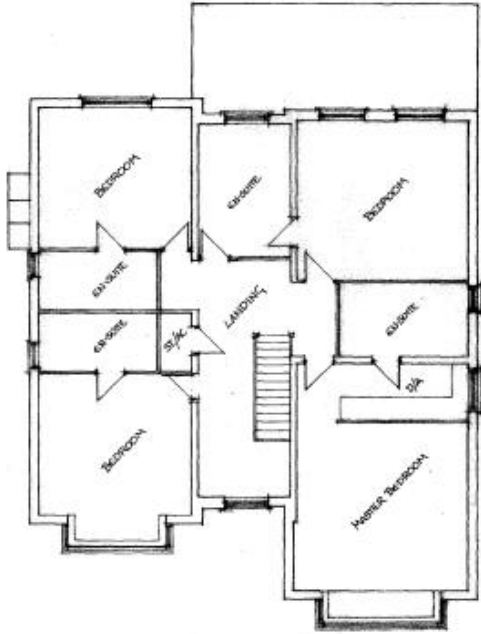
PLOT 2 SIDE

REAR ELEVATION PLOTS 1 & 2

Approved floorplans 19/01388/FUL Plot 1

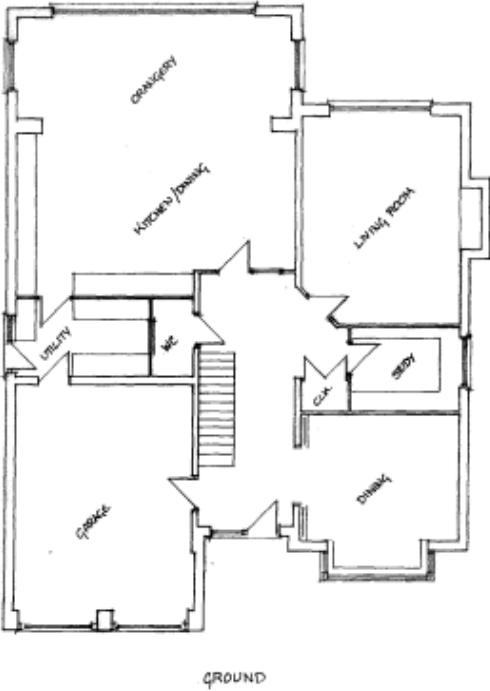


GROUND FLOOR PLAN

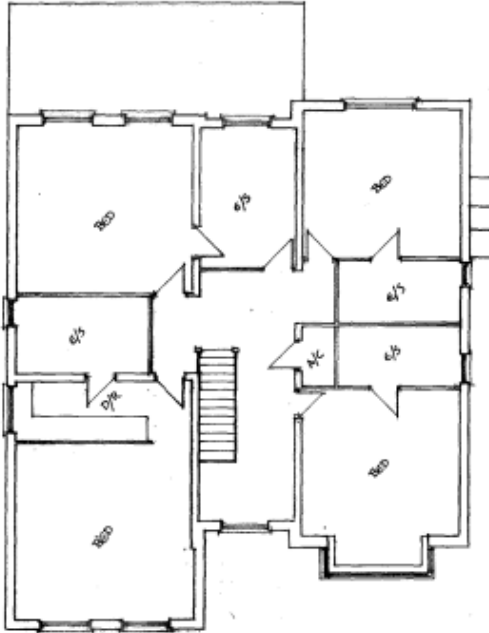


FIRST FLOOR PLAN

Approved floorplans 19/01388/FUL Plot 2



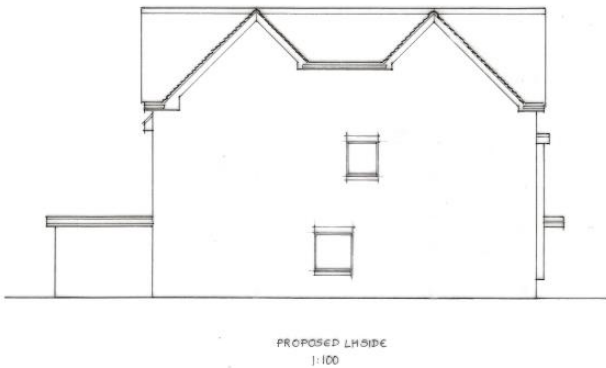
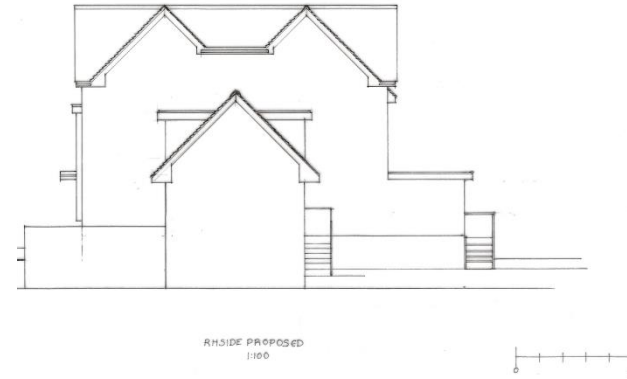
GROUND



FIRST

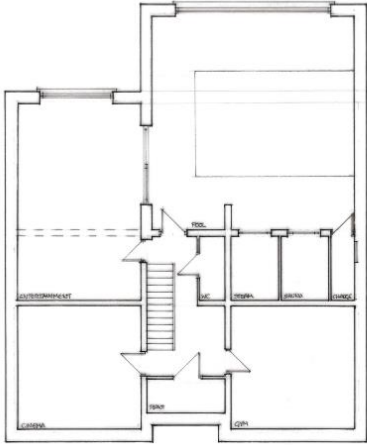
PLOT 2

Proposed Elevations Plot 1

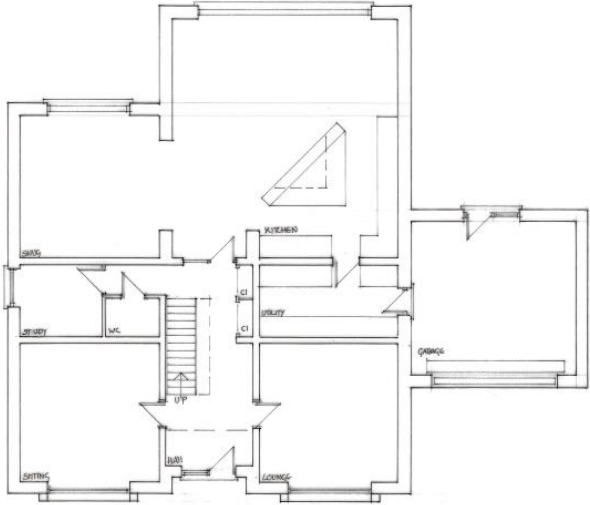


Proposed Floorplans Plot 1

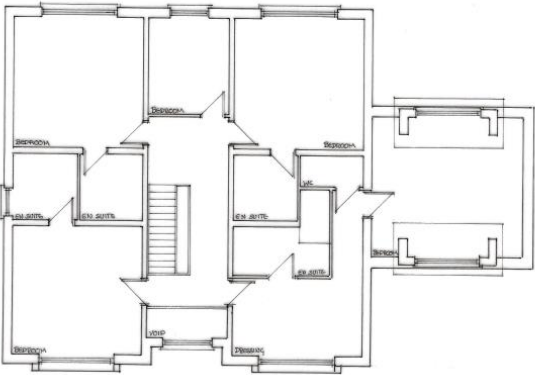
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BASEMENT 1:100



PROPOSED GROUND FLOOR
1:100

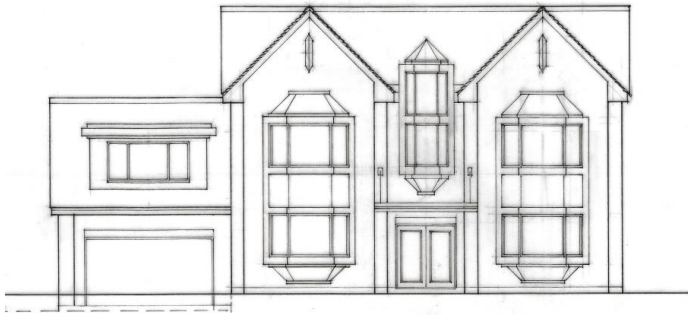


PROPOSED FIRST FLOOR
1:100

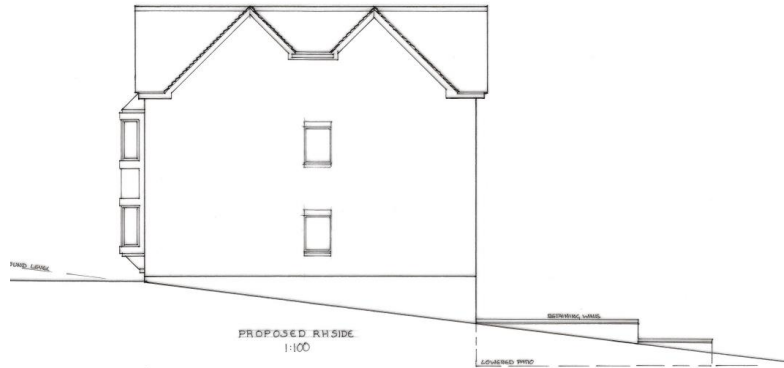


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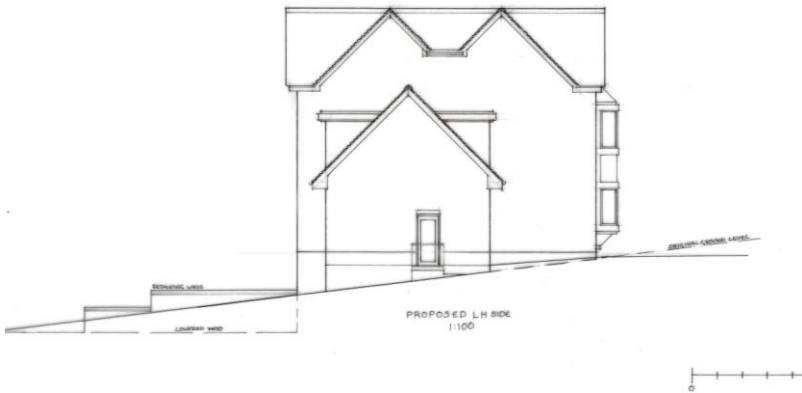
Proposed Elevations Plot 2



PROPOSED FRONT
1:100



PROPOSED RHSIDE
1:100

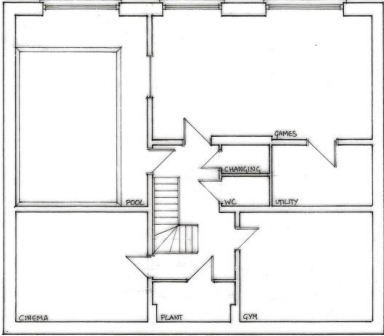


PROPOSED LHSIDE
1:100

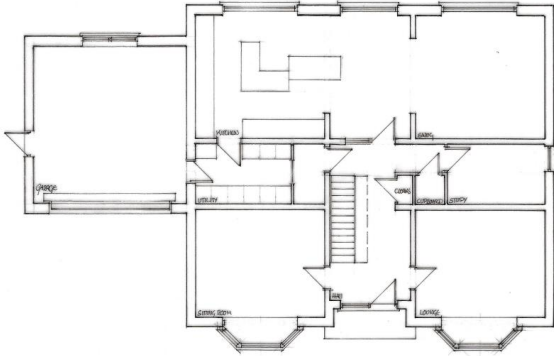


PROPOSED REAR
1:100

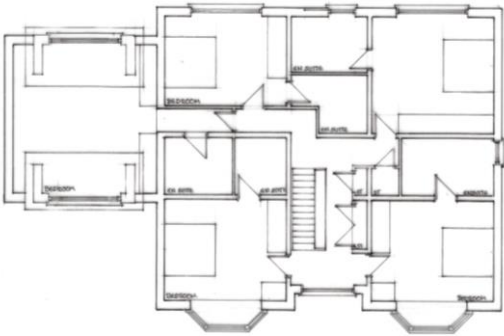
Proposed Floorplans Plot 2



BASEMENT 1:100

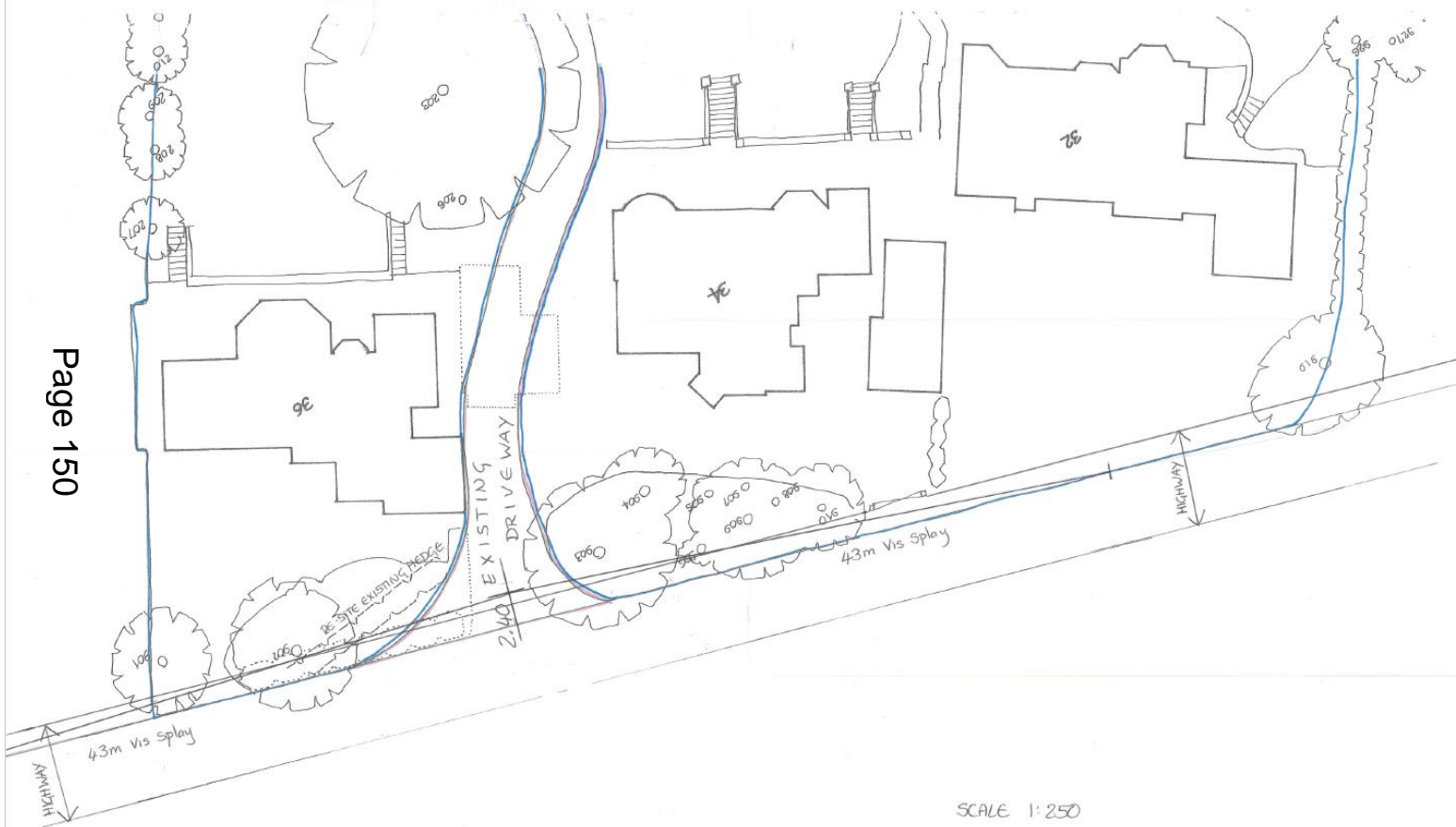


GROUND FLOOR 1:100



FIRST FLOOR PLAN
1:100

Visibility splays

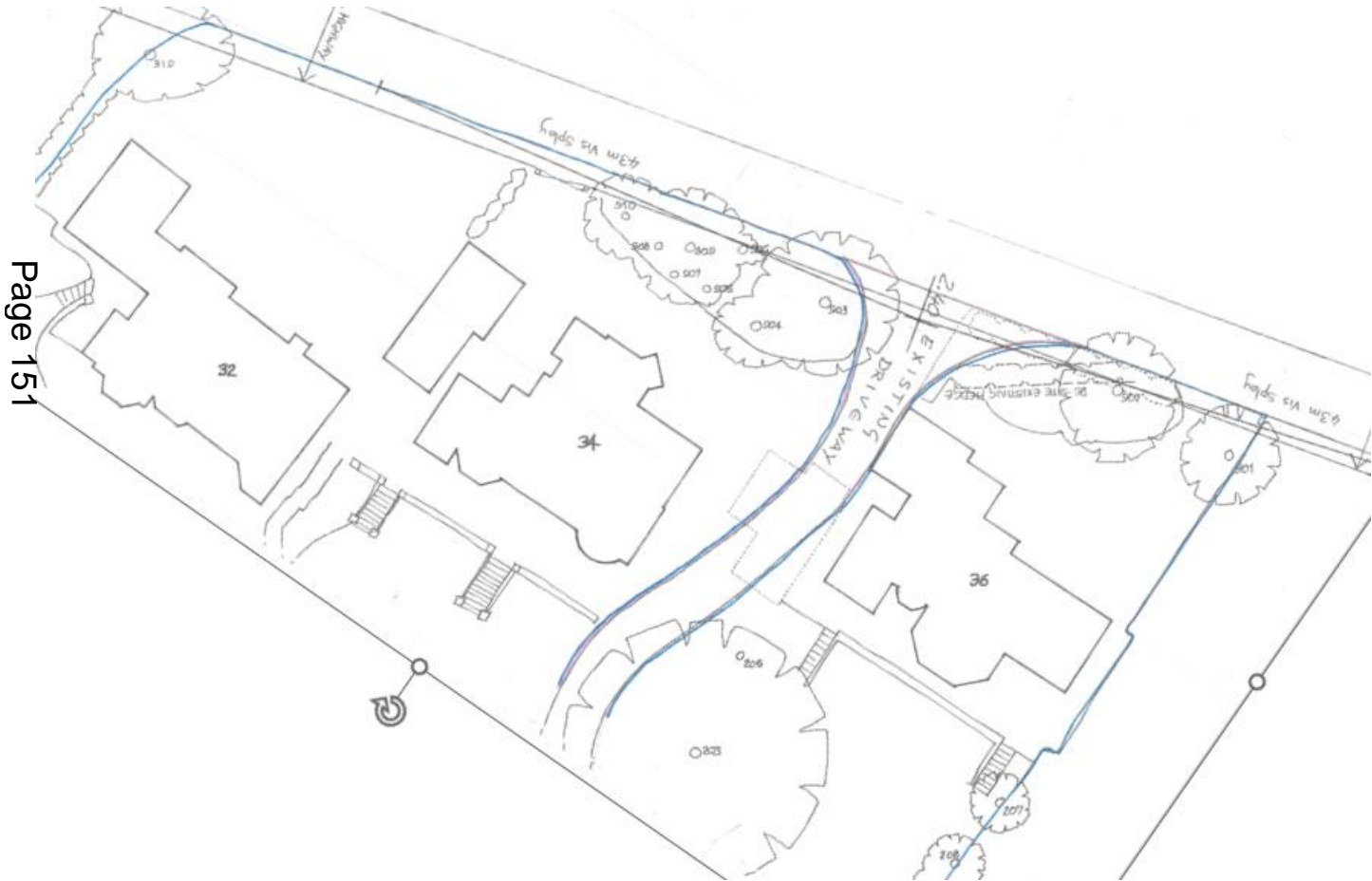


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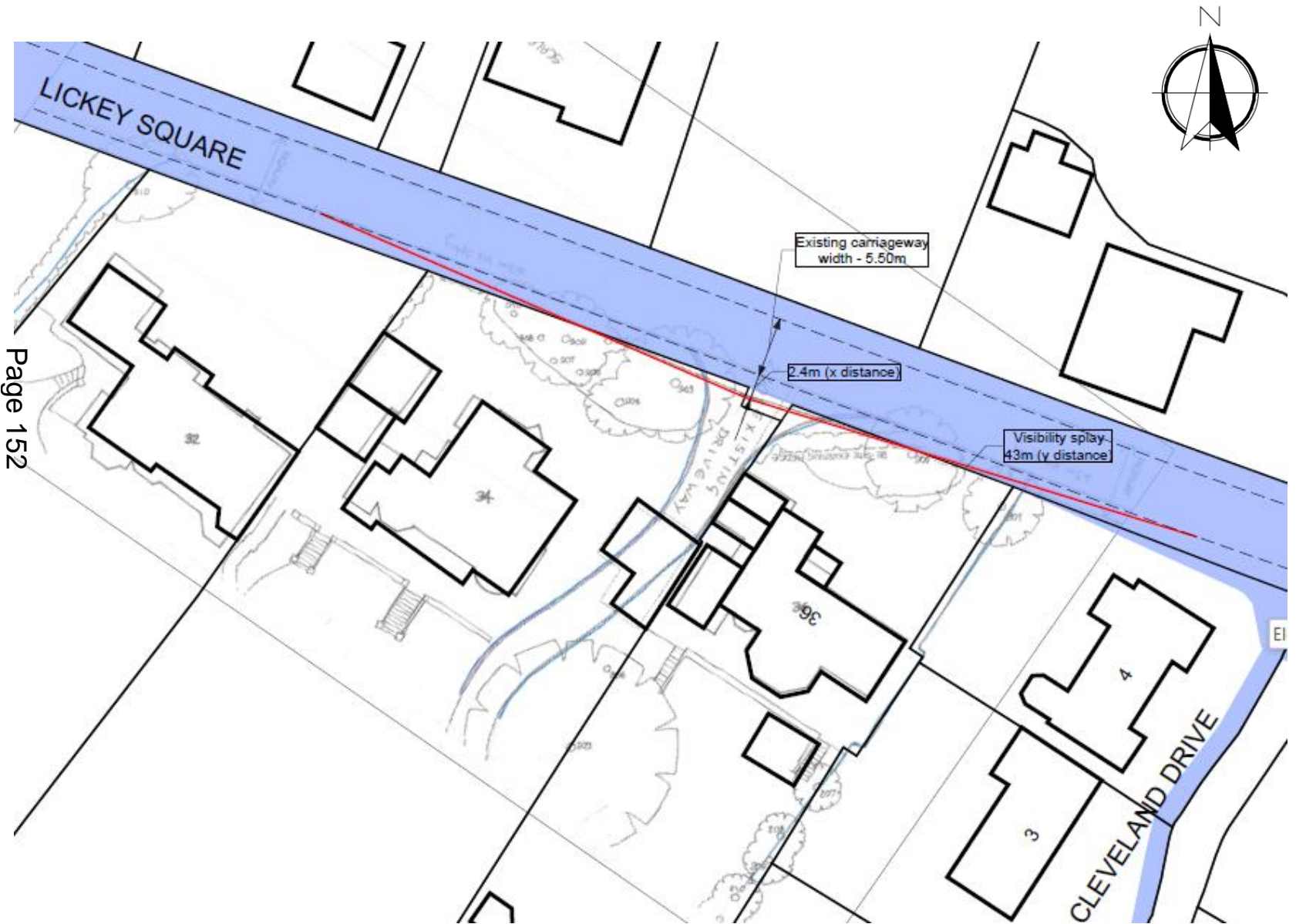
SCALE 1:250
VISIBILITY SPLAY AT 4.3m at 2.40m at 30MPH
SHOWING SPLAY WITHIN LAND CONTROLLED BY APPLICANT
OR IN HIGHWAY LAND.

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Visibility splays



Visibility splays



Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Benjamin Wyatt	Change of use to a mixed use venue and Public House. The Dodford Inn Public House, Whinfield Road, Dodford, Worcestershire, B61 9BG	27.06.2023	23/00511/FUL

Councillor Taylor has requested this application is considered by Planning Committee rather than being determined under Delegated Powers.

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Dodford With Grafton Parish Council

In principle, the Parish Council would be delighted for people to come to Dodford to get married in beautiful surroundings but feel that the scale and approach suggested by the planning application from the Dodford Inn do not fit this aspiration.

The Parish Council's concerns include;

- Dodford is a tiny village, with infrastructure that barely copes with its small size even now, within a short drive from the conurbations likely to provide the Inn with its customer base.
- Insufficient parking onsite to accommodate projected guests
- Congestion with guests and leaving arriving at the same time.
- Noise
- Fireworks impacting on residents and animals.
- Poor level of detail submitted
- Temporary buildings: marquees and tents and their resultant noise/impact on bats
- 75 events annually implies an event every four days or so, with the days before and afterwards being needed to prepare and to tidy up. Such high, unpredictable levels of activities would be likely to deter local residents from using the Inn.

WRS - Noise

No objection.

I consider the playing of background entry and exit music reasonable depending on where the speakers are to be located. I would suggest that this should be as far away from the nearby residential dwellings as possible. There have been no noise complaints onsite as far as records show since 2015.

WRS- Licensing

No comments

Highways - Bromsgrove

I have no highway objections to the proposed change of use to a mixed use venue (host licensed civil ceremonies) and Public House. The site has the ability to park approx. 25 cars within the car park (includes 2 disabled parking spaces) at present. The applicant has highlighted a total of 52 car parking spaces are available on site which includes 2

disabled parking spaces. The redline plan provided confirms there is space available on site.

Conservation Officer

The Dodford Inn is recorded on Worcestershire's HER (WSM44132) and has some historic interest due to its age (1851-1861) and historic communal use. It has been extended and modified, which may reduce its architectural significance, however it is still considered to be a non-designated heritage asset (NDHA).

The proposals are for a change of use to allow civil ceremonies in the building. There are no proposed physical changes, and so no direct impact upon its significance as a NDHA is expected. I have no objection to the proposed additional use, which is of a similar nature to the existing use and would appear to help ensure the building's longer term sustainable use.

Publicity

12 Neighbour notifications were sent on 04.05.2023 (expired 02.06.2023)

Site notice was displayed 05.05.2023 (expired 29.05.2023)

Press Notice published 19.05.2023 (expired 05.06.2023)

8 letters of objection have been received and 2 letters of support has been received.

The contents are summarised as follows;

Objections

Principle

- Red line covers whole site, area of Civil Ceremonies not highlighted
- The number of guests should reflect the available parking and road access
- No information on No. of days site used for pub/events venue
- Approval will result in the loss of the pub for locals
- No evidence has been provided that the site is unavailable as a Public House
- Lack of detail submitted
- Business does not suit rural Conservation Area location

Highways

- Narrow lanes will struggle with guests arriving and leaving on mass
- Clarity with where parking is permitted

Noise

- Noise (fireworks, guests leaving site, music, marquee use, camping)
- Marquees (recent events using marquees have been disruptive)

Environmental

- External lighting
- Fireworks (noise and debris)
- Impact on bats/wildlife (known to be onsite)

Support

- Not once have experienced excessive noise or disturbed by outside activities

Councillor Taylor

Councillor Taylor has requested this application be heard at Committee due to the concerns from local residents particularly in regards of noise.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
 BDP4 Green Belt
 BDP12 Sustainable Communities
 BDP15 Rural Renaissance
 BDP16 Sustainable Transport
 BDP19 High Quality Design
 BDP20 Managing the Historic Environment
 BDP21 Natural Environment

Others

NPPF National Planning Policy Framework (2021)

Relevant Planning History

20/01573/FUL	Full planning application for the development of a car park (21 parking spaces) and associated works	Approved	04.02.2021
19/00685/FUL	Internal alterations to create additional rooms in the loft with new roof lights.	Approved	11.10.2019
18/01222/FUL	Internal alterations to create additional rooms in loft with new roof lights and extension to car park to form overflow parking.	Refused	15.11.2018
15/0779	Refurbishment and extensions at the Dodford Inn.	Approved	22.01.2015

Assessment of Proposal

The application site is a Public House which is located within the Green Belt and the Dodford Conservation Area. The applicants are proposing a change of use to a mixed use as a Public House and events venue to hold Civil Ceremonies. The existing use as a 'Drinking establishment' falls within a '*Sui generis*' use which in this context means 'in a class of its own'. Therefore, the site does not benefit from any Permitted Development Rights for a change of use. The proposed use, as an event venue would also fall within a '*Sui generis*' use.

Although it should be noted that any change of use onsite would require planning permission, events can be held on an ancillary nature within a Public House without the need for permission. This application was invited given the pub is currently not open all week and therefore to allow for the number of events the applicant intends to hold, permission is required.

Rural Business

Both the District Plan under Policy BDP15 Rural Renaissance and the National Planning Policy Framework (NPPF) at section 6 seeks to promote strong rural economies through the sustainable growth and expansion of all businesses throughout rural areas and the development and diversification of agricultural and other land based rural businesses.

Paragraph 81 of the NPPF states that planning policies and decisions should help create conditions in which businesses can invest, expand and adapt, with significant weight given to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Furthermore, NPPF Paragraph 85 recognises that to meet the need for business in rural areas sites may need to be found adjacent to or beyond settlements, and in locations that are not well served by public transport. In these circumstances, it is particularly important to ensure development is sensitive to its surroundings and does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.

The applicants contend that the mixed use onsite is required to sustain the Public House. Public Houses across the UK are currently closing due to the pressures following Brexit, Covid and the cost-of-living crisis. This has more recently been combined with energy bills increasing and staffing pressures. The Dodford Inn did close over Covid and has currently re-opened in a reduced capacity. The current owners intend to open more days in addition to hosting events such as Civil Ceremonies.

It is noted that some concern has been raised by the local community that the use of the Public House as an events venue would ultimately result in the establishment no longer being available for use by local residents. The Public House has been designated a Community Asset within the Village Conservation Area and Policy BDP12 (Sustainable Communities) would not support its loss. Policy BDP12.2(b) however, does support improvements to existing facilities to enable them to adapt to changing needs. This is a large site, in a small village and the owners have been unable to open all week due to staffing levels and the limited customer base. The intention of the mixed use is to support the re-opening of the Public House. Not all events will be private or will book the entire venue and it is not an unusual situation to have events held in Public Houses. It is therefore considered the proposed mixed use would not result in the loss of the Public House to Local residents.

Green Belt

Paragraph 149 and 150 of the NPPF establishes that new buildings within the Green Belt are inappropriate subject to a number of exceptions. This is reflected in Policy BDP4 of the Bromsgrove District Plan. The re-use of buildings provided they are of permanent and substantial construction and the material change of use of land would fall under paragraph 150 (d and e) of the Framework provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of included land within it. In this instance, the building is permanent, and the change of use does not require any physical development or alterations to the building. The proposal is therefore appropriate development in the Green Belt.

Heritage Issues

The Dodford Inn is recorded on Worcestershire's HER (WSM44132) and has some historic interest due to its age (1851-1861) and historic communal use. It has been extended and modified, which may reduce its architectural significance, however it is still considered to be a non-designated heritage asset (NDHA) in the Conservation Area. There are no proposed physical changes, and so no direct impact upon its significance as a NDHA or the wider Conservation Area are expected. The Conservation Officer has raised no objection to the proposed use, which is of a similar nature to the existing use and would appear to help ensure the building's longer term sustainable use.

Highways

The site benefits from a large carpark which has been recently extended to provide an additional 21 spaces under Planning Permission 20/01573/FUL and the proposal does not affect these car parking spaces. In terms of parking and highways impact, Worcestershire County Highways have no objection to the proposal.

Noise

Comments have been received in regard to noise, in particular due to fireworks, guests leaving site, music, marquee use and camping.

It should be noted that under the existing use as a Public House, the premises can hold events and does have current licensing requirements to adhere to. The current hours of operation including when music can be played under the existing license are;

Monday – Thursday 12pm – 11:30pm

Friday and Saturday 12pm – 12:30pm

Sunday – 11am – 11:30pm

Live Music can only be played indoors are limited to a 3-piece band finishing half an hour before closing time. The current proposal does not alter these agreements and as such it is not considered reasonable to place any conditions on this permission that would conflict with the License.

Concerns relating to noise and the use of fireworks are noted. Members will note that other statutory control mechanisms are in place to deal with environmental issues and the Government is clear that the planning system should not replicate other legislation.

Concerns have been raised on the use of marquees and camping and the resultant noise from outdoor activity. Under Schedule 2, Part 4, Class A of the General Permitted Development Order 2015 (as amended) temporary buildings and structures can be used within a site on a temporary basis. This would not allow a marquee to be onsite for a sustained period of time however would allow for a marquee to be used for an occasional event.

Due to the current Licensing restrictions on the premises, and other statutory controls, it is not considered the proposal would cause a nuisance to local residents in regard to noise.

Wildlife

Concerns have been raised on the harm to wildlife as a result of noise. A Bat Survey by Cotswold Wildlife Surveys dated 17 July, 7 and 21 August 2019 was submitted for application reference 19/00685/FUL which approved roof alterations to the building. This survey found that The Dodford Inn had an occasional or transitory roost for a single Brown Long-eared Bat. This roost was appropriately mitigated for as part of this proposal. Given no physical works are proposed as part of this application no further surveys have been required. Noise can have potential to impact on wildlife however as outlined within this report, the proposed use is of a similar nature to the existing and therefore it is not considered reasonable to object to the proposal on these grounds. The bat was roosting within the building whilst it was fully open as a Public House and was not deterred by the existing use. There is therefore no reason to suggest the proposed use would change this.

Consultation

Concerns have been raised by local residents and the Parish Council as a result of the public consultation. Concerns regarding highways, noise, wildlife and the loss of the public house have been considered already in this report.

Other concerns have been raised on the extent of the events onsite and this being out of keeping with the rural location of this pub. The applicants outlined they could achieve 50 events in a year with a possibility of 75. Therefore, offering a 5-6 day full opening times interspersed with 1-1.5 day use as private venue per week. This is a suitable amount, and it is not deemed reasonable to condition this matter as it could result in the business having to reject bookings.

Finally, concerns have been raised on the level of detail provided with this application. The applicants have responded to all public comments and given the change of use does not alter the existing situation onsite, particularly in terms of their existing licensing agreements a greater level of information is not required as part of the submission.

Conclusion

The proposal for a change of use to a mixed use as a Public House and events venue to hold Civil Ceremonies would help ensure the business onsite is sustainable, in addition to the preservation of the building which is considered to be a Non-Designated Heritage Asset in the Conservation Area.

The proposed use is of a similar nature to the existing use and therefore is not considered to cause any greater harm to the local community or local road network. In addition, the NPPF seeks to promote strong rural economies through the sustainable growth and expansion of all businesses throughout rural areas. For these reasons, the proposal is considered to be acceptable.

RECOMMENDATION: That planning permission be **GRANTED**

Conditions:

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

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

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

Location Plan Scale 1:1250

Statement of Use

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

Case Officer: Emily Darby Tel: 01527 881657
Email: emily.darby@bromsgroveandredditch.gov.uk

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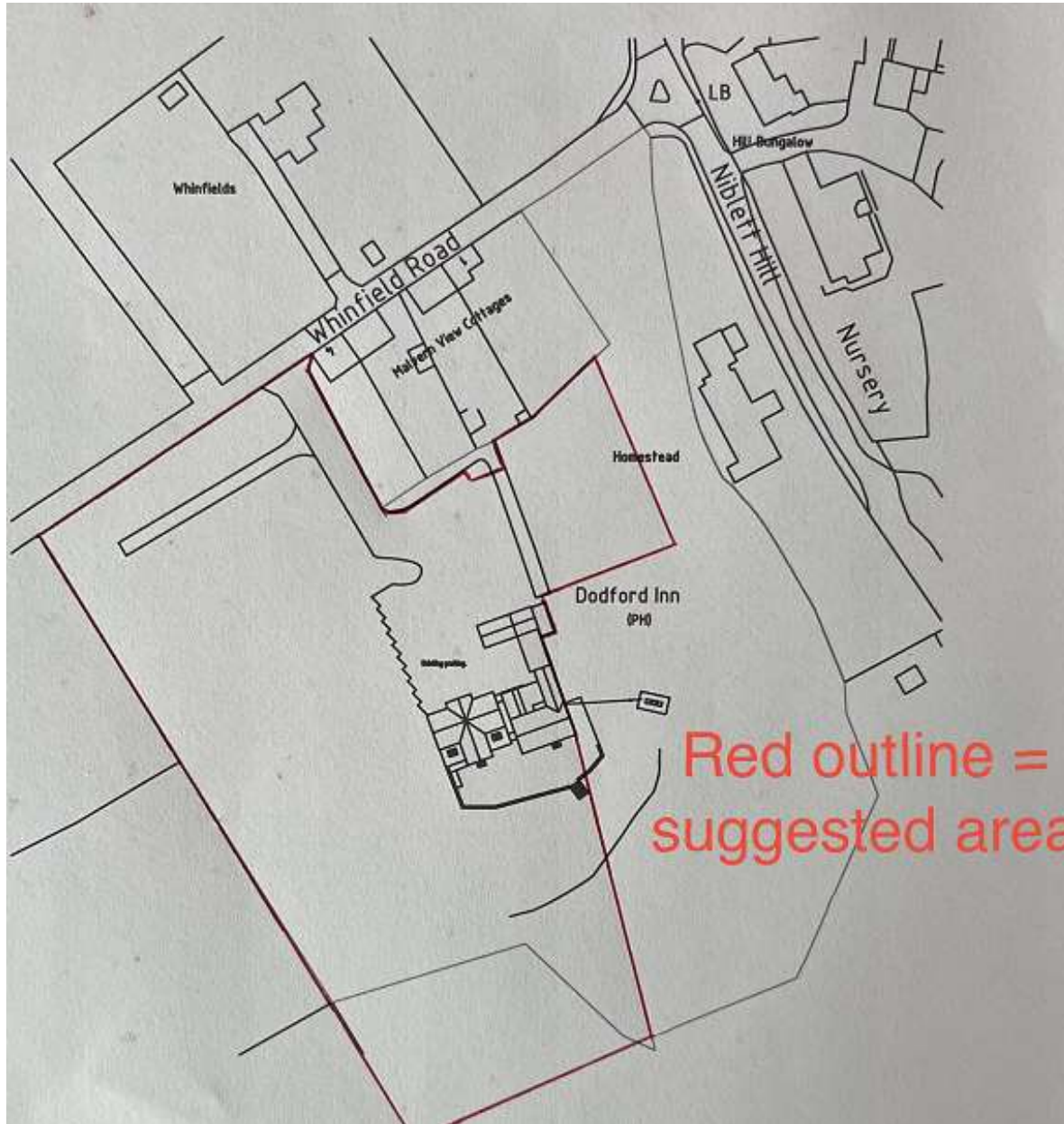
23/00511/FUL

The Dodford Inn Public House, Whinfield Road,
Dodford, Worcestershire, B61 9BG

Change of use to a mixed-use venue to hold Civil
Ceremonies and Public House.

Recommendation: Approve

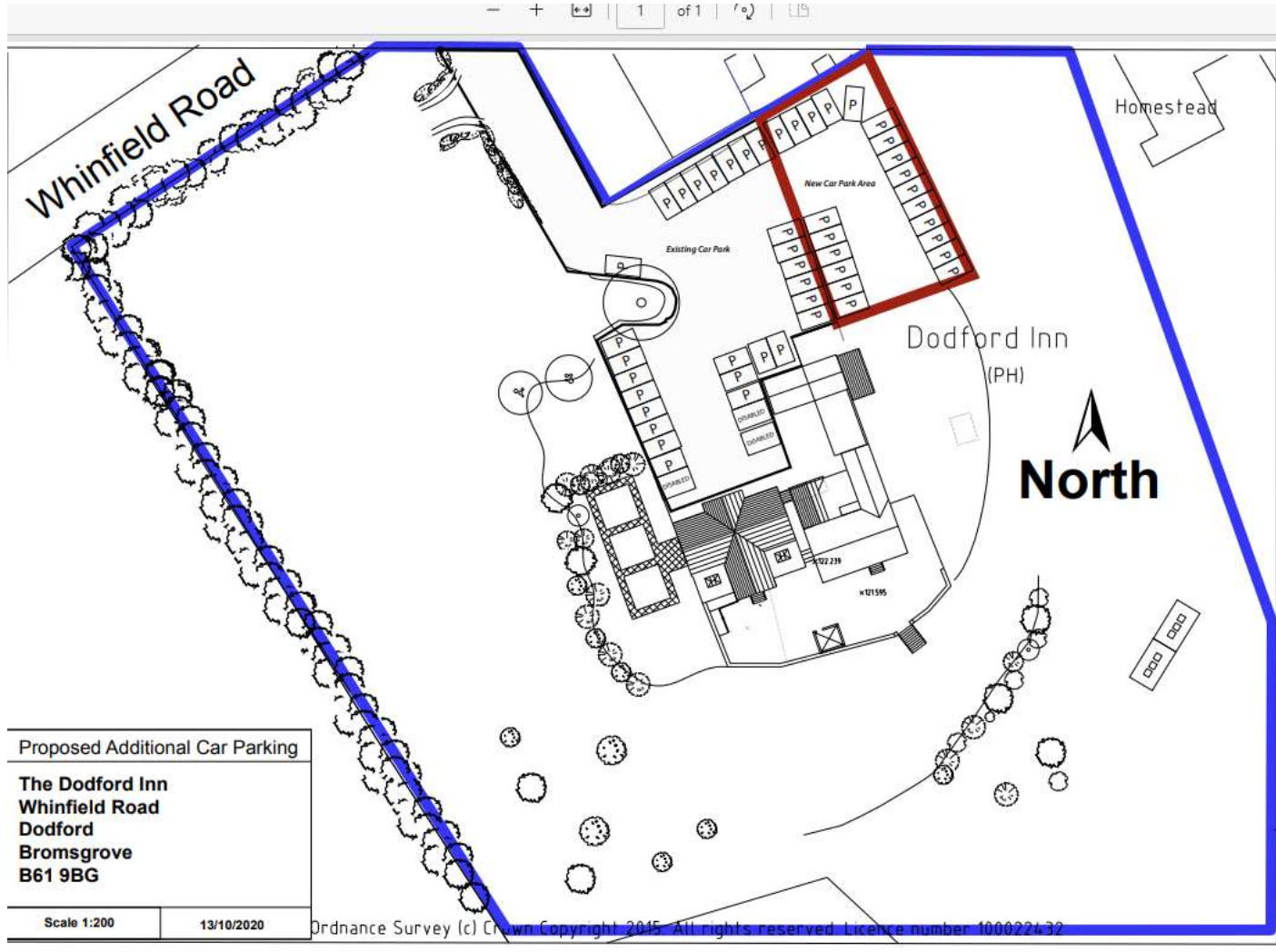
Site Location



Aerial View



20/01573/FUL – Car Park Extension (Implemented Consent)



Site Photos



Site Photo

