



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 4TH SEPTEMBER 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 1st August 2023 (Pages 5 - 8)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 21/01006/FUL - Demolition of existing workshop/garage and the redevelopment of the site for mixed use, comprising of the construction of 9 No. dwellings and an office building together with the change of use and alterations/extension to 10 Old Birmingham Road for use as offices, together with associated access, car parking and landscaping works. Paul Matty Sportscars Ltd, 12 Old Birmingham Road, Lickey End, Worcestershire, B60 1DE. Arden Property Investments Limited (Pages 9 - 46)

6. 23/00616/FUL - Phased demolition and construction of replacement school, including new Multi Use Games Area (MUGA), landscaping and associated works. Waseley Hills High School, School Road, Rubery, Worcestershire, B45 9EL. Tilbury Douglas Construction Ltd (Pages 47 - 90)
7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting.

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

24th August 2023

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

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

**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 31st August 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 31st August 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

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Agenda Item 3

Planning Committee
1st August 2023

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

TUESDAY, 1ST AUGUST 2023, AT 6.05 P.M.

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

Officers: Mr. S. Evans, Mr. D. M. Birch, Mr. P. Lester,
Ms K. Hanchett, Worcestershire County Council Highways and
Mrs. P. Ross

21/23 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors A. Bailes and J. Robinson, with Councillor S. M. Evans in attendance as the substitute Member for Councillor J. Robinson.

22/23 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

23/23 **MINUTES**

The minutes of the Planning Committee meeting held on 3rd July 2023, were received.

It was noted prior to the commencement of the meeting that there was a typographical error of page 10 of the main agenda pack, which showed **RESOVED** and not **RESOLVED**.

RESOLVED that, subject to the amendment, as detailed in the preamble above that the minutes of the Planning Committee meeting held on 3rd July 2023, be approved as a correct record.

24/23 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING**

The Chairman announced that there was no Committee Update.

25/23

22/01608/REM - APPLICATION FOR RESERVED MATTERS APPROVAL (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR THE CONSTRUCTION OF 109 DWELLINGS AND ASSOCIATED WORKS AND INFRASTRUCTURE, PURSUANT TO THE OUTLINE PLANNING PERMISSIONS - 19/00976/HYB AND 19/00977/HYB. (CROSS BOUNDARY APPLICATION WITH REDDITCH BC - 22/01553/REM). PHASE 6 DEVELOPMENT SITE BROCKHILL EAST, HEWELL ROAD, REDDITCH, WORCESTERSHIRE - PERSIMMON HOMES SOUTH MIDLANDS LTD

Officers presented the report and in doing so highlighted that the application was for reserved matters approval (appearance, landscaping, layout and scale) for the construction of 109 dwellings and associated works and infrastructure, pursuant to the outline planning permissions 19/00976/HYB and 19/00977/HYB. (Cross boundary application with Redditch BC 22/01553/REM). Phase 6 Development Site Brockhill East, Hewell Road, Redditch, Worcestershire.

Officers presented the presentation slides, as detailed on pages 38 to 50 of the main agenda pack.

The application site formed part of the Brockhill allocation, which was a greenfield site extending to circa 56 hectares. Two identical applications had been submitted, which included land within two LPA boundaries (Bromsgrove and Redditch). The consideration of the impacts of a development proposal was not altered by political boundaries and could not be considered in isolation.

Members were informed that the Redditch reserved matters application was considered at Redditch Borough Council's (RBC) Planning Committee meeting on Wednesday 12th July and was approved subject to conditions.

Members were further informed that, Phase 4 (22/00255/REM) for reserved matters approval (appearance, landscaping, layout and scale) for the construction of 72 dwellings and associated works and infrastructure, pursuant to the hybrid planning permissions 19/00976/HYB and 19/00977/HYB (Cross boundary application with Redditch BC 22/00359/REM). Reserved Matters was granted 26th August 2022.

The principle of the proposed development (for up to 960 units) had been established through the granting of Hybrid permission 19/00977/HYB.

Therefore, officers reiterated that issues for consideration by Members was limited to matters of: -

- Appearance
- Landscaping

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- Layout (including internal vehicle access)
- Scale

as detailed on pages 27 and 28 of the main agenda report.

The Illustrative Masterplan builds on the vision of the Framework Plan, suggesting where potential pedestrian access points could be located across the whole site. These points had been identified within Phase 6 and had been labelled on the layout to link the scheme with the school and District Centre, creating greater connectivity for pedestrians.

No objections had been received from Highways, subject to the conditions, as detailed on page 24 of the main agenda report.

The Committee then considered the Reserved Matters application, which officers had recommended to be granted.

Officers responded to questions from Members with regards to affordable housing and in doing so stated that, this had also been raised at the RBC Planning Committee meeting held on 12th July 2023.

Officers stated that the developers were proposing to have a higher level of affordable housing on the other phases. The s106 agreement sets out affordable housing, there was no wriggle room. Different levels of affordable housing could be expected over a large development with multiple phases. The next cross boundary application Phase 5 would have a higher level of affordable housing. Officers were not in a position to condition affordable housing outside of the reserved matters application due to the red line area of this phase of development. Affordable housing was secured as part of the s106 agreement and would be met in full. The Housing Strategy team were satisfied with the proposed tenure plan and that the affordable housing was appropriately located and designed so as not to be distinguished from market houses.

In replying to a question regarding the impact of the cross boundary development, it was clarified that the cross boundary nature of the development had been considered as part of the hybrid application and the developer had contributed to schools, highways and health on the basis that up to a maximum of 960 dwellings on the whole site could be completed. Further phases may have a smaller number of dwellings; however, the developer could not go over 960 dwellings.

With regards to existing schools being improved, there would be an extension to the middle school in Redditch and going forward all s106 contributions asked for and justified would be met.

Officers responded to further questions with regards to WRS – Contaminated land and in doing so, referred Members to Condition 2, as detailed on page 34 of the main agenda report.

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Officers further commented that there were numerous conditions attached to the hybrid application, which were also relevant for future phases of the development.

Members raised a number of questions in respect of the open spaces to be provided and the maintenance of those spaces and landscaping maintenance on the site, should the development not be fully completed within a period of five years.

Officers commented that with regards to open spaces and the management of those open spaces, this would be established in the s106 agreement, which would cover all phases of the development until the completion of the development. It was thought to be too premature for discussions to take place with regard to handing over open spaces to the LA; as a number of phases were yet to be applied for and built out.

With regard to landscaping maintenance, officers drew Members' attention to condition 4, as detailed on page 34 of the main agenda report. Officers further stated that you could not have a landscaping condition in perpetuity, however, condition 22 of the hybrid application referred to a landscape management plan for each phase.

The Worcestershire County Council, Highways officer responded to a question with regard to street lighting. Members were informed that the developer had given WCC Highways the intention that they would like the street lighting to be adopted. A section 38 street lighting design agreement would be put in place for WCC Highways to adopt the street lighting design as the streets were being built out. However, Members were informed that it was not necessary to have street lighting in place before people moved into the properties.

Officers further confirmed that a Construction Environmental Management Plan (CEMP) would be requested for each phase of the development to be considered by WCC Highways.

On being put to the vote, it was

RESOLVED that the Reserved Matters – Layout, Scale, Appearance and Landscaping application be granted, subject to the Conditions as detailed on pages 32 to 36 of the main agenda report.

The meeting closed at 6.37 p.m.

Chairman

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Arden Property Investments Limited	Demolition of existing workshop/garage and the redevelopment of the site for mixed use, comprising of the construction of 9 No. dwellings and an office building together with the change of use and alterations/extension to 10 Old Birmingham Road for use as offices, together with associated access, car parking and landscaping works Paul Matty Sportscars Ltd, 12 Old Birmingham Road, Lickey End, Worcestershire, B60 1DE	06.09.2023	21/01006/FUL

RECOMMENDATION:

(1) Minded to **APPROVE FULL PLANNING PERMISSION**

(2) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following:

- (a) The expiry of the consultation period on 18 September 2023 and in the event that representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.

Consultations

Worcestershire Highways - Bromsgrove

No objection subject to conditions (Nos. 10 – 17 at end of the report) and financial obligations.

It is noted the bus stops on Old Birmingham Road in the vicinity of the proposed development are served by Diamond's 202 service. The applicant has provided a Road Safety Audit in relation to the proposal. "Keep Clear" markings on the carriageway fronting the proposed development have been proposed as recommended by Road Safety Audit and Chapter 5 of the Traffic Signs Manual for this location. This will ensure blocking back to the roundabout or queuing does not occur. The existing section of the dropped kerb to be reinstated with full height kerbs and associated transitions.

A Community Transport Contribution of £2,070 is sought in relation to the nine dwellings.

National Highways

National Highways' formal recommendation is that conditions should be attached to any planning permission that may be granted (see Annex A - National Highways recommended Planning Conditions & reasons):

Condition 1 – a pre commencement Construction Environmental Management Plan to be approved.

Condition 2 – a pre commencement Detailed Drainage Design to be submitted and approved in writing by the Local Planning Authority in consultation with National Highways.

Condition 3 - Prior to occupation of the development, yellow box hatchings as shown in drawing 24007-03 - Existing Carriageway & proposed Yellow Box Markings (or other approved drawing) shall be provided in relation to access from B4096 Old Birmingham Road.

Reasons: To ensure the safe and efficient operation of the Strategic Trunk Road at the M42 and junction 1 circulatory

North Worcestershire Water Management

The site falls within flood zone 1 (low risk of fluvial flooding) and in general does not appear to be susceptible to surface water flooding however at low risk (1:1,000) events there does appear to be a surface water flow route through the site. It is important that this flow route is retained. It is suggested that finished floor levels of all buildings are raised a minimum of 150mm above the surrounding ground level to provide flood resilience. Due to the proximity of the motorway slip road it is suggested that some barrier treatment is considered, such as a small bund with a filter drain on the development side to capture any additional runoff.

The ground investigations confirm the feasibility of soakaways - in order to ensure these are adequately sized and designed, further tests in accordance with BRE365 should be carried out, as per the recommendation in s2.6 of the drainage strategy report.

No objection subject to condition requiring a surface water drainage strategy (including SuDS and future maintenance of communal surface water drainage assets) for the proposed development.

Arboricultural Officer

No objection subject to conditions requiring an Arboricultural Method Statement and protection of Root Protection Areas.

WRS - Contaminated Land

No objection subject to conditions including a detailed site investigation and preliminary risk assessment. (Condition 4 below)

WRS - Noise

No objection subject to the imposition of a condition requiring the approval of full details (height, extent and surface density) of the acoustic fence and the chosen glazing and ventilation products prior to use

WRS - Air Quality

The updated version of the AQA (v4) has been reviewed, previous omissions have now been included and there are no adverse or any further comments.

Waste Management

No objection.

NHS Herefordshire and Worcestershire CCG

No objection subject to a contribution of £3910 towards additional primary healthcare provision.

Urban Designer

The comments relate to the first version of the proposal (Received June 2021):

The Design and Access Statement is an inadequate document which does not fulfil the purpose of such a statement as defined by DHCLG and CABE.

It is a problematic site which requires creativity to address the constraints and secure a development of quality. The principal of a mixed use development should be supported. The dwellings could be reconfigured to achieve a greater sense of enclosure.

The placing of the two office buildings on the site appears awkward. There is insufficient in terms of the design of the acoustic fencing to mitigate the impact of traffic noise.

Worcestershire Wildlife Trust – Ecology

The updated Bat Survey is to an appropriate standard and the findings set out are acceptable. In terms of conditions, there are two options. The first is to require a CEMP in conformity with the recommendations set out in the bat survey report. This would make sense in the event that the developers don't get the required licence. This would enable exercise of some control over the implementation of the development. The other mechanism would be to just add an informative noting the need for a bat licence. It would be advisable to do both. It's also worth saying that the mitigation for the bat roost isn't to be seen as part of any BNG (Biodiversity Net Gain) requirement, though any proposed uplift above and beyond the legally required mitigation would be appropriate.

Worcestershire County Council Education Services

Education planning obligations would not be sought on developments of fewer than 10 dwellings.

NHS Clinical Commissioning Group

A contribution of £3910 is sought towards additional primary healthcare provision.

Publicity

8 Neighbour Letters sent 30.07.2021 (expired 23.08.2021)

Site Notice posted 04.08.2021 (expired 28.08.21)

Press Notice posted 01.09.23 (expires 18.09.23).

No comments received.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
 BDP7 Housing Mix and Density
 BDP16 Sustainable Transport
 BDP19 High Quality Design
 BDP21 Natural Environment
 BDP22 Climate Change
 BDP23 Water Management

Others

Bromsgrove High Quality Design SPD
 NPPF National Planning Policy Framework (2021)

Relevant Planning History

B/1998/0497	Change of use from residential garden land (No. 16) to use in connection with existing garage premises.	Granted	14.09.1998
B/15521/1987	Replacement garage workshop (Outline)	Granted	12.10.1987
B/13317/1985	Erection of two storey rear extensions to form bathroom, utility, enlarged kitchen with bedroom over (No. 10)	Granted	01.10.1985
BU/691/1967	Covered area to garage and showroom and screen fence.	Granted	18.01.1968
BU/623/1966	Extension of showroom and workshop.	Granted	14.12.1966
BU/445/1965	New car showroom and demolition of existing showroom.	Granted	16.09.1965

Assessment of Proposal

Site Description

The application site is located on Old Birmingham Road, Lickey End, immediately to the north of Junction 1 of the M42, with a site area of 0.45ha. It is bounded by the eastbound slip road to access the M42 to the south, a parcel of designated Green Belt land to the east, an office building and residential properties to the north and Old Birmingham Road to the west. The buildings on the site comprise a large single storey workshop and

garage located in the south eastern portion of the site which was formerly used by Paul Matty Sports Cars. There is a (currently derelict) two storey house (10 Old Birmingham Road) adjoining the Arden Estates offices located prominently to the front of the site which has in the past been used for storage purposes in association with the workshop to the rear of the site. The remaining land on the site (which formerly comprised part of the rear gardens of Nos. 16 - 20 Old Birmingham Road) consists of hardstanding which has been used as an informal car park. The site is currently bounded by fencing and a retaining wall along the motorway slip road. It is located within the settlement of Lickey End within a residential area, accessible to a range of local services and amenities.

Proposed Development

The proposal is a full application for a mixed use development through the demolition of the existing workshop/garage and the provision of 9 No. dwellings and an office building. There will also be an extension and alterations to 10 Old Birmingham Road to enable use as offices, together with associated access, car parking and landscaping works. The residential element of the proposal would be located to the central and northern part of the site and comprise 5 different house types (labelled A - E on the site plan accompanying the application). There would be two pairs of two storey semi detached dwellings with floor area of 96sqm. Two of the dwellings would have two bedrooms and two would have three bedrooms. The remaining dwellings would be detached, four of them would be three bedroom dwellings of the same scale as the semi detached properties. There would be one larger detached dwelling (Type E) comprising four bedrooms, an integral garage and a floor area of 150sqm. The detached properties would benefit from either a semi detached garage to the rear or an attached garage to the side of the property. The semi detached dwellings would have a brick finish and the detached dwellings would comprise a mix of brick and render. The proposed new office building would be two storeys in height, located towards the southern boundary of the site and would have a brick and render finish. The building would comprise four office units of 74sqm each (375sqm in total) with two units located on the ground floor and two on the first floor. The offices would have an open plan arrangement with separate meeting rooms, stores, WC's and kitchen facilities. The retained former dwelling No. 10 Old Birmingham Road would have a two storey extension to the rear enclosing an existing two storey extension and a smaller single storey extension to the front. The building would consist of an administration area, reception, kitchen, WC's, meeting rooms and print room.

The application is accompanied by a Planning Statement, Flood Risk and Drainage Strategy, Bat Survey Report, Transport Technical Note, Site Investigations Stage 1 & 2, Bank Stability Supporting Statement (inc. Cross Sections), Noise Impact Assessment, Air Quality Assessment, Energy and Efficiency Statement, Landscaping Plan, Arboricultural Impact Assessment and Tree Survey.

Principle

The site is located within the urban area of Lickey End Bromsgrove and defined as a residential area in the Bromsgrove District Plan (BDP) 2017. Given the existence of redundant buildings and their associated curtilage, the site would meet the definition of previously developed land outlined in Annex 2 of the NPPF. Whilst not designated for employment purposes, the land has formerly been used as a garage and workshop and therefore the provision of commercial offices (Use Class E) is considered acceptable in

principle. The loss of some of the land for housing purposes is not considered to conflict with Policy BDP14 of the BDP given the mixed use nature of the proposal.

The site would be accessible to public transport and shops, schools and other amenities are located within walking distance. In the context of policies BDP1 and BDP 19 of the BDP, the proposal for a mixed use development would be considered acceptable in principle.

Furthermore, the Council cannot currently demonstrate a 5-year housing land supply (5YHLS), which was calculated to be 3.3 years as of 1st April 2023. In the context of paragraph 11(d) and footnote 7 of the National Planning Policy Framework (NPPF), the lack of 5YHLS means that planning permission for residential development should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In summary, the principle of development is acceptable and it thereby falls to be considered whether there are adverse impacts arising in terms of the highways, noise, character of the streetscene, the amenity of adjoining occupiers or any other issue which amounts to demonstrable harm.

Character and Appearance

Policy BDP19 of the BDP and the advice of the Bromsgrove High Quality Design SPD and the NPPF are most relevant in the consideration of the proposal. The proposal has been the subject of a sequence of design amendments and appropriate re-consultation has taken place in relation to the current proposal. Policy BDP19 is consistent with the NPPF (the Framework) in requiring the provision of high quality design which is set out in further detail in the SPD.

The proposed layout (office and residential elements) would be located in a backland position with respect to Old Birmingham Road. However, the existing commercial building is located to the rear of the site and the use has not been abandoned. The curtilage to the north of the existing garage building comprised car parking to the rear of No. 16 Old Birmingham Road and it is evident that the curtilage has been extended to also include part of the rear gardens of Nos. 18 - 20. The applicant has submitted evidence to demonstrate the incorporation of the garden of No. 20 around 2001 and No. 18 around 2017. The site currently operates as a functioning single unit with no distinction between the former gardens. Planning permission was granted under (B/2006/0325) for a dwelling to the rear of No. 22 and therefore it is not considered that the proposal would conflict with the prevailing layout of the area in accordance with para 4.2.3 of the SPD. The immediate area largely comprises interwar detached and semi detached dwellings which utilise a variety of material finishes. The submitted Design and Access Statement evaluates the character of the locality (in accordance with para 4.2 of the SPD) and the use of a variety of materials in the proposed dwellings (either brick or part brick/render) would reflect the character of the streetscene and integrate with the design of the proposed offices. The proposal will seek to retain and enhance the currently derelict No. 10 Old Birmingham Road which reflects the character of the area and forms a prominent part of the streetscene. There is a change in levels of approx 2m, with the northern end of the site elevated. The streetscene shows that the proposed dwellings would be on level platforms gradually staircasing upwards (south to north). Plot Nos. 1 and 9 would be

located in corner positions and would provide active frontages on two elevations as advised in para 4.2.18 of the SPD.

Adequate provision for bin storage has been shown to the side/rear of the proposed dwellings and an enclosed single communal bin for the proposed offices would be provided adjoining office unit No. 2. As part of the proposed development, all dwellings will be provided with appropriate cycle storage in the rear gardens and the offices will provide dedicated cycle shelters close to the entrances of each office as set out at Paragraph 4.2.25 of the SPD. In line with Paragraph 4.2.27 of the SPD and Policy BDP16 of the Local Plan, each dwelling will have one 7kW Electric Vehicle Charging Point and each office will have two 22kW Electric Vehicle Charging Points. A detailed specification has been conditioned

The proposal is accompanied by a Tree Survey and detailed landscaping plan. It is intended that mature trees on the southern boundary would be retained and the proposed landscaping provides an appropriate size and native species specification including the provision of frontage trees as advised in the NPPF and SPD.

In terms of the amenity of adjoining occupiers, the rear of the proposed dwellings (Plots 1 - 5) are located between 19m and 22m from the rear elevations of the properties fronting Old Birmingham Road (Nos. 16 - 20). There would be approximately 27m of separation between the northernmost plots (5 and 6) and No. 22b Old Birmingham Road with limited intervisibility through the mature boundaries of the intervening garden of No. 22. Office No. 2 has been positioned to face the access road and minimise the perceived overlooking of the residential properties which face each other rather than the commercial unit. It is appreciated that the front garden of plot 1 would partly overlook the car parking for office No. 2 but the dwelling is orientated towards the east rather than south and would benefit from rear private amenity space. The rear gardens fulfil the requirements of the SPD in terms of private amenity space which exceeds 70sqm. The garden depths are approx 9m rather than the recommended 10.5 but the peripheral boundary of the site benefits from established trees and hedges. In terms of the relationship between the residential and commercial buildings, office no. 1 is located towards the frontage of the site with limited impact on the residential properties. Plots 1 and 9 are located close to office No. 2 but the landscaping plans detail the provision of hedges and landscaping to protect the amenity area of these properties. There is also an additional area of landscaping to the rear of office No. 1 (formerly 10 Old Birmingham Road). The Energy Efficiency Statement accompanying the application outlines a range of measures including insulation, solar panels and low energy illumination in accordance with the advice of the SPD. The proposed housing mix, with eight of the nine dwellings being two or three bedroom properties would accord with policy BDP7 of the BDP.

Highways

In respect of highways, policy BDP16 of the BDP and the NPPF advise that applications for development should:

- o give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible to facilitate access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services and appropriate facilities that encourage public transport use;

- o create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

National Highways and Worcestershire Highways initially raised some concerns about the application in 2021. The concerns related to the geotechnical impact of the proposal on the stability of the J1 eastbound sliproad embankment, the impact on the motorway arising from drainage arrangements on the site and the potential impact arising from congestion at the junction both during and post construction. The applicant has provided a Transport Technical Note, a Road Safety Audit, Bank Stability and Cross Sections. There are no objections from Worcestershire Highways or National Highways subject to conditions. The consultees have requested a detailed Construction Environmental Management Plan (CEMP) incorporating a Construction Traffic Management Plan (CTMP) condition.

Site-specific access and the internal road layouts have been assessed and presented in the Highways Technical Note accompanying the application. Whilst the internal roads will not be offered up for adoption by the Local Highways Authority, and will remain private, the proposed development still seeks to meet LHA standards in terms of the specification of the access road.

It has been agreed that a yellow box will be introduced as part of the off-site highways mitigation package to ensure congestion is kept to a minimum at the motorway junction. The existing site access which historically served No. 10 Old Birmingham Road, will be extinguished as part of the proposals. There will be a separate agreement required under Section 278 of the Highways Act 1980 to carry out these works.

WCC Highways have requested conditions in relation to visibility splays, travel plans, cycle parking and EV points. There would be 2 car parking spaces for each of the proposed 2/3 bed dwellings and 3 car parking spaces for the 4 bedroom dwelling. There would be 30 car parking spaces provided to serve the proposed offices in accordance with WCC parking requirements.

WCC have requested a contribution of £2070 towards community transport and NHS Herefordshire and Worcestershire CCG have requested a contribution of £3910 towards additional primary healthcare services. However, the funding is sought for general provision of healthcare/community transport rather than being considered necessary to address specific deficiencies arising from the development. Therefore, the requests would fail to comply with reg.122(2) of the CIL Regulations 2010.

Noise

The site is located immediately to the north of the M42 in close proximity to Junction 1 and the proposal has been accompanied by a Noise Impact Assessment dated March 2023. It is noted that the M42 is in a cutting of approximately 8m at this point, with the

junction roundabout at the same ground level as the site. Members should note that noise mitigation has informed the layout of the proposed development. The residential part of the development has been set back on the site as far as possible with the commercial units forming an acoustic envelope in closer proximity the motorway. There will be a 3m acoustic fence along the remaining sections of the southern boundary as outlined on the Boundary Treatment Plan and proposed photomontage. The Landscaping Plans show that effective screening of the proposed barrier will be provided to mitigate any detrimental impact and therefore the impact of the acoustic fence on the character of the streetscene is considered acceptable. The Noise Assessment demonstrates that an acceptable level of internal and external noise can be achieved through the use of an appropriate specification of noise attenuation barrier and acoustic glazing with trickle vents to achieve a sound reduction index of 34dB. The specification for the proposed acoustic fences for the private amenity areas are considered acceptable. A condition will be imposed in terms of the acoustic specification for the main acoustic fence and for the proposed buildings. There are no objections from WRS (Noise) subject to the imposition of such a condition.

Ecology

The application is accompanied by an updated Bat Survey which confirm that there is an active bat roost in Building 1 (former No. 10 Old Birmingham Road) and a bat mitigation development license from Natural England will be required. Members should note the building will be retained in these development proposals and the habitat will potentially remain. Appropriate conditions have been attached in relation to the Bat License and appropriate ecological mitigation.

Other Matters

The site falls within Lickey End Air Quality Management Area (AQMA) and the proposal has been accompanied by an Air Quality Assessment in accordance with policy BDP19 of the BDP. The report concludes that assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout activities are predicted to be not significant. Furthermore, it was concluded that future residents would not be exposed to excessive levels of air pollution (estimated to be below $40 \mu\text{g}/\text{m}^3$). There are no objections from WRS (Air Quality) in relation to the updated Air Quality Assessment.

There have been no objections from NWWM, WRS (Contaminated Land) or the Councils Tree Officer subject to conditions. No third party representations have been received.

Conclusion

The proposal amounts to the beneficial use of previously development land within a sustainable urban location. The site has a number of constraints, notably the noise impact arising from the proximity of the M42 and the location of the site access on Old Birmingham Road with respect to J1. After a series of amendments, your Officers consider that an acceptable scheme is possible on the site which complies with the requirements of the BDP and the High Quality Design SPD whilst addressing the noise constraints of the site. In the absence of a 5 year housing land supply, the tilted balance of the NPPF is engaged and the proposal is recommended for approval.

RECOMMENDATION:

(1) Minded to **APPROVE FULL PLANNING PERMISSION**

(2) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following:

(a) The expiry of the consultation period on 18 September 2023 and in the event that representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.

Conditions:

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

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

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

Drawing No. 100 Rev D Site Location Plan
Drawing No. 102 Rev F Proposed Site Plan
Drawing No. 1970_076_PL01 Rev C Proposed Landscaping Plan
Drawing No. 300 Rev B Proposed Coloured Site Plan and Streetscene
Drawing No. 301 Rev B Proposed Streetscene
Drawing No. 103 Rev C Proposed Demolition/Civils Plan
Drawing No. 400 Rev C Existing/Proposed Sections
Drawing No. 101 Rev C Existing Site Plan
Drawing No. 202 Rev C Proposed Access Plan?
Drawing No. 401 Rev D Proposed Boundary Treatment Plan?
Drawing No. 200 Rev D Proposed Detailed Site Plan 1 of 2?
Drawing No. 201 Rev D Proposed Detailed Site Plan 2 of 2?
Drawing No. 203 Rev A House Type A - Proposed Elevations and Floorplans
Drawing No. 204 Rev F House Type B - Proposed Elevations and Floorplans
Drawing No. 205 Rev E House Type C - Proposed Elevations and Floorplans
Drawing No. 206 Rev E House Type D - Proposed Elevations and Floorplans
Drawing No. 207 Rev A House Type E - Proposed Elevations and Floorplans
Drawing No. 208 Rev D Proposed Office Floorplans
Drawing No. 209 Rev E Proposed Office Elevations

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

- 3) No works above foundation level shall commence until a scheme for a surface water drainage strategy for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.

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

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

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

- 5) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with Environment Agency's Land contamination risk management (LCRM) guidance.

2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.

3. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

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

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

- 6) The following works, namely the demolition of the building identified as 'B1' on the Building Assessment Plan Figure 1 dated 06.06.22 of the FPCR Bat Survey Report and Mitigation Strategy shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence
- 7) Prior to construction a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details relating to:
- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
 - b. Heavy goods vehicle and construction traffic routing plan (including details of any temporary signage);
 - c. Timing of heavy goods vehicle movements during the construction phase;
 - d. A named point of contact for overseeing construction works and their contact details;
 - e. The location, layout and design of temporary site compounds (including access control, areas for loading/unloading and storing plant, materials and deliveries used in constructing the development), temporary lighting and signage;
 - f. Construction site access location, control and construction haul routes;
 - g. The parking of vehicles of site operatives and visitors;
 - h. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

Development shall be carried out in compliance with the approved Construction Management Plan.

Reason: To ensure the safe and efficient operation of the Strategic Trunk Road at the M42 and junction 1 circulatory.

- 8) Prior to occupation of the development hereby approved, detailed plans showing the proposed location and design of ecological enhancement measures (in accordance with the Mitigation Strategy, outlined in paragraph 1.1 of the Focus Environmental Bat Survey Report Ref 2156 dated March 2023) including bat boxes and a sensitive lighting scheme, shall be submitted to and approved by the Local Planning Authority.

Within 3 months of the occupation of the development, photographic evidence and a post-development ecological field survey and assessment shall be submitted to and approved by the Local Planning Authority to demonstrate the delivery of the ecological enhancement and protection measures is in accordance with the approved measures and in accordance with Chartered Institute of Ecology and Environmental Management (CIEEM) standards. The development shall accord with the details as approved and retained for the lifetime of the development.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and the mitigation and adaptation to climate change.

- 9) Prior to the commencement of the development hereby approved, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted AMS shall provide sufficient detail in accordance with the recommendations set out in paragraph 4.5 of the submitted BS5837:2012 Arboricultural Survey and Impact Assessment (AIA) dated March 2023.

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

- 10) All retained trees and their Root Protection Areas must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials within the Root Protection Areas of any retained trees.

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

- 11) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: To encourage sustainable travel and healthy communities.

- 14) The proposed offices hereby approved shall not be opened to the public until 4 electric vehicle charging spaces has been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority. Such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To encourage sustainable travel and healthy communities.

- 15) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted Highway Design Guide has been provided to serve the residential and office elements in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. 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 or be brought into use until the visibility splays shown on drawing 24007 - 02 Rev B 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.

- 17) The Development hereby approved shall not be occupied or be brought into use until the existing vehicular/pedestrian access shall be permanently closed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

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

- 18) The Development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan using Modeshift STARS Business. They must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation.

Reason: To reduce vehicle movements and promote sustainable access

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

Reason: To reduce vehicle movements and promote sustainable access.

- 20) Prior to development commencing, full details of proposed noise mitigation measures including the acoustic fencing and glazing shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason: In the interests of residential amenity and in accordance with National Planning Policy Framework.

Case Officer: David Kelly Tel: 01527 881666
Email: david.kelly@bromsgroveandredditch.gov.uk

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21/01006/FUL

Paul Matty Sportscars Ltd, 12 Old Birmingham Road Lickey End
Worcestershire B60 1DE

Demolition of existing workshop/garage and the redevelopment of the site for mixed use comprising an office and 9 No. dwellings and the change of use and alterations/extension to 10 Old Birmingham Road for use as offices and associated with associated access, car parking and landscaping works

Recommendation: Approve

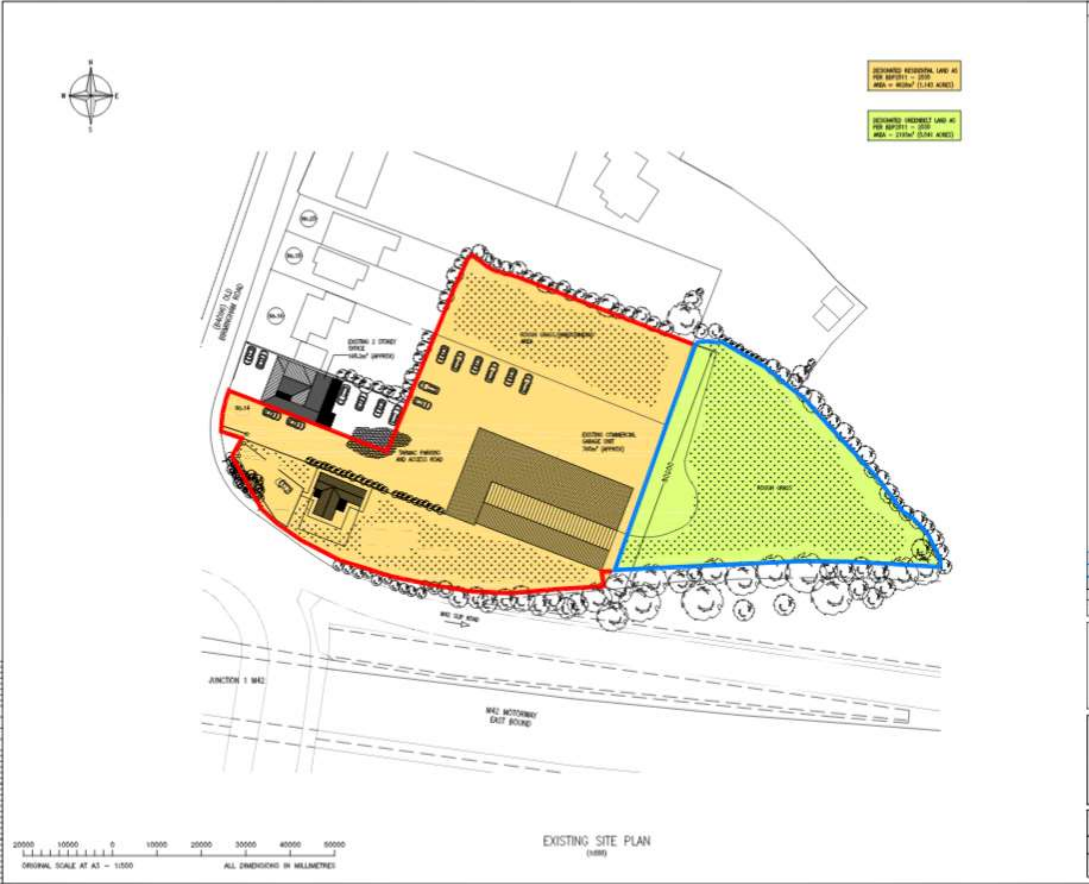
Site Location Plan



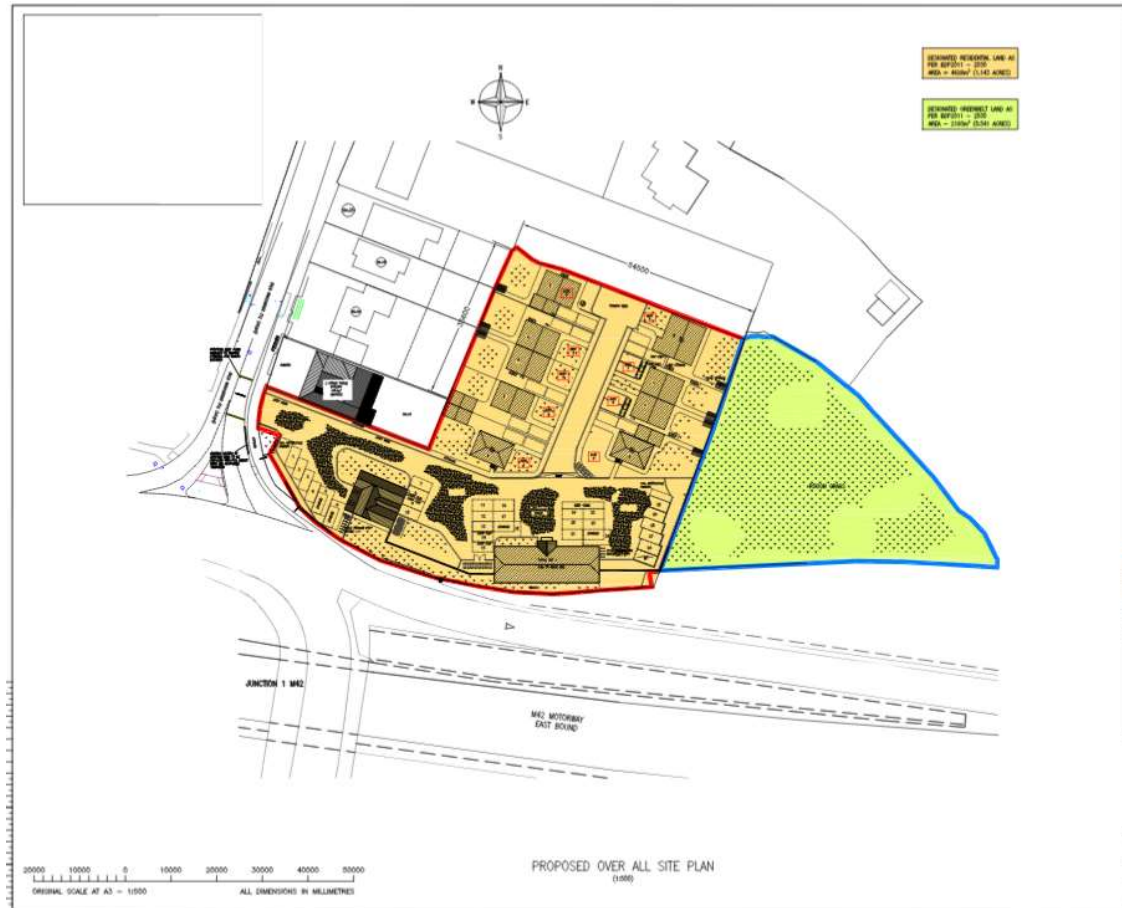
Existing Satellite View



Existing Site Plan



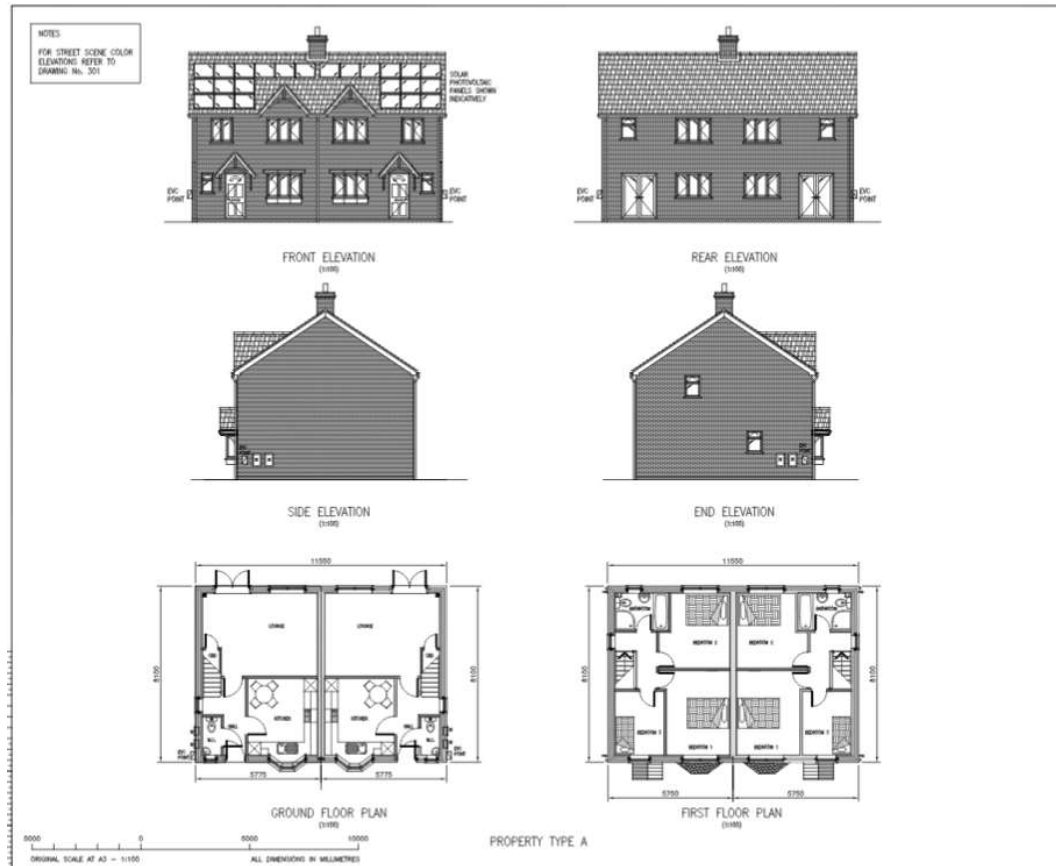
Proposed Site Plan



Proposed Boundary Treatment Plan



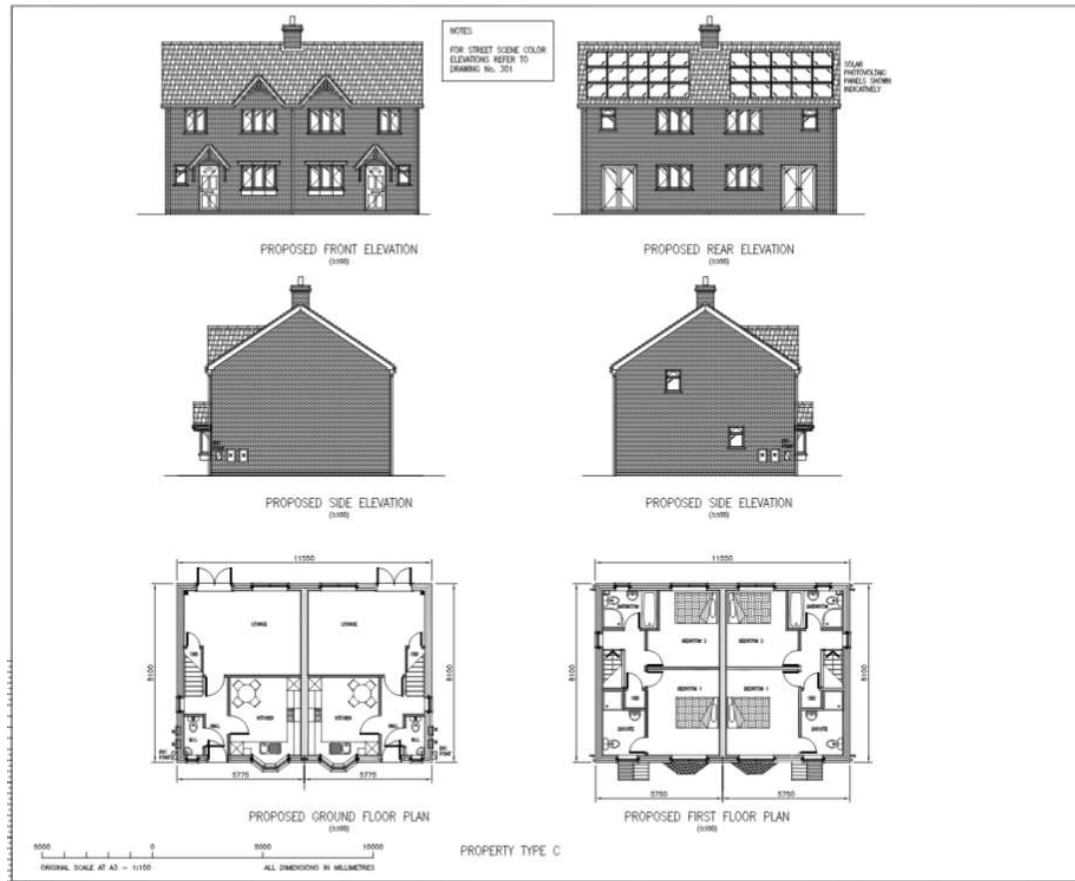
Proposed House Type A Elevations and Floorplans



Proposed House Type B Elevations and Floorplans



Proposed House Type C Elevations and Floorplans



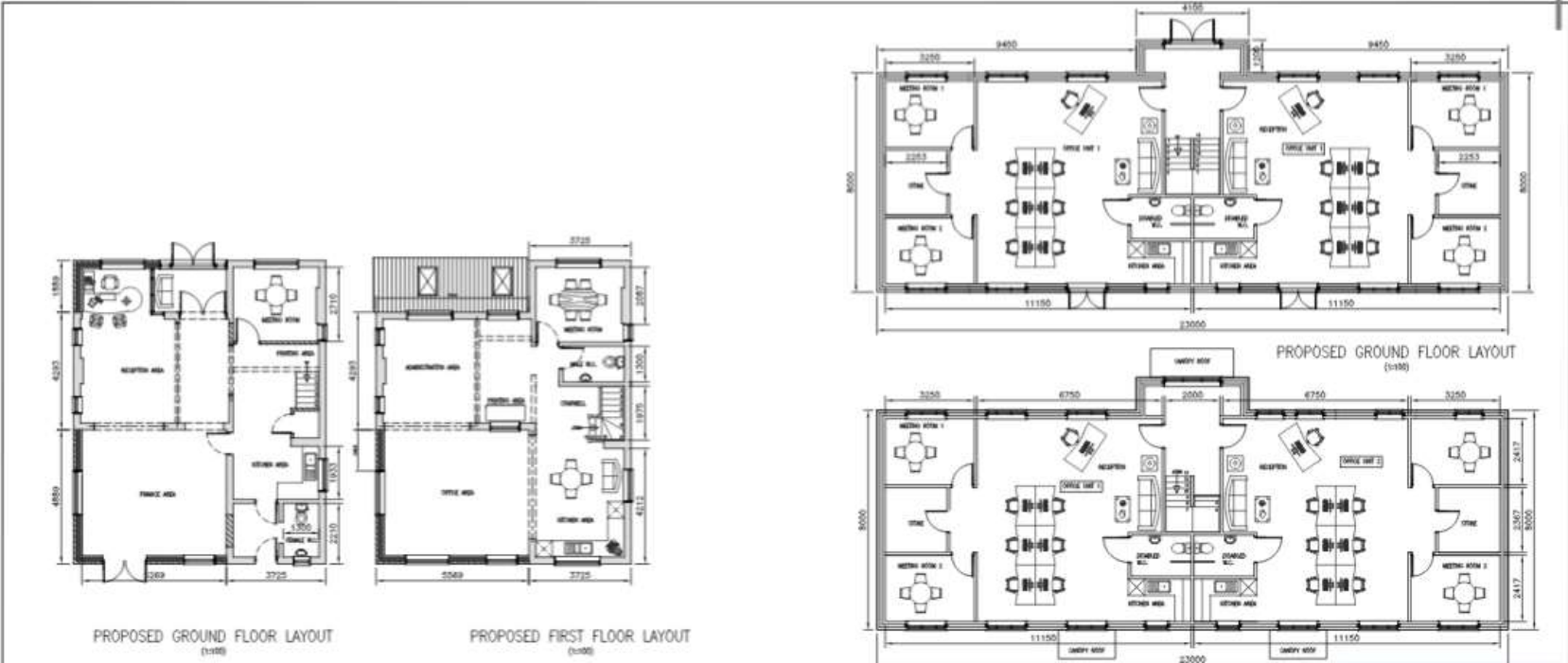
Proposed House Type D Elevations and Floorplans



Proposed House Type E Elevations and Floorplans



Proposed Office Floorplans



Proposed Office Elevations



Proposed Coloured Site Plan and Streetscene



Proposed Streetscene



Notes:

B	Revised for Planning Consideration	D.	1:20/2020
A	ISSUED FOR APPROVAL	D.	1:11/2020
REV	DESCRIPTION	BY	DATE

KINSFORD PROPERTY LTD
TEL: 01421 760334 / 01421 764270

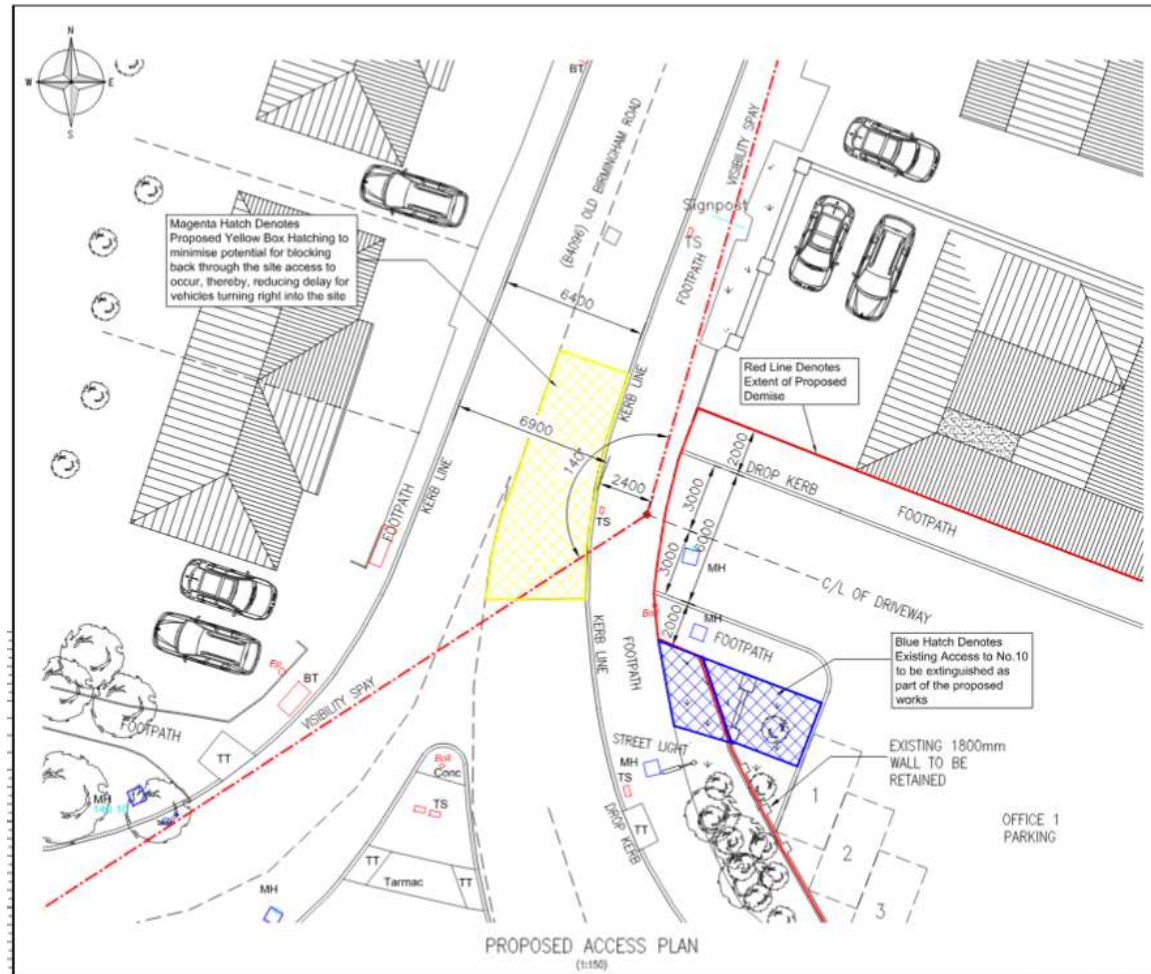
MOON PROPERTY INVESTMENTS LTD

UPP TO THE RIGHT OF PL. 12
ALL DIMENSIONS AND
POSITIONS ARE
APPROXIMATE
AND NOT TO SCALE

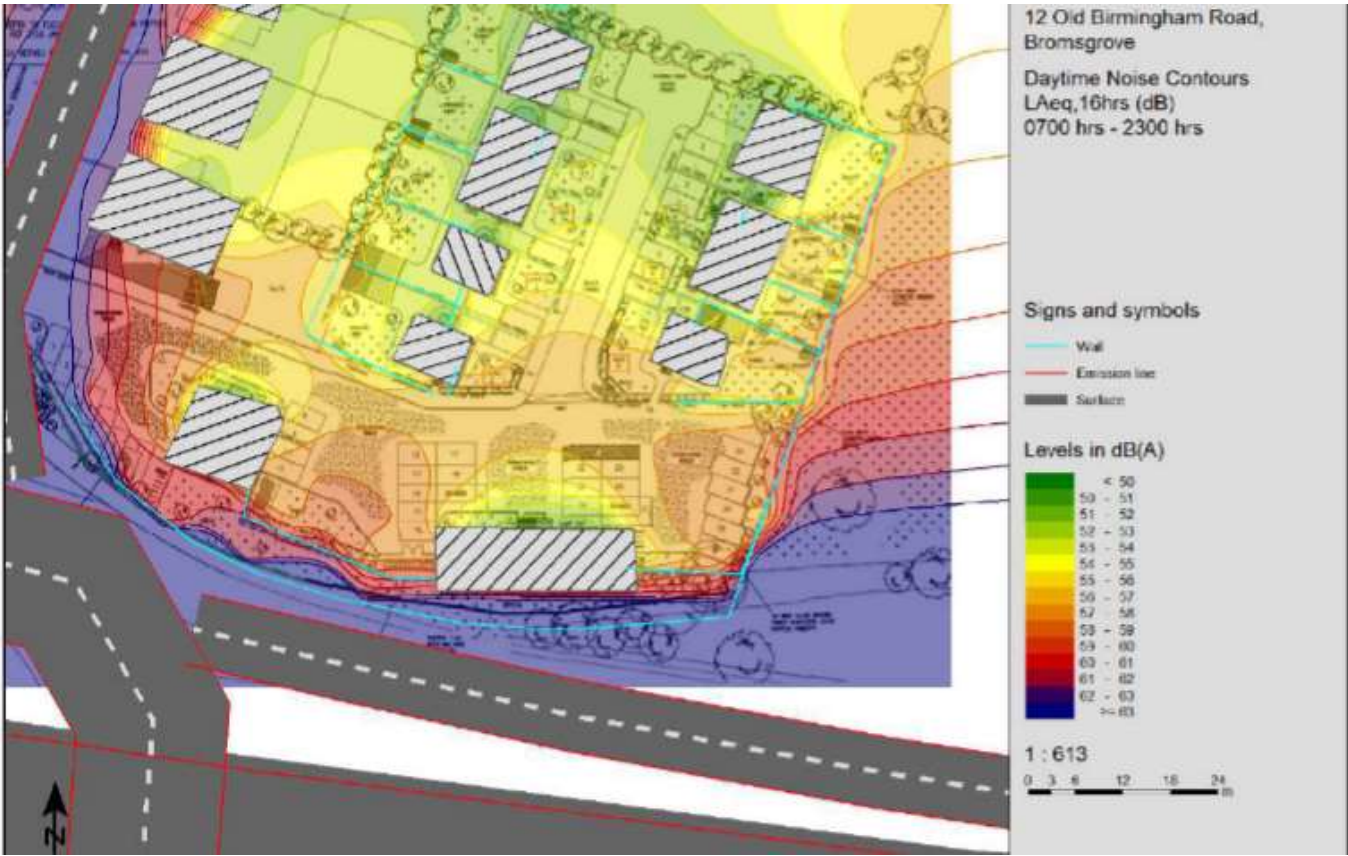
ISSUED FOR APPROVAL

SCALE OF A2	DATE	SCALE	VERSION
A1	17/01/2021	1:50	002
PROBUDY 001	09/01/2021	1:50	001

Proposed Access Amendments



Daytime Noise Contour Plan



Site Photographs



CGI Image



CGI Image



Name of Applicant	Proposal	Expiry Date	Plan Ref.
Tilbury Douglas Construction Ltd.	Phased demolition and construction of replacement school, including new Multi Use Games Area (MUGA), landscaping and associated works. Waseley Hills High School, School Road, Rubery, Worcestershire, B45 9EL		23/00616/FUL

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Worcestershire Archive And Archaeological Service

No objection subject to conditions

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

Conservation Officer

The building is a non-designated heritage asset with architectural and historic interest in school design, particularly the open-air school movement. It has a degree of significance that merits consideration in planning decisions. However, its interest as a non-designated heritage asset is at the lower end of the scale, making it not a candidate for the Local Heritage List. Paragraph 203 of the NPPF requires a balanced judgment in weighing applications that directly or indirectly affect non-designated heritage assets, considering the scale of harm or loss and the significance of the heritage asset. This paragraph is mirrored by BDP20.14 of the Bromsgrove District Plan.

If approved, the decision should be subject to the Worcestershire Archive And Archaeological Service conditions.

North Worcestershire Water Management

No objection subject to the development complying with the amended drainage information.

WRS - Contaminated Land

No objection subject to unexpected contamination condition

WRS – Noise

No objection

WRS - Air Quality

No objection

Active Travel England

Active Travel England considers that the local planning authority should seek a revised Travel Plan that sets out how at least 50% of school journeys (or another figure with

supporting evidence to justify) will be walked, wheeled and cycled, with the Transport Statement identifying how off-site route improvements and other measures will support this aim. Other measures should include, but not be limited to, policy-compliant cycle spaces.

Worcestershire Highways - Bromsgrove

No objection subject to conditions

- Lighting Assessment
- School Travel Plan
- Construction Management Plan

Arboricultural Officer

The tree officer objects due to the loss of T034. However, they have indicated that they will withdraw their objection if a suitably sized direct replacement for T034 is proposed. The officer is currently considering an updated landscaping plan members will be updated prior to the meeting.

Sport England

No objection subject to conditions

- Playing Field Reinstatement Condition
- Resurfacing and relining work of two courts

Thomson Environmental Consultants (Ecology)

No objection subject to conditions

- General Ecology
- Bats
- Construction Environmental Management Plan (CEcMP))
- Landscape and ecological management plan (LEMP)
- Lighting

Further bat information and a CEcMP have been submitted. An update will be provided prior to the meeting.

Hereford & Worcester Fire And Rescue

No objection

Waste Management

No objection

Community Safety Manager

No objection

Birmingham City Council

No Comments Received

Public Consultation Response

150 letters sent 7th June 2023 expired on 1st July 2023
 Site notices displayed 7th June 2023 expired on 1st July 2023
 Press notice published 16th June 2023 expired on 3rd July 2023

No representation has been received following the consultation process.

Applicant Public Consultation

Prior to the submission of the application, a consultation exercise was undertaken. Residents, parents and staff were invited to attend a public meeting held at the school on 2nd March 2023. At the meeting, the applicant and consultant team gave a presentation to provide details of the proposed development and were available to answer questions. Feedback forms were also provided for completion on the day and subsequently online.

A total of 18 written responses were returned. All respondents confirm that they supported the principle of the development, many supported the proposed design of the building and welcomed the net zero approach once in operation.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
 BDP4 Green Belt
 BDP12 Sustainable Communities
 BDP16 Sustainable Transport
 BDP19 High Quality Design
 BDP20 Managing the Historic Environment
 BDP21 Natural Environment
 BDP22 Climate Change
 BDP23 Water Management

Others

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

Relevant Planning History

13/0084	Single storey extension to existing single and two storey teaching block to provide extended changing and shower facilities for both staff and pupils.	Approved	05.04.2013
10/0955	Infill to create autism and diploma bases.	Approved	24.11.2010
09/0562	Extension to sixth form college and provision of additional car parking.	Approved	25.08.2009

09/0037	Retention of mobile classroom to be used in connection with school	Approved	01.05.2009
B/2007/1347	New Store to art block.	Approved	04.01.2008
B/2006/0872	New carpark - County Council Statement ref no.603423	Approved	27.09.2006
B/1996/0426	Provision of all weather pitch, netball court, flood lighting, indoor sports facilities and additional car parking, all for joint school/community use.	Approved	28.10.1996
B/6409/1979	Provision of a single mobile classroom (Reg 4 Part II of the Town and county Planning General Regs 1976)	Approved	04.09.1979
B/4690/1978	Erection of double mobile classroom.	Approved	22.05.1978

Assessment of Proposal

Background

The application site comprises Waseley Hills High School, a mixed secondary school and sixth form located on School Road, Rubery. The Department of Education (DfE) has confirmed that Waseley Hills High School will form part of its School Rebuilding Programme, which proposes major rebuilding and refurbishment projects at schools and sixth form colleges across England, with buildings prioritised according to their condition. More details regarding the School Rebuilding programme can be found at the following link <https://www.gov.uk/government/publications/school-rebuilding-programme/school-rebuilding-programme>. The school has been prioritised due to a conditions assessment determining that the existing buildings are in poor condition and urgent action is required.

The school currently accommodates 741 pupils and a total of 84 staff. No increase in staff or pupil numbers is associated with these development proposals.

Site description

The site comprises an irregular shaped parcel of land that has an area of approximately 9.7ha. The site is in a suburban area on the western edge of Rubery and falls within the Green Belt and is adjacent to Waseley Hills Country Park.

The school buildings, associated hardstanding, including a car park, playground and netball courts, are located to the south. In the centre of the site are the playing fields, amenity grassland with scattered trees and scrub. A swale system with four areas of open water is also present. The northern part of the site is unmanaged, with semi-improved grassland, dense scrub, woodland and pockets of vegetation.

The topography of the site is steeply sloping from the highest point in the northwest down approximately 20m to the lowest point at the site entrance in the southeast. In terms of the existing school buildings, the site slopes approximately 7m from west to east.

Scattered trees, scrub and hedgerow define the north and west boundaries of the site, beyond which lie fields of grassland and pockets of woodland, some of which are included in Waseley Hills Country Park (Local Nature Reserve).

Holywell Primary School is located north of the site. Residential properties are located to the east on Gunner Lane and to the south on School Road. The wider area includes residential areas associated with Rubery to the east and open fields to the north, west and south.

The site has two vehicular access points, both directly off School Road and providing access for pupil drop off, visitor and staff car parking. The main access point (located immediately to the south of a mini roundabout junction that connects School Road, Gunner Lane and Gannow Road) is for vehicles and pedestrians and provides access to the shared road with Holywell Primary School. There is another access point to the south which is primarily used for pedestrians and staff car parking, but also serves as the main kitchen delivery point, minibus access and refuse collection.

The site has approximately 100 car parking spaces, including two disabled bays. The parking area is largely contained within an area immediately to the east of the buildings near the access, there is a small overflow parking area to the north which is located to the east of the access road. There is a single bike shelter at the site which has 7 Sheffield stands (14 spaces).

Proposed Development

The proposed new Waseley Hills High School has been developed to provide teaching spaces for Secondary and Sixth Form students, 11 – 18 years.

The application scheme involves the phased demolition of all existing school buildings and the erection of two new school buildings (block 1 and 2) facing each other across a central courtyard. In addition, a new MUGA is proposed together with associated landscaping works.

It will provide a mixture of teaching facilities, including, but not limited to:

- General Teaching Classrooms (Maths, English,
- Humanities and Modern and Foreign Languages
- (MFL) grouped as Faculties)
- Dedicated ICT Suites
- Art, Design and Technology Classes

- Food Technology
- Science
- Music and Performing Arts
- Sports/PE
- Sixth Form Study
- A dedicated Special Educational Needs department.

The general school pupil, staff and ancillary spaces will include;

- Library
- Main Assembly Hall
- Dining Hall with adjoining Kitchen
- Faculty Offices and Administration
- Main Entrance, together with Foyer, Reception
- Office, Administration, Reprographics, Heads Office, and Meeting Rooms
- Horizontal and vertical circulation, including
- evacuation passenger lifts
- Social Areas and WCs
- Plant Rooms, services, and Server Room

The school will not close as part of the development. The phasing of the demolition and construction has been designed to ensure that the safety of staff, pupils and visitors at the site is not compromised, that the day-to-day functioning of the school can continue and that all necessary facilities remain available for the school community. The applicant is committed to working closely with the school and community to ensure that there is minimal disruption to daily school life.

The phasing of the development and indicative programme timescales comprises the following:

- Phase 1 – Demolition of EFAG (late 2023). Construction of new two-storey block (Block 1) with sports hall over the existing MUGA / playground (April 2025);
- Phase 2 – Demolition of EFAA, EFAB and Sports Hall (April – August 2025). Retaining EFAC for a temporary reception / admin facility;
- Phase 3 – Construction of a two-storey block (Block 2) sited to the front of the site, over the existing EFAB block (August 2025– August 2026);
- Phase 4 – Demolition of remaining blocks, EFAC, EFAD, EFAE, EFAF and ANC1 (September – November 2026).

Benefits of the Development

The supporting Planning Statement outlines the benefits of the proposal as summarised as follows:

- The development of a new secondary school and sixth form to serve residents within Bromsgrove in line with the Central Region Schools Trust's vision. This will enhance educational provision and widen choice for parents and children.

- The removal of the existing school buildings which are in a poor state of repair, fail to meet the aspirations of the Trust and present a financial burden in terms of ongoing maintenance.
- The development of a low carbon, climate resilient development built in accordance with S21 specification which will be net zero in operation.
- An opportunity for the new school to offer increased access to the community during evenings, weekends and holidays.
- The provision of contemporary buildings which will enhance the school's presence, of a scale and design that complements surrounding development and safeguards the amenities of existing properties.
- A significant reduction in the extent of built footprint and floorspace within the Green Belt;
- The provision of greater areas of amenity and recreational space which will enhance the delivery of the PE curriculum and recreational activities;
- The provision of accessible and flexible teaching facilities with a comprehensive range of ancillary spaces that will create an appealing teaching and learning environment for students and staff.
- High quality landscaping and external facilities for sport, recreation and learning that are designed to meet the needs of students and will improve the appearance of the application site.

Principle of Development

The redevelopment of Waseley Hills High School will support the Local Authority's statutory duty to ensure sufficient school choice is available to meet the needs of existing and new communities. In accordance with paragraph 95 of the NPPF, LA's take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education and great weight should be given to the need to create, expand or alter schools.

The NPPF in paragraph 96 also states that local planning authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education. The proposed development will facilitate enhanced education accommodation for teaching and sports facilities and the principle of development is thus supported. This is further reinforced by BDP12 Sustainable Communities, which seeks to ensure that new development contributes to the provision of sustainable communities to meet long term needs.

Green Belt

The application site resides within an area designated as Green Belt. The key policies are BDP4 and Chapter 13 of the NPPF, specifically paragraph 149. Within this designation, the policy focus is on preventing "inappropriate" development in the Green Belt with the

fundamental aim being to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. It should be noted that development defined as ‘inappropriate’ is by definition harmful to the Green Belt and attracts substantial weight in decision making. Such development should only be approved in very special circumstances where the harm by reason of inappropriateness (and any other harm) is clearly outweighed by other considerations.

In relation to Green Belt there are two exceptions are potentially applicable to the current application proposal exception (d) allows for: ‘the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The second exception (g) allows for: ‘limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development’.

A detailed Green Belt Assessment has been included with the Planning Statement prepared by Q+A Planning. In assessing the impact on openness, the following is considered relevant.

The combined footprint of the existing seven buildings across the site is 6,294 sq.m., with a total overall floorspace of 9,242 sq.m. The proposed replacement buildings will occupy a significantly reduced area with a more compact and cohesive design occupying a total footprint of 4,715 sq.m. and providing 8,462 sq.m. of floorspace

	Existing Sq. m	Proposed Sq. m	Difference	
			Sq. m	%
Footprint	6294	4715	-1579	-25%
Floorspace (G and 1st floor)	9242	8462	-780	-8.4%
Height of Buildings	3.7m-10.3m	9.5m-11.9m	-	-

Height

The existing school buildings range from single storey structures of between 3.7 metres and 5.4 metres high and two storey buildings of between 6.25 and 10.3 metres in height.

In contrast the two proposed teaching blocks will have a maximum height which exceeds this in some locations. The information provided in the Design and Access Statement and on the submitted drawings indicates:

- Block 1 - at its highest, incorporates a parapet over the activity studio which sits at 11.7m above adjacent ground level, stepping down to 10.4m above the sports hall and then to 9.6m for the remainder of the block; and
- Block 2 is located 1.5m below and has a main parapet height of 9.6m with the roof access staircase rising to 11.5m.

Thus, parts of the new buildings are lower than some of the existing two storey structures, however it is acknowledged others are higher due to the parapet and roof access. Notwithstanding, the additional height is off set by the reduction in the number of

buildings and their footprint and the consequential increase in the areas of informal space/PE provision contributing to the openness of green belt.

Massing

Using an appropriate average height measurement for each of the existing buildings it has been ascertained that there remains an overall reduction in volume of at least 648 cubic metres on the basis that:

- Existing buildings = 48,408 cubic metres
- Proposed buildings = 47,759 cubic metres

Conclusions on Green Belt

The replacement school buildings clearly meet both prescribed criteria set out in exception (d) of the NPPF in that the replacement buildings are in the same use and not materially larger than the ones they replace.

The proposal is not considered an inappropriate form of development in the Green Belt, due to compliance with paragraph 149. Further to the inappropriateness test, there is no other significant harm to the Green Belt. The proposal would not conflict with the purposes for including land within the Green Belt. Paragraph 145 in determining inappropriate (and by virtue appropriate) forms of development in the Green Belt registers an inherent impact on openness. The proposal complies with the relevant Green Belt aspects of the NPPF and is considered to have an acceptable impact on the Green Belt.

Design and Appearance

The proposed development involves removing school buildings due to the dispersed campus and inadequate functionality. The new school (which is two storeys) is designed to integrate into the existing built environment using materials like red brick for a sturdy lower surface and principal elevation, reflecting the school and surrounding residential properties. The upper part of the building will be finished in off white/grey render.

The front elevation features a pillared canopy above first-floor windows, creating a strong entrance and a sense of arrival. Double-height glazing, buff brick, and a brick relief pattern add interest.

The building's framing, canopy, fascia's, cappings, and rainwater goods will be dark grey polyester powder coated steel or aluminium. Massing and elevations are designed to maximise daylighting requirements while adhering to the robust limitations of the fabric first approach used as part of the attainment of 'net zero carbon in operation' (NZCiO).

Both blocks will have flat roofs with parapets, roof lights, and natural ventilation stacks for photovoltaic panel arrays. Ground floor plant rooms will be located in an enclosed compound away from neighbouring properties, ensuring minimal impact on residential amenity.

The proposed building is well-designed, appropriately located, and suitable for future users. It is accessible, secure, and does not negatively impact neighbouring properties.

The well-designed buildings are of an appropriate scale, provide an attractive green setting and are well related to adjoining development. It is considered that the proposal is of a high quality and meets the requirements of Policy BDP19, the High Quality Design SPD and Section 12 of the NPPF.

Historic Environment

The school was designed by the notable local architect A V Rowe, who also designed Parkside, listed Grade II, originally a school but now the Council offices in Bromsgrove. Open air schools of the 1920s and 1930s were particularly innovative. From 1907 open air schools were set up by several authorities in England. In Birmingham they were designed to educate the city's "delicate" children whose schooling had suffered due to malnutrition, asthma, bronchitis and other respiratory diseases. Schools were designed on this basis with open sided classrooms and plenty of access to the outside. They were constructed in the leafy suburbs, Uffculme in Birmingham, constructed on land donated by the Cadbury Family, was the first open air school in Birmingham but the City also constructed similar schools on land outside the city including north east Worcestershire, and it was therefore inevitable that some of the principles would be adopted by school designers more widely as was the case here. The building is noted on the HER and has some architectural interest with the Rowe connection but also historic interest in terms of the development of school design and particularly with the link to the later era of the open-air school movement. The building is therefore considered a non-designated heritage asset, and on that basis has 'a degree of significance meriting consideration in planning decisions.

The Conversation officer in their assessment accepts that the building, or what visibly remains of it, was of a relatively simple design especially compared to Parkside, and it has been much altered and extended and extended over the years. There may be some internal features of interest, but these would have no protection without statutory listing, and the windows, which were probably the main exterior feature, have now been replaced in UPVC. It's interest as a non-designated heritage asset is therefore at the lower end of the scale, and it is not of sufficient interest to be a candidate for the Local Heritage List.

Paragraph 203 of the NPPF requires that 'The effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.' This paragraph is mirrored by BDP20.14 of the Bromsgrove District Plan.

To that end, the balanced judgement under 203 needs to consider the above benefits against the complete loss of non-designated heritage assets that do not qualify as locally listed buildings. Although the heritage assets of low significance, it is considered that their demolition would result in an impact.

The benefits of the proposed redevelopment, outlined in the section above, the proposal therefore contributes to significant public benefits which deliver economic, social or environmental progress as identified within the NPPF.

The loss of the buildings is nevertheless an adverse effect but taking the merits of the proposed development into account and given the eroded significance of the non-designated heritage asset and their minimal levels of value it is considered that the above benefits of the completed proposal result in an acceptable loss in heritage terms. Their proposed demolition is not considered to be unacceptable when a balanced judgement is made in accordance with paragraph 203 of the Framework.

Access and Highway Safety

WCC Highways have raised no objection to the proposed development subject to conditions. In arriving at this position, they have had due regard to the application and its supporting documents and have fully considered the following:

- Vehicular and pedestrian access.
- Internal circulation
- Off street vehicular parking provision
- Cycle parking provision
- Drop off/pick up
- Public transport provision
- Safe routes to school
- Draft Travel plan
- Transport assessment

Considering the above, they have concluded as follows:

The proposed redevelopment of will not see an increase in pupils and staff. As such, the proposal will not result in undue additional vehicular movements to and from the site.

No changes to the existing vehicle access arrangements are proposed. The primary access is located immediately to the south of a mini roundabout junction which connects School Road, Gunner Lane and Gannow Road. This access also serves Holywell Primary School, which is located to the north of Waseley Hills School on the wider site. There is a secondary vehicle access located off School Road approximately 40m to the south of the primary site access, which takes the form of a vehicle crossover.

Currently, parents dropping-off and collecting children can enter the school grounds by car and stop on the internal road. The mini-roundabout at the northern end of the school is then used for vehicles to turnaround before exiting the site. These arrangements will not change because of the development proposals.

As part of the development scheme, it is proposed that a new pedestrian access will be provided off Gunner Lane. This will connect onto Gunner Lane adjacent to where the bus layby is located. The works will provide improved pedestrian connectivity from the east along a primary desire line for pupils, and staff, travelling from the significant residential areas to the north-east of the school.

As there are no proposed alterations to vehicular access to the site nor any envisaged increase in permanent trip movements, the Highway Authority has no objection to the access proposals. The proposed pedestrian access is supported.

There is a 50m long bus layby located on Gunner Lane to the north of the site access which is used by school bus services when dropping-off and picking up pupils. The Highway Authority is content the proposed development benefits from a reasonable provision of bus services within proximity to the site. There is no requirement, therefore, to seek any financial contribution towards bus service enhancement.

The Highway Authority agrees with the conclusion in the Transport Assessment that the accident data suggests there are currently no highway design and safety issues within the vicinity of the site, which might be exacerbated by the development.

The proposed level of off-street vehicular (approximately 100 car parking spaces for 84 staff members) and cycle parking provision is in accordance with the Councils Supplementary Planning Guidance.

Like most schools, it is envisaged there will be some traffic congestion during drop off and pick up periods. On-site car parking provision is compliant with standards and is sufficient to accommodate the existing staff demand. The proposals would not result in an increase in pupil or staff school trips, so there should be no increase in vehicular trips during weekday peak periods. Whilst the school wishes to offer significant community use of its facilities, with a specific focus on sports, the traffic associated with this type of use would be concentrated at the weekends and off-peak periods. Consequently, the development scheme would have no material residual adverse impact on the capacity and safety of the surrounding road network over the current situation. The Highway Authority is content development traffic can be accommodated on the local highway network and will not have any noticeable significant detrimental impact on any surrounding junctions or links.

Members will note the view of Active Travel England. Their role is to help planning authorities in their work to implement good active travel design – for example, by ensuring developments include walking, wheeling and cycling connectivity to schools and local amenities. This will help improve public health, save people money and reduce harmful emissions.

The proposal is therefore in accordance with the requirements of BDP16 and the aims of the NPPF.

Ecology

Under consultation, the Council's ecologist has confirmed that the ecological impact assessments submitted in support of the planning application represents an appropriate assessment of the situation as matters currently stand and that the mitigation and enhancement measures that it recommends are acceptable. As such, no objections are raised though it is recommended that conditions be added to any consent requiring the measures set out in the reports be implemented on site throughout and after development.

Drainage

Nolan Associates have produced a site-specific Flood Risk Assessment and accompanying Drainage Strategy to support the proposed development. The report confirms that there are no watercourses or surface features within the site boundary. The

site is located within Flood Zone 1 in terms of flooding from any nearby water course of the sea. NWWM have reviewed this submission and have sought extra information be submitted. Based on this extra information, they have no objection to the proposal and require no pre commencement drainage condition.

Landscaping and Trees

A detailed landscaping scheme has been submitted as part of the application. The development includes the provision of a central courtyard between the blocks. This will provide several functions:

- To enable an efficient pupil transfer between the two blocks;
- Overcome the 1.5m level difference between blocks;
- Combine and amalgamate routes for both ambulant and disabled;
- Create a focal point to the courtyard which can be used for formal or informal learning and experiences (e.g., performances or oratory events);
- Provide external 'break out' for the dining room an appealing focal point.

It will be necessary to remove several trees for the development, 17 trees in total will be removed. However, from this 5 trees are Category U trees and would need to be removed regardless of the application. Another 5 trees are Category C trees which have limited life and could be removed. There is a final 7 trees of category B which will need to be removed for the development of the school.

Members will note the views of the Arboricultural Officer regarding the loss of T034. Final comments are being sought and will be updated prior to the committee.

A full landscape plan has been commissioned and drawn up by Keary Design Associates and includes over 20 new trees.

The loss of existing trees is limited and will be mitigated through the planting proposed as part of the landscaping scheme. That planting scheme will utilise native species and trees will be set within landscaped areas to provide an enhanced landscape setting for the school resulting in an improvement in landscape terms.

Impact on Residential Amenity

The replacement school has been designed to ensure that the new development would not harm the living conditions of surrounding residential occupiers.

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

With respect to noise and disturbance, given the very nature of a school and its associated outdoor spaces, it is inevitable that surrounding residents would experience a degree of impact. In terms of the MUGA, there will be an intensification of use of the site in this area, that could result in further noise/disturbance than existing. However, with no change of use at the site it is not considered the nature of any impact experienced by neighbours would be readily noticeable. Furthermore, the site has been occupied as a

high school for a considerable period and therefore surrounding residents would have become accustomed to the general noise/disturbance associated with such a use; and this existing impact would continue to occur even if the proposed development were not implemented. It is also noted that following assessment, the WRS have not objected to the development.

In support of the application a site-specific construction method statement has been prepared by the applicant. The statement considers methods of demolition, site set up and construction, including measures to reduce impacts on neighbouring properties.

In summary, the overall resulting separation distances, and design would ensure amenity and privacy levels would not be harmed between properties and there would be no harm to neighbour amenity by way of overshadowing, overlooking, overbearing impacts or noise the proposal is considered to accord with Policies BDP1 and BDP19 of the BDP and the High Quality Design SPD.

Impact on Playing Fields and Hard Play Areas

There would be an increase in soft informal and social areas (2,256 sq. m.), which will be planted and turfed/seeded grassed areas, because of the demolition of all school buildings and the consolidation of the school complex into two, 2 storey structures.

Existing and Proposed Sports and Amenity Areas

Site Areas	Existing Site Provision Sq. m	Proposed Site Provision Sq. m	Difference	
			Sq. m	%
Soft outdoor PE/Sports	12,737	12,737	0	-
Hard outdoor PE/Sports	1,700	3,004	1,304	77%
Soft Informal and social area	56,023	58,279	2,256	4%
Hard informal and social area	6,132	4,670	-1,462	-23%

The proposals aim to improve sports provision for the school and the community by constructing a sports hall with 594 sq. m of space, a fitness suite, and activity studio. The sports hall will include a 5 a side football pitch, volleyball, netball, basketball, tennis, and badminton courts. Changing facilities will be provided near the hall.

A new MUGA, measuring 1,965 sq. m, will be proposed on the occupied area of building EFAA, providing 4 tennis courts, 1 netball court, 3 basketball courts, and football. The MUGA will make a significant contribution to enhancing both the quality and quantity of the existing hard outdoor sports provision (currently consisting of 2 netball courts) providing an additional 1,304 sq. m of sports provision.

The change in the levels at the site has meant earth moving and levelling are necessary to achieve the finished floor level of the two buildings. The spoil from Block 1 will be temporarily stored for Block 2 and the courtyard, which will be built in phases.

The spoil will be located on the south eastern part of the playing pitch, measuring 55 x 55 m (including fencing). This will allow for the remaining playing field to be U13/14, 11v11 football pitch and two U9/10 7v7, full sized football pitches. This allows the remaining playing field to be laid out to provide one U13/14, 11v11 football pitch (FA standards 88 x 56m) and two U9/10 7v7, full sized football pitch (FA standards 61 x 43m). Whilst this will mean the temporary loss of one undersized 11v11 pitch, the temporary arrangement adequately compensates with a full sized 11v11 and two full sized 7v7 and therefore represents an enhancement to the existing facilities. This serves as appropriate mitigation during construction works.

Holywell Primary School is fully supportive of the proposals, and the spoil will not impact the functioning of the retained and new pitches. The summer sports provision will not be affected by the spoil during the construction period, and the athletics track, running track, and soft ball will remain available for use.

The sports facilities (both internally and externally) are well used by the community, including for football, netball, badminton, dance and martial arts. The clubs have been notified of the current school redevelopment proposals. Their use of the facilities will not be affected by the development and will continue throughout the construction period.

Sport England considered the application considering the NPPF (particularly Para 99) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document'. They advise that it is Sport England's policy to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

The proposed development does not cause a loss of playing field, as the new school buildings and MUGA will not extend onto the existing field.

Sport England supports the phased development, ensuring the sports hall will be retained until the equitable sized sports hall and changing facilities within Block 1 are completed and made available for use.

The proposed new sports hall meets paragraph 99 of the NPPF, but the temporary impact on the playing field and existing hard court is difficult to align with the Playing Fields Policy Exceptions criteria and paragraph 99 of the NPPF.

The proposed mitigation for the temporary loss of the court is welcomed, but it should be secured by an appropriately worded condition setting out the scope of the works and timescales for the two courts. The temporary arrangements are acceptable to the School and will not impact community users. Sport England has consulted the Football Foundation, which has no known use of the site for affiliated football in recent years, and is satisfied that the proposal will not displace existing users and allow the School to undertake its curricular requirements.

Sport England do not object to the proposal subject to a suitably worded condition securing the resurfacing and relining work of the MUGA and a playing field reinstatement condition.

Overall, the proposed development will enhance existing sports facilities, including a new MUGA, that will be available for wide community use, alongside other internal and external Local Plan policy supports the retention and enhancement of community facilities, encouraging multi-purpose spaces. The proposed layout ensures current facilities remain accessible, without adversely impacting access to sports. The development aligns with the NPPF and Policy BDP12 objectives, ensuring wide access and a positive impact on the school and community.

Sustainability and Energy

An Energy Statement has been included with the application submission, the school proposal is intended to be an innovative development utilising and showcasing the most up to date environmental and carbon reduction credentials through the zero carbon (NZCO) technologies and building design.

High efficiency servicing equipment and façades selected in line with the Spec21+ requirements will minimise the energy usage of the building.

The building has been designed to fulfil the requirements of the DFE Spec 21 Output Specifications including TM54 (CIBSE Technical Memorandum 54), which evaluates the operational energy use at design stage to ensure the completed building delivers the NZCiO target.

In conclusion the Statement considers the development follows the principles to make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy.

Assessing the proposed development against the Part L2 (2021) Building Regulations results in a 196% betterment over the notional building¹.

As such it is considered the proposal is acceptable in terms of energy efficiency and in accordance with BDP19 and BDP22.

Conclusion

The application is considered to comply with the relevant policies of the Development Plan in respect of the wider policy considerations set down in NPPF. The proposals are also acceptable in terms of all other material planning considerations. The replacement school would represent a significant improvement over the existing facility in terms of what it is and what it can provide for the local community. The replacement school offers the opportunity to provide the area with a state of the art zero carbon in operation facility that will provide local pupils with an improved learning experience and the wider community the opportunity to make use of these facilities outside of school hours. The application is therefore recommended to be granted, subject to conditions.

¹ A hypothetical building of the same size, shape, orientation and shading as the actual building, with the same activities, zoning and system types and exposed to the same weather data, but with pre-defined specified properties for the building fabric, fittings and services.

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:

Plans	Drawing Reference	Rev
Block 1 - Proposed Ground Floor Plan	SRP1042-CAW-01-00-D-A-0310	P03
Block 1 - Proposed First Floor Plan	SRP1042-CAW-01-01-D-A-0311	P03
Block 1 - Proposed Upper Roof Plan	SRP1042-CAW-01-R2-D-A-0313	P02
Block 1 - Proposed Roof Plan	SRP1042-CAW-01-RF-D-A-0312	P03
Block 1 - Proposed Elevations	SRP1042-CAW-01-XX-D-A-2020	T02
Block 1 - Proposed Sections	SRP1042-CAW-01-ZZ-D-A-0380	P03
Block 2 - Proposed Ground Floor Plan	SRP1042-CAW-02-00-D-A-0315	P03
Block 2 - Proposed First Floor Plan	SRP1042-CAW-02-01-D-A-0316	P03
Block 2 - Proposed Upper Roof Plan	SRP1042-CAW-02-R2-D-A-0318	P02
Block 2 - Proposed Roof Plan	SRP1042-CAW-02-RF-D-A-0317	P03
Block 2 - Proposed Elevations (Sheet 1 of 2)	SRP1042-CAW-02-XX-D-A-2025	T02
Block 2 - Proposed Elevations (Sheet 2 of 2)	SRP1042-CAW-02-XX-D-A-2026	T02
Block 2 - Proposed Sections	SRP1042-CAW-02-ZZ-D-A-0381	P03
Site Location Plan	SRP1042-CAW-ZZ-XX-D-A-0200	P02
Landscape Site Plan Masterplan	SRP1042-KDA-ZZ-DR-LA-2226pl1-2-02-1	P7
Landscape Site Plan Masterplan	SRP1042-KDA-ZZ-DR-LA-2226pl1-2-02-2	P4
Courtyard Proposals	SRP1042-KDA-ZZ-DR-LA-2226pl1-2-03-1	P1
Hard Landscape Proposals	SRP1042-KDA-ZZ-DR-LA-2226PL1-2-05	P3
Soft Landscape Proposals	SRP1042-KDA-ZZ-DR-LA-2226pl1-	P4

	2-06	
Green Infrastructure Strategy	SRP1042-KDA-ZZ-DR-LA-2226pl1-2-07	P2
Proposed Site Plan	SRP1042-KDA-ZZ-DR-LA-2226PL1-2-12	P1
Tree Impact Plan	AEL-18429-TIP	B
Temporary Sports Pitch Facilities	SRP1042-KDA-ZZ-DR-LA-2226PL1-2-11-3	P02
Post Construction Sports Pitch Facilities	SRP1042-KDA-ZZ-DR-LA-2226PL1-2-11-2	
MUGA Court Markings	SRP1042-KDA-ZZ-DR-LA-2226pl1-2-13	
Phasing Plans	Tilbury Douglas Construction	Rev 2
Drainage Layout	SRP1042-NOL-EX-XX-D-C-0100	P11

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

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

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

- 4) The programme and sequencing of the development shall be in general accordance with the programme set out Phasing Plans prepared by Tilbury Douglas. No material departure shall be made from the Approved Phasing Plans without the written approval of the local planning authority which shall be obtained prior to the commencement of any phase.

Reason: To ensure that the development is carried out with the phasing in the approved plan and to ensure the comprehensive development of the site.

- 5) No development shall take place on any phase 2 development until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing, for a Level 3 Historic Building Record of the Quad building (EFAA). The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation

- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of paragraph 205 of the NPPF.

- 6) The Phase 2 development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (5) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 205 of the NPPF.

- 7) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation. No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the Local Planning Authority, until requirements 1 to 4 below have been complied with:
 - 1. Detailed site investigation and risk assessment must be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.
 - 2. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 - 3. The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

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

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

- 8) The development hereby approved shall not be brought into use until the Applicant has submitted an approved Travel Plan using Modeshift STARS Business. They must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation.

Reason: To reduce vehicle movements and promote sustainable access.

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

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway.
- Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc).
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
- Details of any temporary construction accesses and their reinstatement.
- Details of how the existing school shall be kept open and how students, staff and visitors will be managed, in terms of avoiding conflict with construction traffic and the construction works.
- A highway condition survey, timescale for re-inspections, and details of any reinstatement.

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

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

- 10) Within 6 months of the commencement of development, a playing field reinstatement scheme for the playing field land to be used as a temporary spoil area (inclusive of fencing) as identified within the submitted Temporary Sports Provision Plan (drw 2216-PL1-2-11-3 Rev P02) to return the field to its pre-development condition, has been submitted and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme of works for the reinstated playing field land as identified within the submitted Proposed Sports provision Plan (2216-PL1-2-11-2 Rev - Dated December 2022) should be implemented in the first planting season following the removal of the temporary spoil area (inclusive of fencing) in accordance with the submitted Phasing Plans 120523 Rev 1.

Reason: To ensure the site is restored to a condition fit for purpose and to accord with policy BDP25.

- 11) Within 6 months of the commencement of development, details for the resurfacing and relining of the two existing courts shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The approved scheme of works shall be completed prior to the start of the 2024/25 School Year.

Reason: To mitigate the temporary loss of a hard court and to accord with Policy BDP25.

- 12) The landscaping scheme detailed on drawing SRP1042-KDA-ZZ-DR-LA-2226p11-2-06 Rev P4 shall be carried out in the first planting and seeding season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 13) The development shall be completed in accordance with the recommendations outlined Ecology Summary Letter (by Middlemarch and dated 14th April 2023) (unless varied by a European Protected Species (EPS) licence issued by Natural England). These recommendations are based upon the following documents including Preliminary Ecological Appraisal (PEA), including Badger Annex (July 2021), Great Crested Newt Habitat Suitability Index Assessment (February 2023), Preliminary Bat Roost Assessment (February 2023), Dusk Emergence & Dawn Re-entry Bat Surveys (June 2023) and Biodiversity Metric Assessment (March 2023). All the recommendations shall be implemented in full according to the timescales laid out in the Ecology Summary letter, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

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

- 14) Except for the buildings identified to be demolished as part of Phase 1, no other buildings shall be demolished until the dusk emergence / dawn re-entry survey(s) for that phase have been submitted to and approved by the Local Planning Authority.

Reason: To safeguard Biodiversity as set out by Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006 and the NPPF.

- 15) Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones';
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- iv. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- v. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- vi. A non-native invasive species protocol (e.g. for Japanese knotweed);
- vii. The times during construction when specialists ecologists need to be present on site to oversee works;
- viii. Responsible persons and lines of communication;
- ix. The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);
- x. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works; and
- xi. The submission of a verification report by the EcOW or similarly competent person(s) to the LPA at the end of the construction period.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To safeguard Biodiversity as set out by Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006 and the NPPF

- 16) Notwithstanding the submitted details, prior to above ground works on phase 3/ before occupation, a landscape and ecological management plan (LEMP) shall have been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed

- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures

The LEMP shall also include details of the legal and funding mechanism(s) by which long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: To enhance biodiversity in accordance with BDP21 Natural Environment, paragraphs 170, 174 and 175 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- 17) Notwithstanding the submitted details, prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site lighting, a Site Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority, in discussion with the Ecologist and Local Highway Authority.

The details shall clearly demonstrate that lighting will not cause excessive light pollution or disturb or prevent bats or other species using key corridors, foraging habitat features or accessing roost sites. The details shall include, but not limited to, the following:

- i. A drawing showing sensitive areas and/or dark corridor safeguarding areas;
- ii. Technical description, design or specification of external lighting to be installed including shields, cowls or blinds where appropriate;
- iii. A description of the luminosity of lights and their light colour;
- iv. A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- v. Methods to control lighting control (e.g. timer operation, passive infrared sensor (PIR)); and
- vi. Lighting contour plans both horizontal and vertical where appropriate and taking into account hard landscaping, etc.

All external/internal lighting shall be installed in accordance with the specifications and locations set out in the approved details. These shall be maintained thereafter in accordance with these details. Under no circumstances shall any other external lighting be installed.

Reason: To safeguard the site from increased light pollution, visual amenity and maintain the existing value of biodiversity on and adjacent to the site to protect foraging/commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005 and the National Planning Policy Framework. To ensure the adequate provision of lighting in the interests of highway safety.

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

23/00616/FUL

Waseley Hills High School , School Road, Rubery,
Worcestershire, B45 9EL

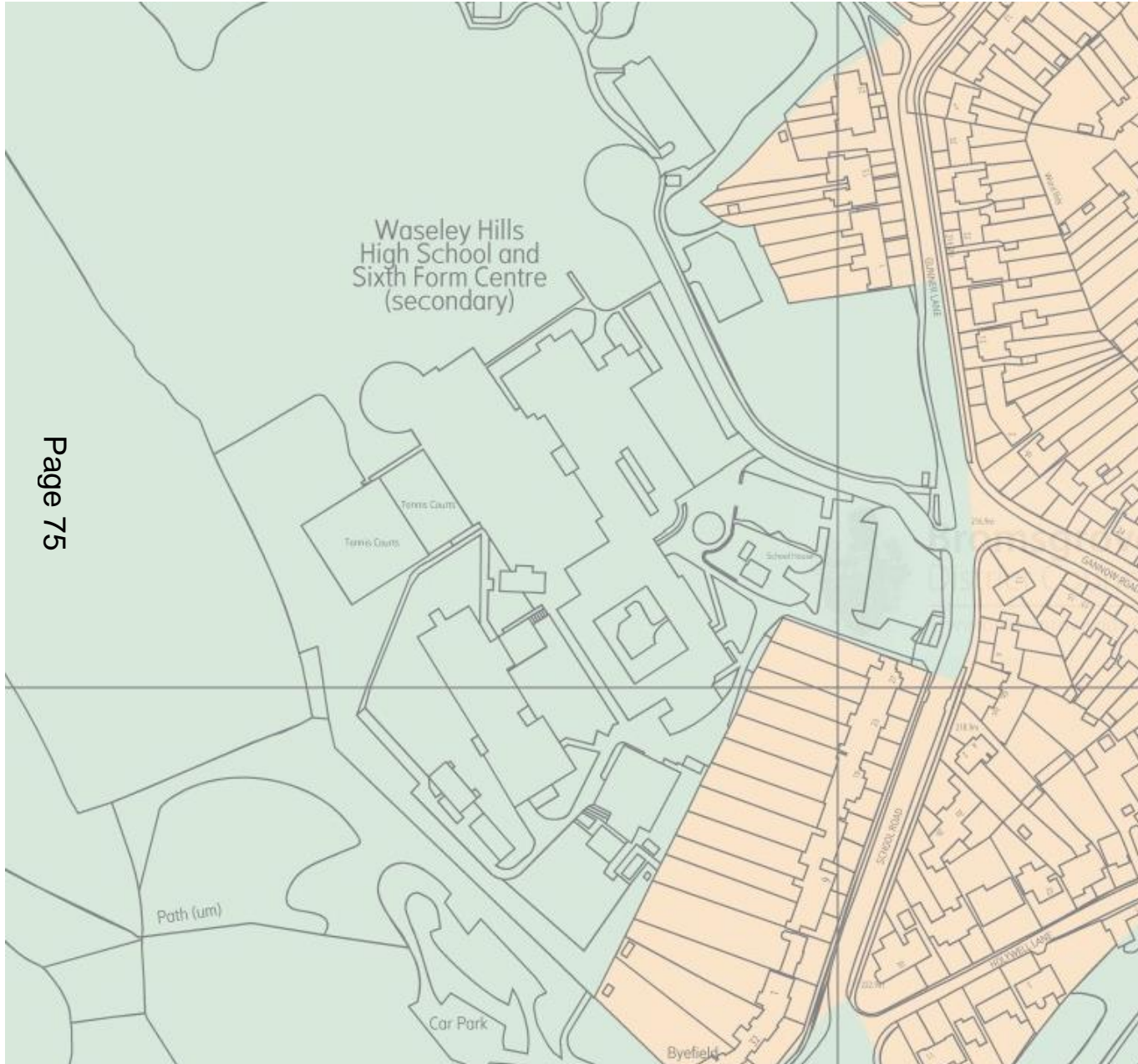
Page 73 Phased demolition and construction of replacement school, including new Multi Use Games Area (MUGA), landscaping and associated works.

Recommendation: Grant subject to conditions

Site Location Plan



Proposals Map



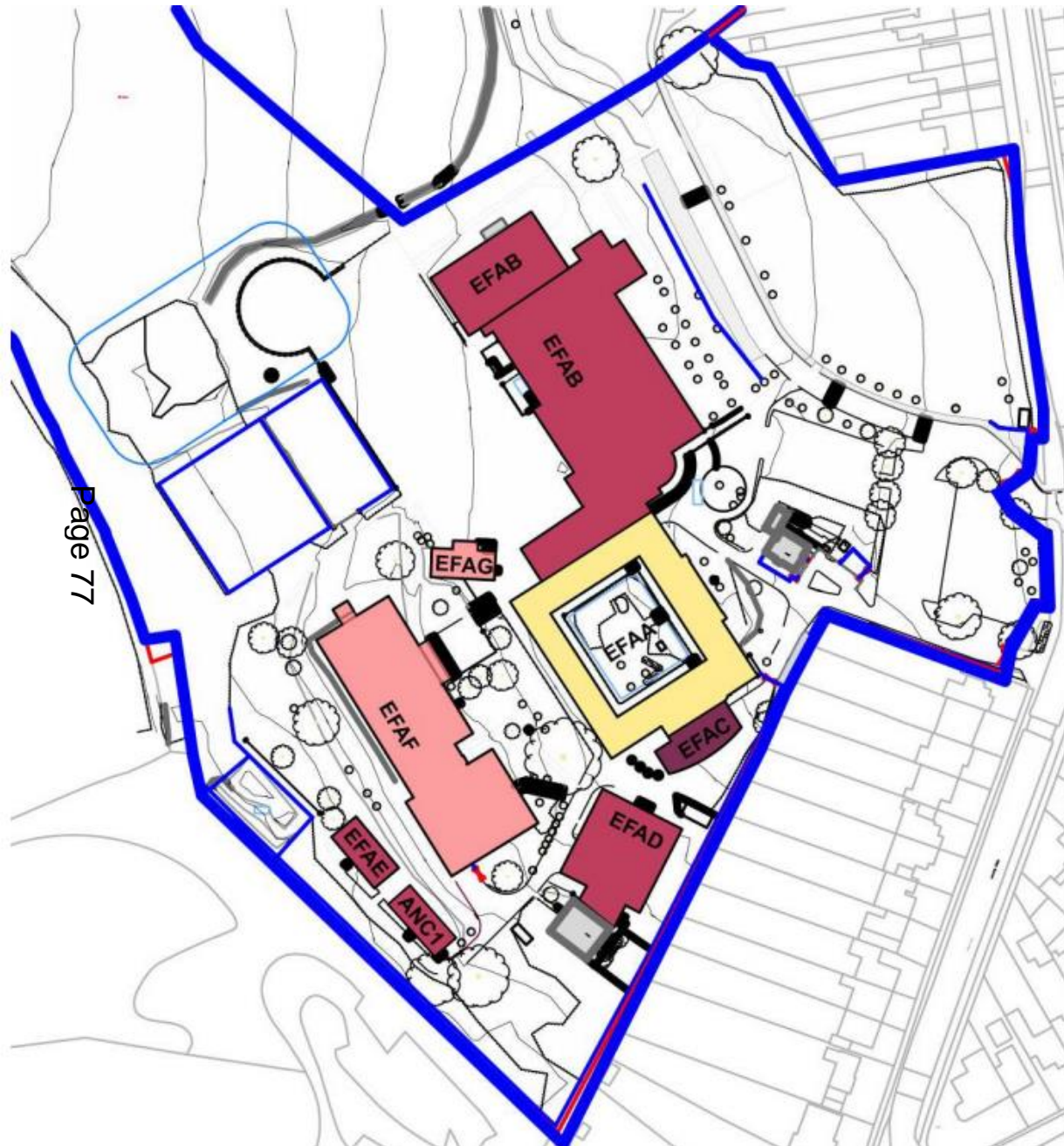
Key

- Residential Area BDP19, BDP7
- Green Belt BDP4

Satellite View



Existing School



Key

EFAA – English, Business and Enterprise Centre, Textiles;

EFAB – Main Hall, Drama Studio, Music, ICT, MFL, RE, History, Business Studies, Sports Hall and Sports Studio;

EFAC – Sixth Form area, Sociology and careers office;

EFAD – Crafts block, Art, ICT and DT;

EFAE – Mobile classroom (out of use), previously used as office;

EFAF – Dining area, ASD / SEND base, Science, Maths and Library;

EFAG – Geography;

ANC1 – Mobile classroom (out of use);

Photographs of existing buildings



1
Main Entrance, looking northwest



2
School Road, looking northeast



3
Site access road, looking northwest towards main entrance



4
Block EFAB entrance from playground/hardstanding, looking south

Photographs of existing building



Block of AA west side of quadrangle, looking northwest



Main Entrance, looking east



Gunner Lane and bus stop, looking southeast



Across playing fields to school, looking southeast

Photographs of existing buildings

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Block EFA east side towards Main Entrance, looking northwest

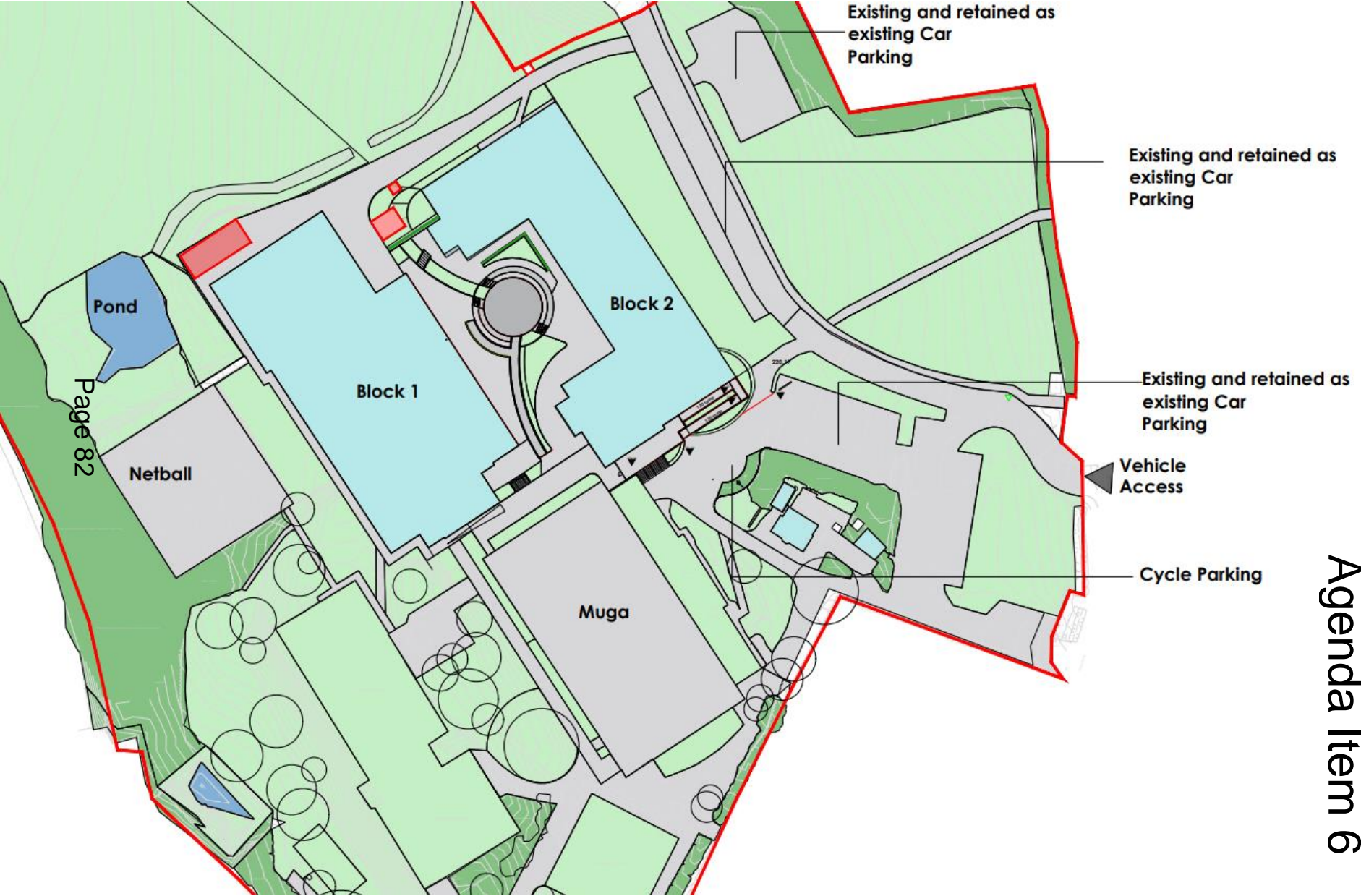


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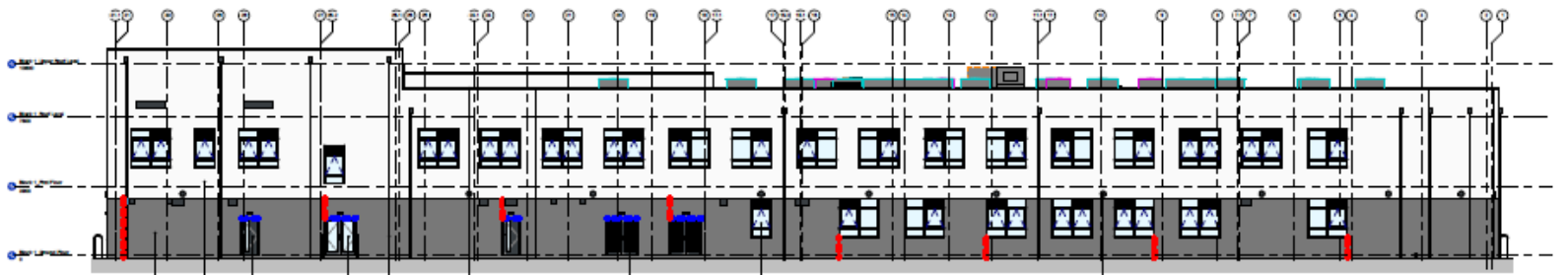
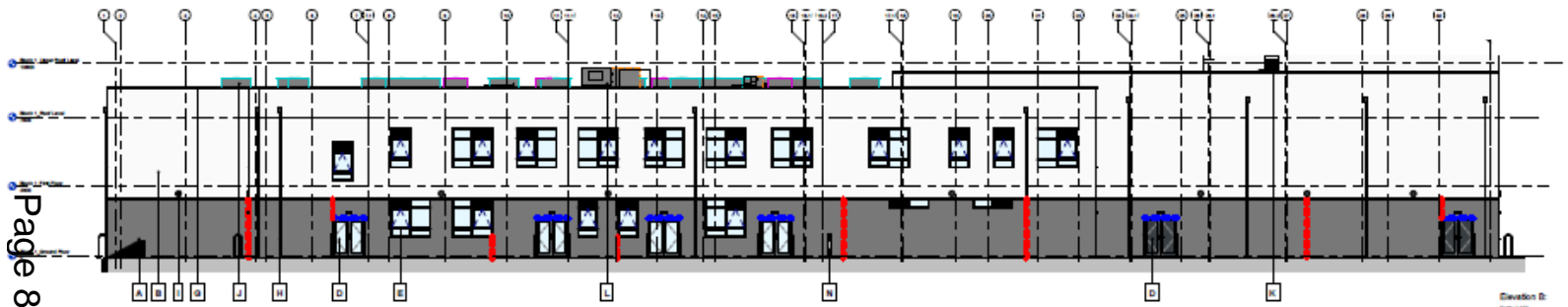
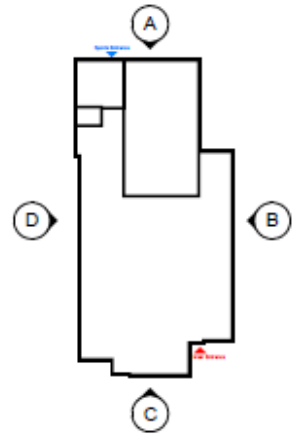
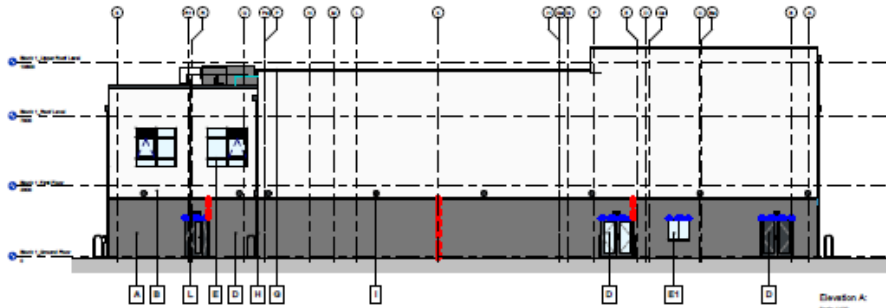
Proposed Site Plan



Proposed Site Plan (Enlarged)



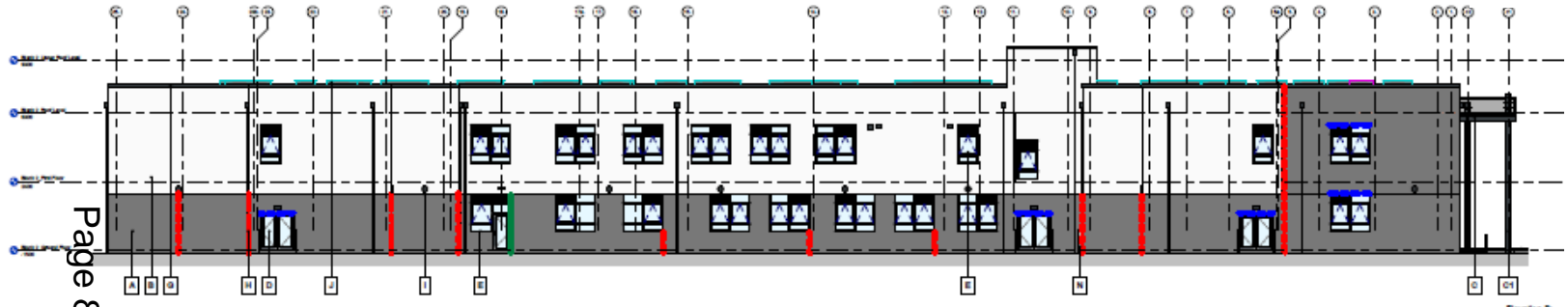
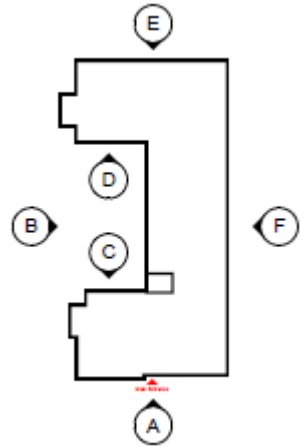
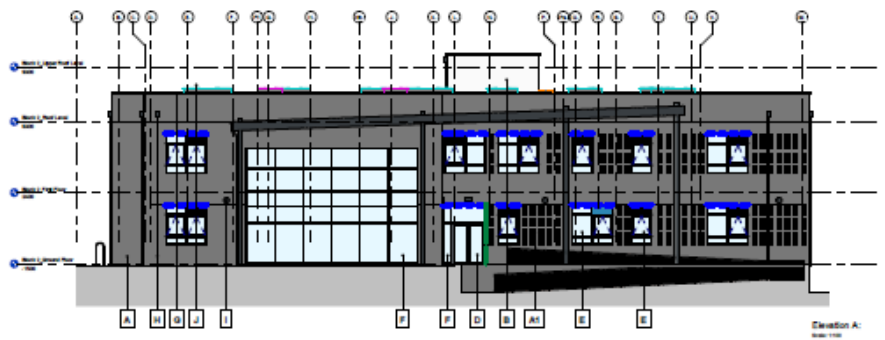
Block 1 Elevations



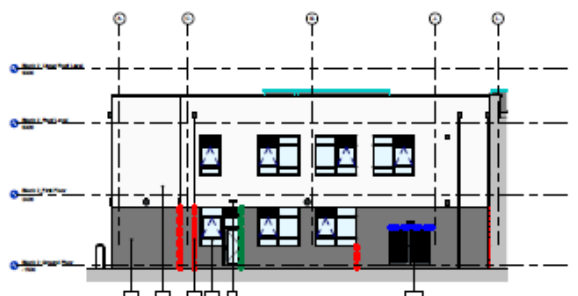
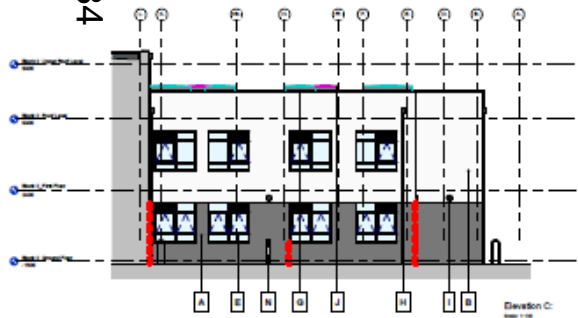
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Block 2 Elevations

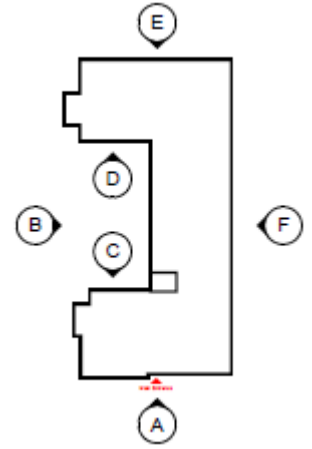


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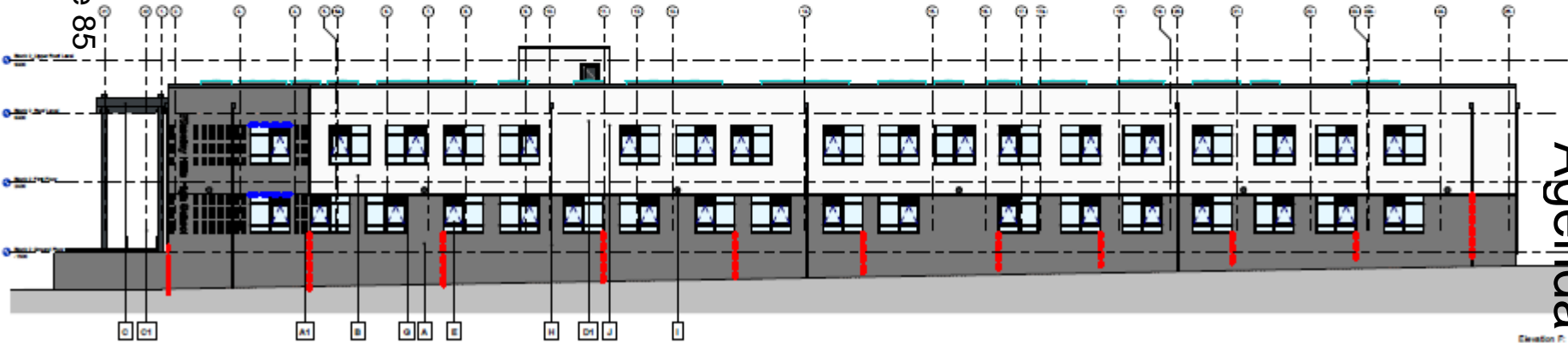


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Block 2 Elevations



Elevation E:
Main Entry



Elevation F:
Main Entry

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Proposed Phasing



Key

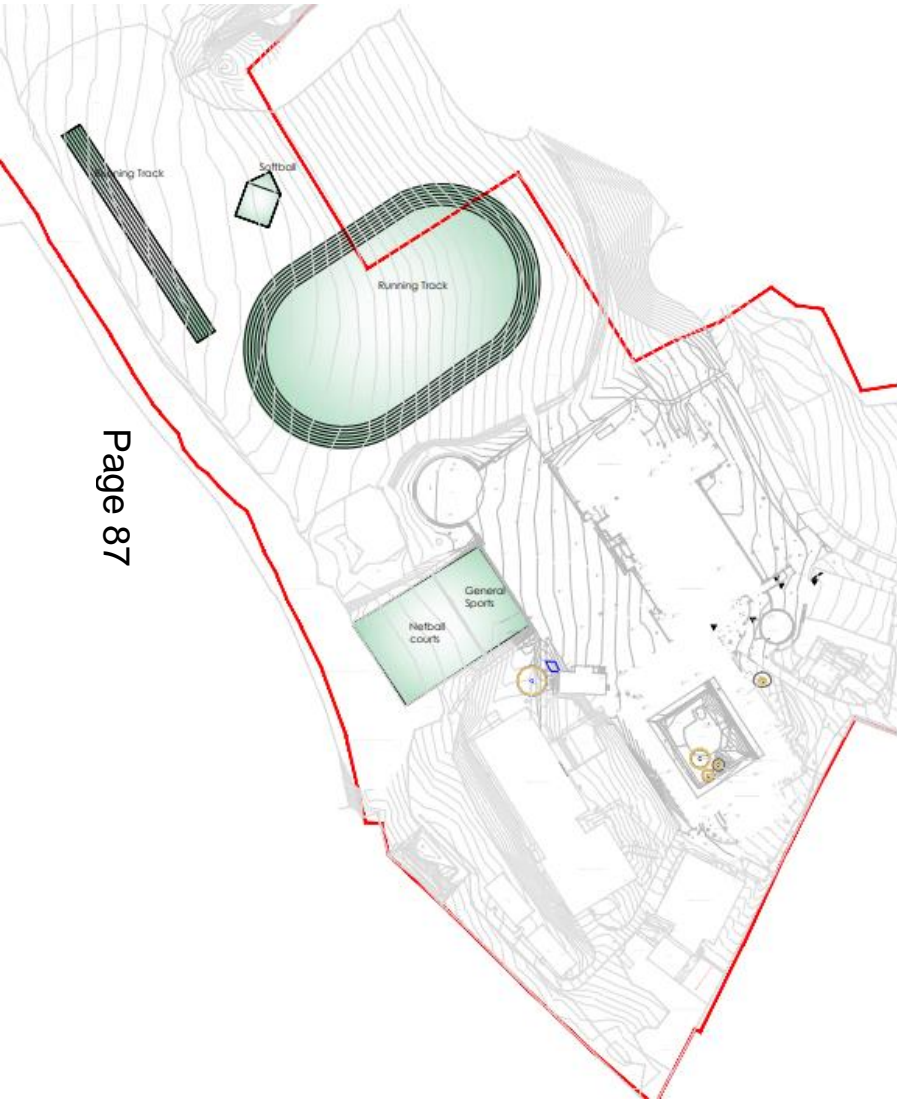
1. Phase 1
2. Phase 2
3. Phase 2b
4. Phase 3
5. Phase 3b
6. Phase 4

Proposed Phasing

1. Demolition of Geography Block (EFAG)
2. Earthworks and Construction of Block 1
3. Decant of existing school facilities into Block 1
4. Demolish existing EFAA, EFAB and surrounding blocks
5. Construction of Block 2 and adjacent MUGA (multi use games area)
6. Demolition of remaining blocks
7. Completion of external landscaping and hardstanding

Existing Sports Provision

Summer Sports



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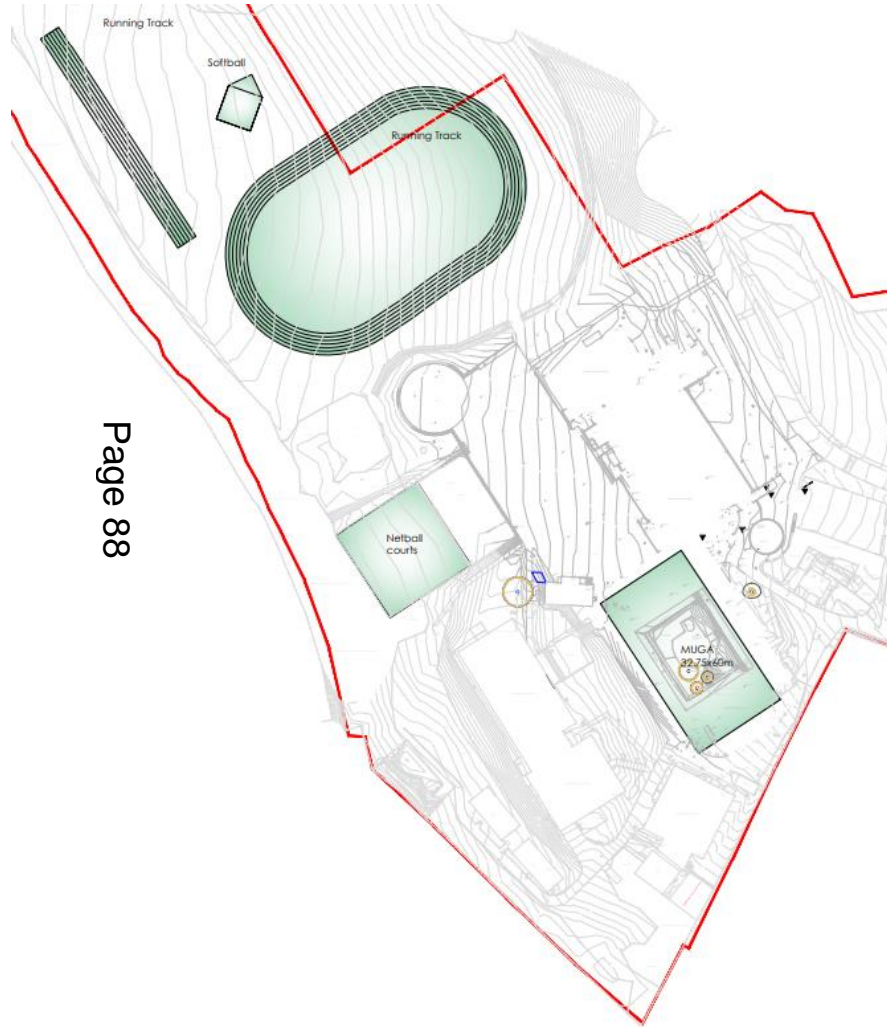
Winter Sports



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Proposed Sports Provision

Summer Sports



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Winter Sports



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Proposed MUGA



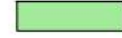
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KEY

Soft Landscape Elements

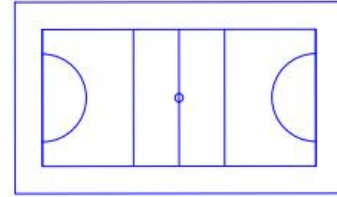


Proposed shrub and herbaceous planting



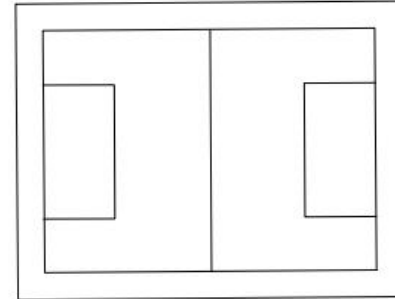
Proposed Amenity grassed area

1x Netball Court Orientated NW - SE



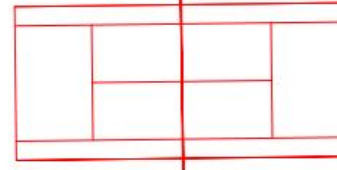
Netball Court 15.25m x 32.5m with 3m run off (Ref Rules of Netball 2020 edition -International Netball Federation)

1x Football Pitch Orientated NW - SE



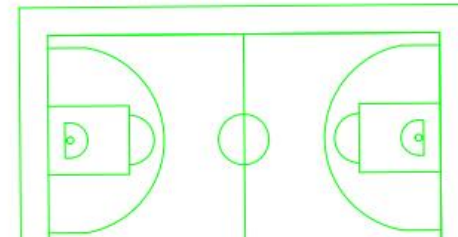
Football Pitch - Mini Soccer 37x27m with 3m run off Mini Soccer U7/U8 (Ref FA guidance to Pitch and Goal post dimensions)

4 x Tennis Courts Orientated NW - SE



Tennis Court - 10.93 x 23.77m (ITF Rules of Tennis 2021)

3 x Basketball Courts Orientated NE - SW



Basketball Court 28 x 15m with 3m run off (Ref National Basketball Federation Standards -Basketball England)

Proposed Soft Landscaping



CGI of the Front Elevation to the School (Block 2)

It is the intention of this proposal to provide a new high-quality teaching environment and bold intervention to the site.

The proposed development has been developed in close collaboration with the Central Regional Schools Trust and the DfE and has been designed to respond to a significant number of constraints on the site. It will serve to enhance the local education provision and contribute to providing a clear, cohesive, and secure whole to the site.

The new school has been oriented to respond to the physical constraints of the site evolving to create a secure enclosure for the pupils whilst simultaneously addressing the public face of School Road and Gunner Lane by creating a contemporary and aspirational form.

The school proposal is intended to be an innovative development utilising and showcasing the most up to date environmental and carbon reduction credentials through the zero carbon (NZCO) technologies and building design. A target only fitting of a new school developed in this climate of environmental awareness and sustainable design.

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