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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

TUESDAY 9TH JULY 2024

AT 6.00 P.M.

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

MEMBERS: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, S. M. Evans, 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 meetings of the Planning Committee held on 21st May and 4th June 2024 (Pages 7 - 22)

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. Tree Preservation Order (TPO 2) 2024 - Trees on land at The Oasis, Hagley, Worcestershire, DY9 0AT (Pages 23 - 36)
6. Tree Preservation Order (TPO 3) 2024 - Tree on land at 21 and 23 Hawthorne Drive, Hollywood, B47 5QT (Pages 37 - 58)
7. 23/00324/FUL - Refurbishment of the existing building and extension to accommodate new bed and breakfast accommodation (Use Class Sui Generis), Alvechurch Sports and Social Club, Radford Road, Alvechurch. c/o Agent (Pages 59 - 98)
8. 24/00077/REM - Reserved matters approval (appearance, landscaping, layout and scale) for the construction of 241 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 24/00083/REM). Phase 5 Development Brockhill East, Hewell Road, Redditch, Worcestershire. Persimmon Homes Ltd (Pages 99 - 130)
9. 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.

Sue Hanley
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

28th June 2024

**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**

Please note that this is a public meeting and will be live streamed for general access via the Council's YouTube channel.

You are able to see and hear the livestream of the meeting from the Committee Pages of the website, alongside the agenda for the meeting.

[Planning Committee Live Streaming Link](#)

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 Friday 5th July 2024.
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 Friday 5th July 2024.

3. Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website www.bromsgrove.gov.uk
4. It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.
5. Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or

confidential information. For agenda items that are exempt the public are excluded and the Live Streaming stopped.



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

at www.bromsgrove.gov.uk

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

TUESDAY 21ST MAY 2024, AT 6.00 P.M.

PRESENT: Councillors A. Bailes, J. Elledge, E. M. S. Gray, C. A. Hotham, R. J. Hunter, H. J. Jones, M. Marshall, S. T. Nock, J. Robinson and J. D. Stanley

Officers: Mr. D. M. Birch, Mr. A. Hussain, Mr. S. Agimal, Worcestershire County Council, Highways, Miss. R. Paget and Mr G. Day

1/24 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor H. J. Jones be elected as Chairman of the Committee for the ensuing municipal year.

2/24 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor M. Marshall be elected as Vice-Chairman of the Committee for the ensuing municipal year.

3/24 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors B. McEldowney, S. M. Evans, D. J. A. Forsythe and D. G. Stewart; with Councillors C. Hotham, R. J. Hunter, D. J. Nock and J. Elledge in attendance as substitutes respectively.

4/24 **DECLARATIONS OF INTEREST**

Councillor M. Marshall declared that he would be addressing the Committee as Ward Councillor in relation to Agenda Item No.7 – 23/01400/FUL - Land Rear Of 17-19 Willow Gardens and Agenda Item No.8 - 23/01401/FUL - Land Rear Of 8 - 14 (Evens) Willow Gardens. Councillor C. Marshall retired from to the public gallery during the Officers presentations and left the meeting room prior to the consideration of this item after making his representations during the public speaking.

5/24 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 8TH APRIL AND 29TH APRIL 2024 (TO FOLLOW)**

The minutes of the Planning Committees meeting held on 8th April and 29th April 2024 were received.

RESOLVED that the minutes of the Planning Committee meetings held on 8th April 2024 and 29th April 2024, be approved as a correct record.

6/24 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)**

The Chairman announced that there were no update reports for any of the applications and proceeded to the first item.

7/24 **23/01400/FUL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF NEW BUILD DWELLING INCLUDING ASSOCIATED ACCESS AND LANDSCAPING. LAND REAR OF 17-19 WILLOW GARDENS, WILLOW GARDENS, BROMSGROVE. BDHT**

At this stage in the meeting Councillor M. Marchall withdrew to the Public Gallery, having declared an interest and his intention to speak as Ward Councillor for this application.

Officers detailed that agenda items 7 (minute No 7/24) and agenda item 8 (minute No 8/24) were deferred from a previous meeting of the Planning Committee held on 8th April 2024 to allow Worcestershire County Council (WCC) Highways to be in attendance.

The Application had been brought to the Planning Committee for consideration at the request of Councillor M. Marshall, Ward Councillor.

Officers further detailed that due to the similarity between agenda items 7 and 8 it had been requested that the presentations and debate take place at the same time, however, it was further clarified that as they were separate applications votes would be taken separately.

Officers presented the report and in doing so highlighted that the applications were both for the demolition of existing garages and the erection of new build dwellings in their place including associated access and landscaping. Officers presented the presentation slides, as detailed on pages 41 to 51 of the main agenda pack.

The sites were located in residential and sustainable locations and the principle of development was deemed acceptable.

The sites had existing vehicular access with good visibility in both directions. Willow Gardens had footways and street lighting on both sides of the road and no parking restrictions were in force in the vicinity.

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The sites were located within walking distance of amenities, bus route and bus stops.

It was noted there would be a loss of garages, however it was clarified to Members that there was no right to park for residents and the garages could be closed at any time by an operational decision taken by the landowner.

Officers drew Members' attention to the proposed design and floor plans for the developments, highlighting that all of the garages would be demolished with the exception of a single garage retained under private ownership as part of application 23/01401/FUL.

The Chairman made the decision that due to the similarity between the two applications that the public speaking would be heard concurrently.

At the invitation of the Chairman, Mr D. Shipley and Mr W. Bowen, Local Residents, Mr. K. Lawrence, the Applicant's Representative and Councillor M. Marshall, Ward Councillor addressed the Committee with regards to the two applications.

The Committee then debated both applications, with Officers highlighting that decisions and votes would be taken for each application separately.

At the invitation of the Chairman and following direct questions from Members, WCC, Highways Officer addressed the Committee. It was stated that several physical site visits were undertaken at different times of the day to ascertain the availability of parking and occupancy of the garage units. During the most recent visit undertaken on 20.05.24, it was found that 12 of the 30 garages were occupied, and there were 28 free on-street parking spaces in the local vicinity.

The WCC, Highways Officer further stated the following:

- The visibility was deemed acceptable due to the less intensive use of the site.
- That the national standards dictated that when considering alternative parking, it must be within 300m of the location.
- There would be an estimated 22 less trips generated from the change of use of the sites.

The WCC Highways Officer concluded that with sufficient parking within the area to accommodate any displacement of vehicles from the garages, the net impact in highways terms would be 22 less trips generated, therefore, no objections were raised by WCC, Highways.

The following was also clarified following questions from Members:

- That although the WCC Street Scape Design Guide was only a guide, it was referenced in the national standards and therefore formed part of the development plan.

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- That 12 garages were occupied (9 for application 23/01400/FUL and 3 for 23/0104/FUL). It was further noted that not all of these would be used for vehicles some were used as storage.
- That the site access was between 3.2 and 3.3m in width, which was deemed acceptable by WCC, Highways.

Members expressed some concern with the width of the access in particular with regards to the fire services access as they were not consulted as part of the application. Officers explained that they were not a statutory consultee, to which Members disagreed in that they believed they should be consulted with on any application where the proposed highway was under 3.7m. It was further detailed that the current width of the access was 3.3m and was poorly lit and without a footpath, therefore, should these issues be rectified it would make the access much smaller and less than the 3.2m width required by the Worcestershire County Council Streetscape Design Guide.

Members expressed further concerns with the lack of an extensive parking impact assessment for the surrounding area giving a consistent analysis of the available parking within the locality.

Councillor R. J. Hunter proposed an alternative recommendation to defer the application to allow Officers to address the concerns raised around fire safety and parking. The alternative recommendation was seconded by Councillor C. A. Hotham

Members stated that the application had already being deferred at the meeting held on 8th April 2024, the applicant could therefore apply for non-determination and costs could be awarded against the Council if no decision was made.

On being put to a vote the Alternative Recommendation was rejected.

Members expressed the opinion that additional information was unnecessary by Officers and a deferral would give the applicant grounds for non-determination. Members further stated that the access was neither safe nor suitable and contravened various policies including: -

- NPPF paragraphs 114b) and 116b) and BDP1 and BDP16.1 for safe access for all users
- NPPF paragraph 115 and BDP1 and BDP16 as the developments would have an unacceptable impact on highway safety and the wider highway network.

Members also stated that there was concern about parking which would be impacted by the development and not adequately addressed.

Councillor A. Bailes proposed an Alternative Recommendation to refuse the application as the associated access would be unsafe. The Alternative Recommendation was seconded by Councillor J. Elledge.

On being put to a vote it was.

RESOLVED that having had regard to the development plan and to all other material considerations, planning permission be refused subject to the reasons as detailed in the preamble above.

8/24

23/01401/FUL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF NEW BUILD DWELLING INCLUDING ASSOCIATED ACCESS, LANDSCAPING & GARAGE. LAND REAR OF 8 - 14 (EVENS) WILLOW GARDENS, BROMSGROVE. BDHT

Subject to the preamble above and with the same concerns being expressed with regards to the safety of the access.

Councillor A. Bailes proposed an Alternative Recommendation to refuse the application as the proposed access would be unsafe. The Alternative Recommendation was seconded by Councillor J. Elledge.

On being put to a vote it was.

RESOLVED that having had regard to the development plan and to all other material considerations, planning permission be refused subject to the reasons as detailed in the preamble above.

9/24

24/00191/FUL - DETACHED GARAGE AND DROPPED KERB. 60 EAST ROAD, BROMSGROVE, WORCESTERSHIRE, B60 2NS. MR. T. NICHOLLS

The Application had been brought to the Planning Committee as the applicant was a council employee.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 57 to 62 of the main agenda pack.

The application was for 60 East Road, Bromsgrove and sought planning permission for a detached garage and associated works including a dropped kerb.

Officers drew Members' attention to the location and proposed site plans including the changes to the wall and kerb.

Members expressed the opinion that the application would normally be considered under delegated powers and saw no reason to refuse the application.

On being put to a vote it was:

RESOLVED that having had regard to the development plan and to all other material considerations, planning permission be granted subject to the conditions as outlined on page 55 of the main agenda pack.

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10/24

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

There were no urgent matters of business.

The meeting closed at 7.16 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

TUESDAY, 4TH JUNE 2024, AT 6.00 P.M.

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

Officers: Mr. D. M. Birch, Mr. A. Hussain, Mr. S Edden, Mr. P. Lester and Mrs. P. Ross

11/24

TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies were received from Councillors D. G. Stewart, R. Lambert and S. M. Evans, with Councillor R. J. Hunter substituting for Councillor S. M. Evans and Councillor B. Kumar substituting for Councillor R. Lambert.

12/24

DECLARATIONS OF INTEREST

Councillor J. Robinson declared an Other Disclosable Interest, in relation to Agenda Item Number 5 (Minute No. 15/24) – 24/00335/FUL – Former Library, Council Offices, Fire Station and Residential Buildings, Windsor Street, Bromsgrove; in that he had spoken to residents with regards to this application.

Councillor A. Bailes declared an Other Disclosable Interest, in relation to Agenda Item Number 4 (Minute No 14/24) – 23/00403/OUT – Land South Side of Houndsfield Road, Hollywood; due to his former employer The Traffic Consultancy (TTC) being the traffic consultants on this application.

Both Councillors J. Robinson and A. Bailes left the meeting room for the duration of the relevant agenda item and took no part in the Committee's consideration nor voting on this matter.

13/24

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING

The Chairman announced that there was a Committee Update which had been circulated to Members prior to the meeting commencing, with a paper copy also made available to Members at the meeting.

Members indicated that they had had sufficient time to read the contents of the Committee Update and were happy to proceed.

14/24

23/00403/OUT - OUTLINE APPLICATION FOR THE ERECTION OF 50 NEW DWELLINGS (INCLUDING MARKET, AFFORDABLE AND CUSTOM/SELF BUILD PLOTS) AND A FLEXIBLE COMMERCIAL/COMMUNITY USE BUILDING WITH ASSOCIATED ACCESS, INFRASTRUCTURE, LANDSCAPING, DRAINAGE AND OPEN SPACE PROVISION; CONSIDERING ACCESS INTO THE SITE ONLY WITH ALL OTHER MATTERS RESERVED. LAND AT SOUTH SIDE OF HOUNDSFIELD LANE, HOLLYWOOD, WORCESTERSHIRE, B47 5QY. MR. B. LITTLE.

Further information was included in the Committee Update, with regards to the comments received from the applicant to the officer's report which criticised the planning balance section as detailed on pages 24 and 25 of the main agenda pack. The applicant wished to draw the Committee's attention to appeal decision APP/P1805/W/23/3325834, as detailed on page 3 of the Committee Update, which also included the officer's response, as detailed on pages 3 to 4.

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

Officers presented the report and in doing so highlighted that the outline application was for the erection of 50 new dwellings (including market, affordable and custom/self-build plots) and a flexible commercial / community use building with associated access, infrastructure, landscaping, drainage and open space provision; considering access into the site only with all other matters reserved.

Officers presented the presentation slides, as detailed on pages 28 to 37 of the main agenda pack; and in doing so drew Members' attention to the following slides: -

- Parameter Plan
- District Plan extract
- Site layout plan (Indicative)
- Map at Para 8.15 of applicants planning statement showing Parcel NE6

Members were further informed that access had now been agreed with Highways, Worcestershire County Council and the agreed visibility splays required.

Officers further drew Members' attention to the Housing Land Supply, which detailed that the Council could currently demonstrate a housing land supply of 3.3 years, and Green Belt information. The application site was located within the Green Belt. Proposals within the Green Belt

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were assessed against the guidance set out in Chapter 13 of the National Planning Policy Framework (NPPF) in addition to the Council's own Green Belt policies. The proposal did not meet any of the policy criteria specified at Policy BDP4 of the Bromsgrove District Plan (BDP) or at Paragraph 154 or 155 of the NPPF and as such, the proposal would amount to inappropriate development, which by definition, was harmful to the Green Belt. In accordance with Paragraph 153, substantial weight should be given to any harm to the Green Belt. 'Very Special Circumstances' (VSC) would not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal was clearly outweighed by other circumstances, as detailed on pages 14 and 15 of the main agenda pack.

Officers further referred to the Purposes of the Green Belt. The first part of the Green Belt Review, which as published in August 2019, was entitled Green Belt Purposes Assessment: Part 1. This report splits the District's Green Belt land into 60 parcels and assesses each parcel's contribution to the function of the Green Belt. Part 2 of the Green Belt Purposes Assessment would consider a range of more detailed sites against the Green Belt purposes in a more localised and focused manner but has yet to be published. This particular site was submitted as part of the Council's Call for Sites process and had been assigned reference number 195 although no formal assessment of the site had been published to date. In Part 1 of the Purposes Assessment, the application site falls within Parcel NE6 as shown on the plan submitted in the applicants planning statement at Paragraph 8.15 (land South of Hollywood, North of Wythall).

In assessing the area against the purposes of the Green Belt, the assessment concludes that the area was strong in relation to its strength of contribution, in respect of the following Green Belt purposes: to prevent neighbouring towns from merging into one another. In terms of safeguarding the countryside from encroachment this was classified as moderate, as detailed on page 16 to 18 of the main agenda pack.

The proposed development would be of a size, scale, form, and intensity that would fundamentally erode the form, character and setting of this area.

Officers highlighted that the Applicant's Case and Very Special Circumstances (VCS) and the Planning Balance, were detailed on pages 23 to 25 of the main agenda pack.

Officers stated that in conclusion the NPPF states that inappropriate development was, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 confirmed that when considering any planning application, local planning authorities should ensure that substantial weight was given to any harm to the Green Belt. 'Very special

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Circumstances' would not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, was clearly outweighed by other considerations.

As referred to in the preamble above, the Planning balance section of the report, sets out the harms and benefits and officers concluded that all of the harms were not clearly outweighed by all of the benefits. 'Very Special Circumstances' did not therefore exist in this case.

It was considered that the application of policies in the NPPF provided a "clear reason for refusing" the development proposal under NPPF paragraph 11(d)(i). It was concluded that the proposals conflicted with the development plan policies in so far as they related to the Green Belt and the character and appearance of the area. There were no other material considerations that had a bearing on balance.

Officers drew Members' attention to the reasons for refusal, as detailed on page 26 of the main agenda pack.

At the invitation of the Chairman, the applicant Mr. B. Little addressed the Committee.

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

In response to questions from Members with regards to the affordable housing balance and substantial weight for the provision of affordable housing; officers clarified that Policy BDP8 sought the provision of 40% affordable housing on qualifying sites. The application proposed the provision of 50 dwellings in total, with 26 of these being affordable, which equated to 52%. Officers referred to the comments received from the Council's Housing Strategy team and the dwelling type to be provided, as detailed on pages 9 and 13 of the main agenda report. A section 106 Agreement (S106) would secure any housing requirement.

In response to further questions, officers briefly explained the Council's Local Plan Review and the two-part Green Belt Review, and that the application site fell within Parcel NE6, as detailed on page 16 to 18 of the main agenda pack.

The proposed development was inappropriate development in the Green Belt. In assessing the area against the purposes of the Green Belt, the assessment concluded that the area was strong in relation to its strength of contribution, in respect of the following Green Belt purposes: to prevent neighbouring towns from merging into one another.

Some Members commented that, as stated in the report, that the development proposed would equate to urban sprawl and encroachment into the countryside; and that one of the Green Belt purposes was to prevent neighbouring towns from merging into one another.

On being put to the vote, it was

RESOLVED that planning permission be refused for the reasons as stated on page 26 of the main agenda pack.

15/24

24/00335/FUL - DEMOLITION OF EXISTING BUILDINGS AND ASSOCIATED SITE REMEDIATION, REMOVAL OF EXISTING REDUNDANT SERVICES AND UTILITIES. FORMER LIBRARY, COUNCIL OFFICES, FIRE STATION AND RESIDENTIAL BUILDINGS, WINDSOR STREET, BROMSGROVE, WORCESTERSHIRE, B60 2BJ. MR. S. CARROLL.

Officers drew Members' attention to the Committee Update, which detailed Worcestershire Regulatory Services (WRS) final comments on the application. Members attention was further drawn to the Contaminated Land – Remediation and Verification Condition and the Informative, as detailed on pages 5 to 8 to the Committee Update.

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

Officers presented the report and in doing so highlighted that the application was for the demolition of the existing buildings and associated site remediation, removal of existing redundant services and utilities.

Officers presented the presentation slides, as detailed on pages 46 to 48 of the main agenda pack.

Officers explained that the application sought full planning permission to demolish all the structures on Windsor Street which comprised of a former library, Council office block, former Bromsgrove fire station, accommodation, and a training tower for the firefighters.

Bromsgrove District Council had been awarded £14.5m through the Government's Levelling Up Fund to be invested into projects to improve Bromsgrove Town Centre. Four sites in Bromsgrove had been identified as part of the 2040 vision, one of which was the site discussed in this report, Windsor Street, as detailed on page 42 of the main agenda pack.

Officers referred to the Contamination information, as detailed on page 43 of the main agenda pack.

Members then considered the application which officers had recommended be granted, subject to the final satisfactory comments from WRS Contamination, which had now been received, as detailed in the preamble above.

Officers responded to questions from the Committee with regards to contamination and a Construction Environmental Management Plan

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(CEMP), and in doing so; clarified that in respect of the demolition a number of comprehensive reports had been received and pre-application discussions had taken place, so as the site could come forward for future residential use and to ensure that any subsequent applications had no concerns raised, for its use, from WRS, Contaminated Land. Condition 3, as detailed on page 44 of the main agenda pack highlighted that ‘the demolition works hereby permitted shall be carried out in accordance with the details outlined in the Condition and Demolition Statement unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.’ Further Conditions from WRS – Contaminated Land had been included in the Committee Update, pages 7 and 8.

Some Members raised questions about the access path (as shown on the Site Layout slide) being closed off during the demolition and further questioned if the access path would be restored once the demolition had ended and up until the building works commenced.

Officers explained that the access path was not a right of way and was therefore not a planning consideration for Members, but a civil matter for the applicant.

In response to further questions from Members with regards to the Levelling Up Fund programme and timescales in relation to the undertaking of an asbestos survey prior to the demolition of the buildings, together with the appropriate mitigation measure; officers commented that their understanding was that once planning permission was in place that work would commence quickly, they did not have a timescale as to when it would be completed by.

Members stated that they supported the officer’s decision, however they would like to be reassured that officers had read the Condition and Demolition Statement and that the site would be cleared in a meaningful way for residents and other people around the site.

On being put to the vote, it was

RESOLVED that following the final satisfactory comments received from Worcestershire Regulatory Services, as detailed on pages 5 to 7 of the Committee Update that full planning permission be granted, subject to

- a) Conditions 1 to 5, as detailed on pages 43 and 44 of the main agenda pack; and
- b) the additional WRS Contaminated Land – Remediation and Verification Conditions 1 to 4 and the Informative, as detailed on pages 7 and 8 of the Committee Update.

16/24

24/00416/S73 - VARIATION OF CONDITION OF 4 OF PLANNING PERMISSION 14/0408 (RESIDENTIAL DEVELOPMENT COMPRISING

THE ERECTION OF 26 DWELLINGS - OUTLINE APPLICATION (INCLUDING DETAILS OF ACCESS, LAYOUT, SCALE AND APPEARANCE)) TO SUBSTITUTE PLOTS 13-16 WITH ALTERNATIVE HOUSE TYPES. LAND REAR, ALGOA HOUSE, WESTERN ROAD, HAGLEY, WORCESTERSHIRE. MRS. R. CRANN.

Officers presented the report and the presentation slides, as detailed on pages 60 to 65 of the main agenda pack.

Officers highlighted the proposed changes as part of the amendment to the approved scheme, as detailed on page 53 of the main agenda pack; and as follows: -

- Proposing to swap the SL1 and SL2 dwelling types on plots 13-16 which are stepped units with a one storey bungalow appearance at the front which step down to the rear. To a more standard house type which does not require a stepped unit design for these dwellings.
- Reconfigured access and parking arrangement for plots 13-16.
- Minor changes to the elevational treatment.

Officers further explained that a section 106 Agreement (S106) was completed for the application. The legal agreement was worded such that, if a s73 consent was granted (such as this application), the obligations in the S106 legal agreement (such as affordable housing, education, off site open space, etc) shall relate to the new s73 consent. This was specified in Section 17 of the agreement. Therefore, a supplemental deed/new legal agreement was therefore not required in this case.

Officers drew Members' attention to the Recommendation, as detailed on page 54 to 57 of the main agenda pack.

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

Officers responded to questions from the Committee and in doing so, clarified that there had been no changes to the layout of the trees. Conditions under the previous consent would be replicated and any adoption of the roads or maintenance of the trees would be up to the developer to submit. Highways, Worcestershire County Council (WCC) might not adopt the trees, but a Condition could be included to maintain the trees.

Councillor A. Bailes raised a query regarding a Condition that Highways, WCC, had included within their comments to Application 14/0408, as follows: -

'Residential Welcome Pack

Agenda Item 3

Planning Committee
4th June 2024

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.'

Officers explained that this Condition had been omitted in error but could be incorporated into the application should Members be in agreement. With Members agreeing to add an additional Condition (Condition 16), it was

RESOLVED that planning permission be granted, subject to Conditions 1 to 15, as detailed on pages 54 to 56 of the main agenda pack; and an additional Condition, as detailed in the preamble above.

- Condition 16 – that 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.

17/24

PLANNING PERFORMANCE REPORT QUARTER 4 (1ST JANUARY - 31ST MARCH 2024)

The Chairman took the opportunity to remind the Committee that the report was for noting only.

Members commented that they welcomed the report and looked forward to future quarterly reports.

In response to questions from the Committee, the Development Management Manager stated that it was not appropriate to include appeals information within the report, as the Council were tested on the outcome of any appeals. All Ward Councillors were informed of a synopsis of appeals in their Ward area and this information was also provided to Planning Committee Members. Appeals information was also included on Public Access by their site address, so they were accessible and visible to everyone.

Following further discussions on the statistics and information included within the report, the Development Management Manager further explained that the purpose of the report was to look at planning performance and outcomes. Enforcement did not come into this. Some appeals were under delegated powers and Ward Members and Planning

Agenda Item 3

Planning Committee
4th June 2024

Committee Members could speak with the Planning Case Officer involved.

With regards to the 'Quality of Decision Making' figures, the Development Management Manager commented that the Council had few major applications and this had the potential to easily affect the statistical return. Major applications were predominantly brought to the Planning Committee for determination.

The Development Management Manager stated that variables such as Officer resources and the refusal of extension of time requests were also factors to be taken into account.

Members expressed their thanks and commented that the report was incredibly positive, with some Members stating that they would be sharing the information with their residents. Members liked the accessible format of the report and would remind themselves of the 'Quality of Decision-Making Figure' of 5.7% which was good, as it had previously been 9%.

The Development Management Manager explained briefly, following queries from Members, the consequences of going into Special Measures.

Members again expressed their sincere thanks to officers.

The meeting closed at 7.27 p.m.

Chairman

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PLANNING COMMITTEE

9th July 2024

TREE PRESERVATION ORDER (NO. 2) 2024 – Tree/s on land at The Oasis, Hagley, Worcestershire DY9 0AT.

Relevant Portfolio Holder	Cllr Peter Whitaker
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Hagley
Ward Councillor(s) Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Committee is asked to consider the confirmation without modification of Tree Preservation Order (No.2) 2024 relating to two trees on land at The Oasis, Hagley, Worcestershire DY9 0AT

2. RECOMMENDATIONS

- 2.1 It is recommended that provisional Tree Preservation Order (No.2) 2024 relating to two Cedar trees on land at The Oasis, Hagley DY9 0AT is confirmed without modification as in the provisional order as raised and shown in appendix (1).

3. KEY ISSUES

Financial Implications

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

Legal Implications

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

Service / Operational Implications

Background;

- 3.4 The provisional order was raised on 8th February 2024 following on from an initial enquiry made, by a tree surgeon, regarding the status of two Cedar trees, situated within a grassed area at the southern end of The Oasis' access road. Upon a site visit with the enquirer and a managing agent for the land where the trees are sited, it was made apparent that their intention was to remove both trees, although the agent remained neutral on whether the trees should be removed, hence taking advice from the engaged tree surgeon. The

PLANNING COMMITTEE

9th July 2024

purported reason for removal was due to an enquiry made by a resident local, to The Oasis and the Cedars, that wish them removed. The trees in question are in fine health and condition, having grown together as a cohesive pair and are highly prominent to residents of Willow Close, The Greenway, Cavendish Drive, The Oasis itself as well as any highway users and pedestrians, as can be seen in photos 1 - 4 (Appendix 5). It was therefore deemed prudent to raise an order on the site, to include the Cedars due to the risk of their potential loss.

3.5 The Following two objections have been received in respect of the provisional TPO having been raised;

1. Letter dated 25th February 2024 from Mrs C. E. Meddings of No.41 Cavendish Drive (Appendix 2)
2. Letter dated 20th March 2024 from Ms H Butler of No.39 Cavendish Drive DY9 0LR (Appendix 3)

The following neutral letter has been received in respect of the provisional TPO having been received;

1. Letter dated 20th May 2024 from Edward Sherman of No.1 The Oasis DY9 0AT (Appendix 4)

My comments in relation to the points raise within these objections are as follows:

- a. With regards to comments made regarding the age and size of the trees, mentioned in both letters of objection; the trees are coming into full maturity and so would expect their growth slow considerably as they mature. The concerns regarding their height has been raised due to the perceived potential damage to property should the tree/s fail. The trees are both in fine health and condition and no signs of structural defect have been noted or raised within the letters (Appendix 1+2) The trees do appear as atop a bund or mound which is typical for the species and does not allude to root plate movement or is evidence of a fungal decay. At present I do not foresee windthrow or any major failure of either tree.
- b. Regarding comments made around waterlogged soils and movement of the water table; no actual evidence of movement of the water table has been submitted making it difficult to assess. That said I would fully expect the Cedars to show signs of stress, in reduced needle size or even yellowing of needles, if water levels had changed significantly as

PLANNING COMMITTEE

9th July 2024

they generally prefer a dryer substrate. In addition, if the ground is holding more water than previously and this alone is an issue for affected residents then 2 verging mature Cedars would work to lessen this issue as they will be drawing a considerable amount of water though their extensive root systems.

- c. The issue raised after shading out of gardens is unfortunate and as Cedar is an evergreen species this issue would be apparent year round. That said appropriate works could be agreed under the TPO to ease the matter. This would require the submission of an application for consideration and subsequent approval from the LPA, though is not likely to be refused, should the works be justified.
- d. Regarding the comment made in appendix 3, around needle drop and acidification of soils; I agree that needles shed by trees will adjust the PH balance of the soil, though not to the extent to create concern; many plants and trees leave a mark on the soils they inhabit, often inhibiting growing of some others, in this case inhibiting the growth of neutral or alkaline loving plants. There also exists species of plants and trees that are happy in slightly acidic environments some even thriving. In my mind thoughtful species selection would be need to navigate this.

3.6 Policy Implications- None

HR Implications- None

Council Objective 4- Environment, Priority C04 Planning

3.7 Climate Change / Carbon/ Biodiversity - The Proposal in relation to confirming the TPO can only be seen as a positive impact on the environment.

Customer / Equalities and Diversity Implications

3.8 The customers have been provided with the relevant notification and the responses received are attached in the appendices. The customers will receive notification by post of the decision of the committee.

3.9 Equalities and Diversity implications - None

4. RISK MANAGEMENT

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

PLANNING COMMITTEE

9th July 2024

5. APPENDICES

List Appendices.

- Appendix (1) Plan & Schedule of Provisional Order
- Appendix (2) Letter of objection dated 25th February 2024 from Mrs C.E.Meddings of No.41 Cavendish Drive DY9 0LR
- Appendix (3) Letter of objection dated 20th March 2024 from Ms H Butler of No.39 Cavendish Drive DY9 0LR
- Appendix (4) Letter of Objection dated 20th May 2024 from Edward Sherman of No.1 The Oasis DY9 0AT
- Appendix (5) Photographs of subject trees from the public highway.

6. BACKGROUND PAPERS

None

7. KEY

TPO - Tree Preservation Order

7.1 Conclusion and recommendations:

The trees in question are very prominent to the residents of Willow Close, The Greenway, Cavendish Drive, The Oasis itself as well as any highway users and pedestrians as can be seen in appendix (5).

Therefore I would recommend to the committee that the order is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

Name: Tarek Ball
Email: Tarek.Ball@bromsgroveandredditch.gov.uk
Tel: (01527 64252 Extension 1340)

TOWN AND COUNTRY PLANNING ACT 1990

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

Bromsgrove District Council Tree Preservation Order (2) 2024 Tree/s on land at The Oasis, Hagley, Worcestershire DY9 0AT

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

Citation

1. This Order may be cited as **Tree Preservation Order (2) 2024**

Interpretation

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

Effect

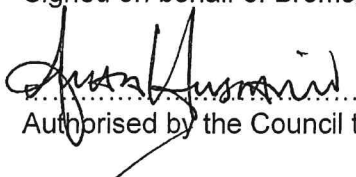
- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the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

Application to trees to be planted pursuant to a condition

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

Dated this *8th day of February 2024*

Signed on behalf of Bromsgrove District Council



Authorised by the Council to sign in that behalf

First Schedule

Trees specified individually

(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Cedar	389899, 280013	Along the eastern edge of the main drive at The Oasis, north of Mirage, The Greenway DY9 0LT
T2	Cedar	389901, 280011	Along the eastern edge of the main drive at The Oasis, north of Mirage, The Greenway DY9 0LT

Trees specified by reference to an area

(within a dotted black line on the map)

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

Groups of Trees

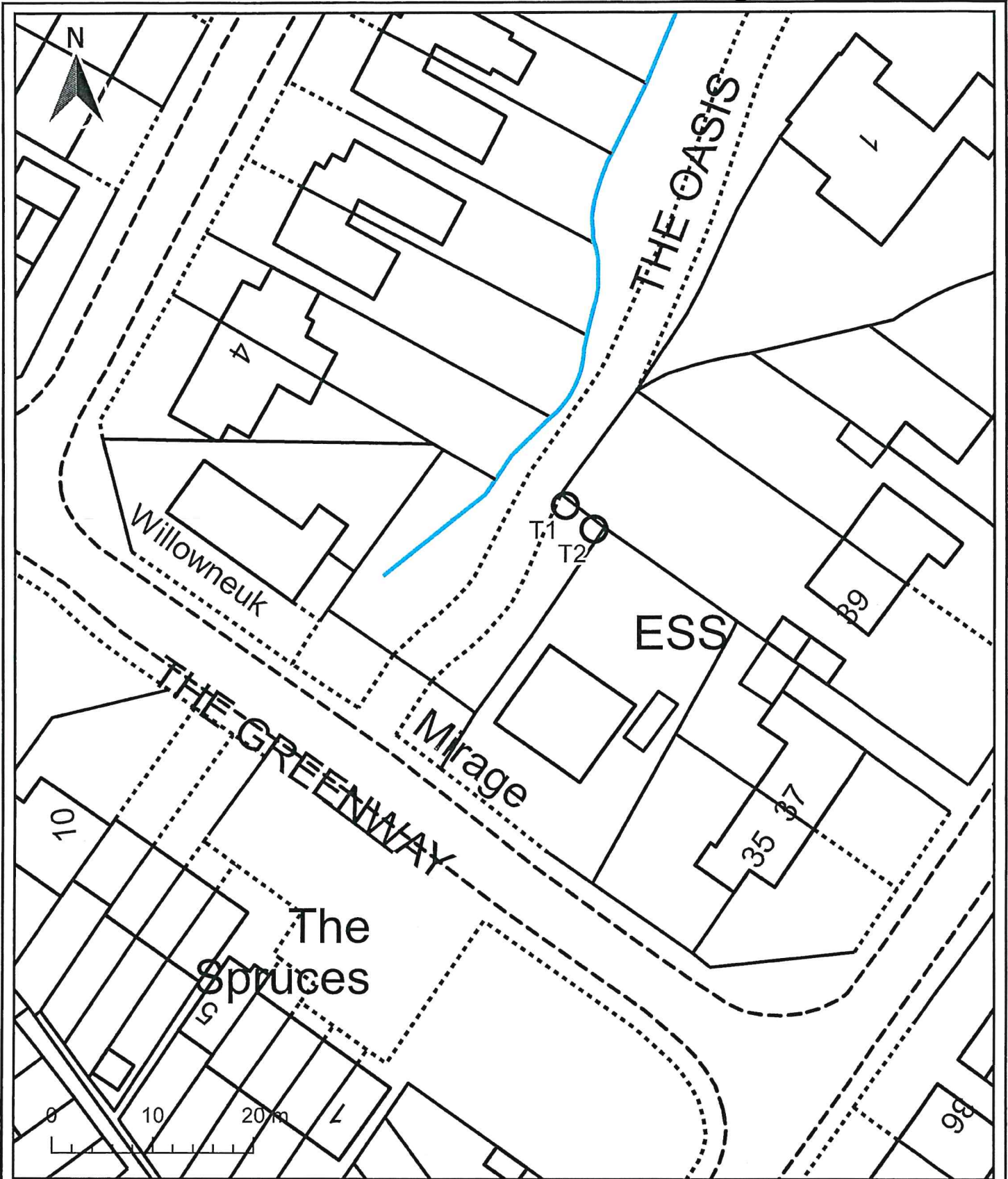
(within a broken black line on the map)

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

Woodlands

(within a continuous black line on the map)

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



Bromsgrove
District Council

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www.redditchbc.gov.uk

Project: TPO (2) 2024

Drawn: Tarek Ball

Environmental
Services
Town Hall
Walter Stranz Square
Redditch
Worcs B98 8AH

Janis Hussain
8/2/2024
AUTHORISED SIGNATORY

Drawing: The Oasis,
Hagley DY9 0AT

Scale: 1:500
@ A4

Drawing
No.: 1 of 1

Date: Page 29

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Ordnance Survey
100023252

41, Cavendish Drive,
Hagley,
Stourbridge,
Worcs

DY9.0LR.
25th Feb. 2024

Dear Sir

Re:- Tree Preservation Order (2) 2024.
Trees on land at The Oasis,
Hagley, Worcs.

Thank you for your letter dated 8th Feb
together with enclosures.

My husband & I would like to raise
our objection to the proposal of a Preservation
Order on the above trees for the following reasons:-
We have lived at the above address
for 62 years in May & when the previous owner
planted those trees some 50 odd years ago, we
both remarked to each other, "Why has he planted
Cedars when they grow so large."

They are now so large we think
there is a real risk of them falling. In view

of what I am going to tell you, you will understand more. We had a lovely garden very well established until 2017 when water came in & saturated the ground. If you put a spade in, all you get is water under the ground now. All our lovely ~~shrubs~~ shrubs & plants have died because they were waterlogged. We have got a pool on the left hand side of the garden now with stagnant water which never goes away. If you empty this it flows back in under the fence & is the same.

We have had numerous officials including S. Trent water who all say it is the water levels which have risen. I say it is a stream that has opened up & is running under the garden!! Our neighbours at No. 39 are doubly affected like us.

As these trees are in the same trajectory as our gardens they could be waterlogged like ours & who knows what could happen.

We are all for conservation but we find it hard to understand why a Preservation Order should be put on these trees.

If you need any more information please get in touch.

Yours faithfully
C. E. MEDDINGS (Mrs)

Agenda Item 5

Appendix 3

Ms H Butler
39 Cavendish Drive
Hagley
Stourbridge
DY9 0LR

20th March 2024

Ref: TPO Objection Trees on the land at : The Oasis, Hagley, Worcestershire

I would like to submit my objections to the proposed TPO on the trees at the entrance to the Oasis Driveway. Whilst, I am in favour of encouraging a natural habitat, where possible, I do not believe that these particular trees should be protected by a TPO at there age and size.

The mature trees have reached a considerable height, to the extent that they would likely cause damage to nearby property if they were to become unstable. My property and the neighbouring two properties would be at considerable risk of serious damage. In periods of high winds, I consider the trees to be a considerable concern because of the length of the branches and the height of the trees.

The ground water level around the trees has significantly increased in recent years, which again raises further concerns regarding the stability of the trees root systems. The saturated ground surrounding the trees has been a cause for concern for myself and my neighbours for over 5 years.

The broad canopy of the trees have left the lowest section of my garden and my neighbours gardens in constant shade, the needles that drop from the tree in vast numbers all year round, not only create an unpleasant appearance but also increase the acidity of the ground meaning that many plants have been lost in my garden due to the lack of sunlight and poor soil quality.

Again, I would like to publicly state that I have personally tried to maintain a garden that has a variety of mature trees, and a broad of plants providing natural habitats. I understand the need for maintaining our natural environment but do not agree that preserving these trees and enforcing the requirement of replacing the trees with the same species to be an appropriate use of the TPO order. Trees of that hight and canary size are not appropriate in such close proximity to property and a private road.

Yours sincerely

Appendix 4

1 The Oasis
Hagley
Stourbridge
West Midlands
DY9 0AT

20th May 2024

Mr Tarek Ball
Environmental Services
Bromsgrove District Council
Crossgate House
Crossgate Road
Redditch
Worcestershire
B98 7SN

Re Tree Preservation Order (2) 2024

Dear Sir,

Further to your notice dated 8th February 2024 I would like to make the following comments:-

1. These trees are totally out of keeping within the environment in which they are situated.
2. I was the original occupant at The Oasis in January 2002. Over 300 trees were felled to allow development of the site. These particular trees were relatively not very high at that point.
3. They have both grown enormously and been topped and trimmed several times during the last 22 years.
4. Every year in high winds several branches break off and fall. Luckily none have landed on a person, car or the bungalow closest to the trees. They are a threat to life, limb and property for which residents of The Oasis would be liable.
5. This is an extremely environmentally conscious site on which the householders have planted hedgerows, trees and shrubs which attract dozens of birds and many forms of wildlife. It is truly a GREEN OASIS.
6. Personally I would like to see these trees felled and replaced with more appropriate species or, at least, lopped to a more manageable and safer size.
7. **A site visit would confirm this information and I would be pleased to host you**

Edward Sherman



Agenda Item 5



Agenda Item 5



PLANNING COMMITTEE

9th July 2024

**Tree Preservation Order (3) 2024 Tree on Land At 21 and 23 Hawthorne Drive
Hollywood B47 5QT**

Relevant Portfolio Holder	Cllr Peter Whittaker
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Hollywood
Ward Councillor(s) Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Committee is asked to consider the confirmation without modification of Tree Preservation Order (3) 2024, relating to trees on land at 21 and 23 Hawthorne Drive, Hollywood B47 5QT

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (3) 2024 is confirmed without modification and made permanent as provisionally raised and shown in appendix (1).

3. KEY ISSUES

Financial Implications

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

Legal Implications

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

Service / Operational Implications

Background:

- 3.4 The provisional order was raised on the 8th February 2024 as shown in appendices (1) in response to an indication received by the Council that the owner of the tree at 23 Hawthorne Drive intended to fell the Oak tree on that property.

PLANNING COMMITTEE

9th July 2024

A TEMPO (Tree Evaluation Method for Preservation Orders) was carried out on the trees included within the order by Gavin Boyes on 7th February 2024 which can be seen in appendix (2) which showed that the trees accrued a score worthy of consideration for TPO protection.

3.5 Three objections have been received in respect of the provisional TPO having been raised as follows and shown in appendix (3):

- A letter from Penny and Paul Conlon residents at 23 Hawthorne Drive B47 5QT dated 26th February 2024.
- A letter from Clare and Adrian Pickersgill residents at 26 Beech Road B47 5QS dated 5th March 2024.
- A letter from Stephen Evans resident at 27 Beech Road B47 5QS dated 7th March 2024.

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

Public Amenity Value: The trees do stand within the grounds of properties served by a private driveway, but the trees are clearly visible from the public highway and pathways from both Hawthorne Drive and Beech Road as shown in the photographs 1,2 and 3 of appendices (4).

Risk Of Subsidence and Root Invasion to Property: The cases of tree related subsidence brought to the attention of Bromsgrove District Council within our district are low. The properties and the trees to be protected have now coexisted for a number of years and In recent years we have experienced long and more intense dry spells likely to create subsidence issues. Therefore, if there were to be any potential subsidence issues in this estate it is likely that they would have become evident by now. If any such issues should arise the appropriate management of the tree could be considered to address that situation. The layout of the properties in relation to the trees has clearly been carefully considered at the time of the planning and development of the site as the trees greatly predate the estate being estimated 80-100 years of age and the buildings being of an acceptable distance from the trees.

General Deris Fall Nuisance: All trees do unfortunately bring a level of leaf and minor stature deadwood twig/ branch fall all of which is due to the natural growth habit of the tree. I feel that this is an acceptable nuisance in view of the level of influence the trees have on the properties this instance and the quality of the trees and the value they offer to the landscape and character of the area.

PLANNING COMMITTEE

9th July 2024

Risk Of Root Invasion to Drains: It has been highlighted that a sewer drain runs down the private roadway serving the properties in Hawthorne Road and across land into the carriageway of Beech Road passing locally to the two trees to be protected. Tree root is known to be opportunistic in taking advantage of accessing an easily available water source where drainage systems are damaged or poor quality due to the age of the system. Roots do not generally exert any mechanical pressure on drains to create damage they will tend to take the easiest direction of growth and go around any obstruction such as drains. This is a modern estate and as such would be expected to have a high quality and robust drainage infrastructure that would be unlikely to be damaged by root and therefore suffer root invasion.

Shadowing: 26 Beech Road Tree T1 of the order stands on the western side of the property so will create shadowing in the mid to late afternoon the influence of the shadowing could be managed to a degree by crown management pruning.

23 Beech Road and 23 Hawthorn Road: T1 of the order stands on the eastern side of these properties therefore will create shading in the morning which again could be managed to a degree by crown management pruning.

3.6 Policy Implications- None

HR Implications- None

Council Objective 4- Environment, Priority C04 Planning

3.7 Climate Change / Carbon/ Biodiversity- The proposal in relation to confirming the TPO can only be seen as a positive impact on the environment.

Customer / Equalities and Diversity Implications

3.8 The customers have been provided with the relevant notification and the responses received are attached in the appendices. The customers will receive notification by post of the decision of the committee.

3.9 Equalities and Diversity implications- None

4. RISK MANAGEMENT

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

5. APPENDICES

List Appendices.

PLANNING COMMITTEE

9th July 2024

Appendix (1) Schedule and Plan of Provisional Order as raised.
Appendix (2) Tempo Assessment
Appendix (3) Letters of Objection
Appendix (4) Photographs

6. BACKGROUND PAPERS

None

7. KEY

TPO - Tree Preservation Order
TEMPO – Tree Evaluation Method for Preservation Orders

7.1 Conclusion and recommendations:

I feel that the two Oak trees within this order offer a valuable level of public visual amenity value being clearly visible from the local public road network and pathways and add considerably to the character of the estate and landscaping of the area. They have a considerable future life span and although they may need periodic crown management due to the constraints of their growing position, they are sustainable in the longer term within the infrastructure of the estate.

Therefore, I recommend to the committee that Tree Preservation Order (3) 2024 is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

Name: Gavin Boyes
Email: Gavin.Boyes@bromsgroveandRedditch.gov.uk
Tel: 01527 883094

TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012

Bromsgrove District Council Tree Preservation Order (3) 2024
Tree/s on land at 21 and 23 Hawthorne Drive, Hollywood, Worcestershire, B47
5QT,

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

Citation

1. This Order may be cited as **Tree Preservation Order (3) 2024**

Interpretation

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

Effect

- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

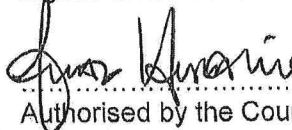
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

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

Dated this *8th day of February 2024*

Signed on behalf of Bromsgrove District Council


.....

Authorised by the Council to sign in that behalf

First Schedule

Trees specified individually

(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Oak	408684, 276805	Front garden of 23 Hawthorne Drive western side of 26 Beech Road
T2	Oak	408662, 276836	Front garden of 21 Hawthorne Drive

Trees specified by reference to an area

(within a dotted black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
-------------------	--------------------	------------	------------------

NONE

Groups of Trees

(within a broken black line on the map)

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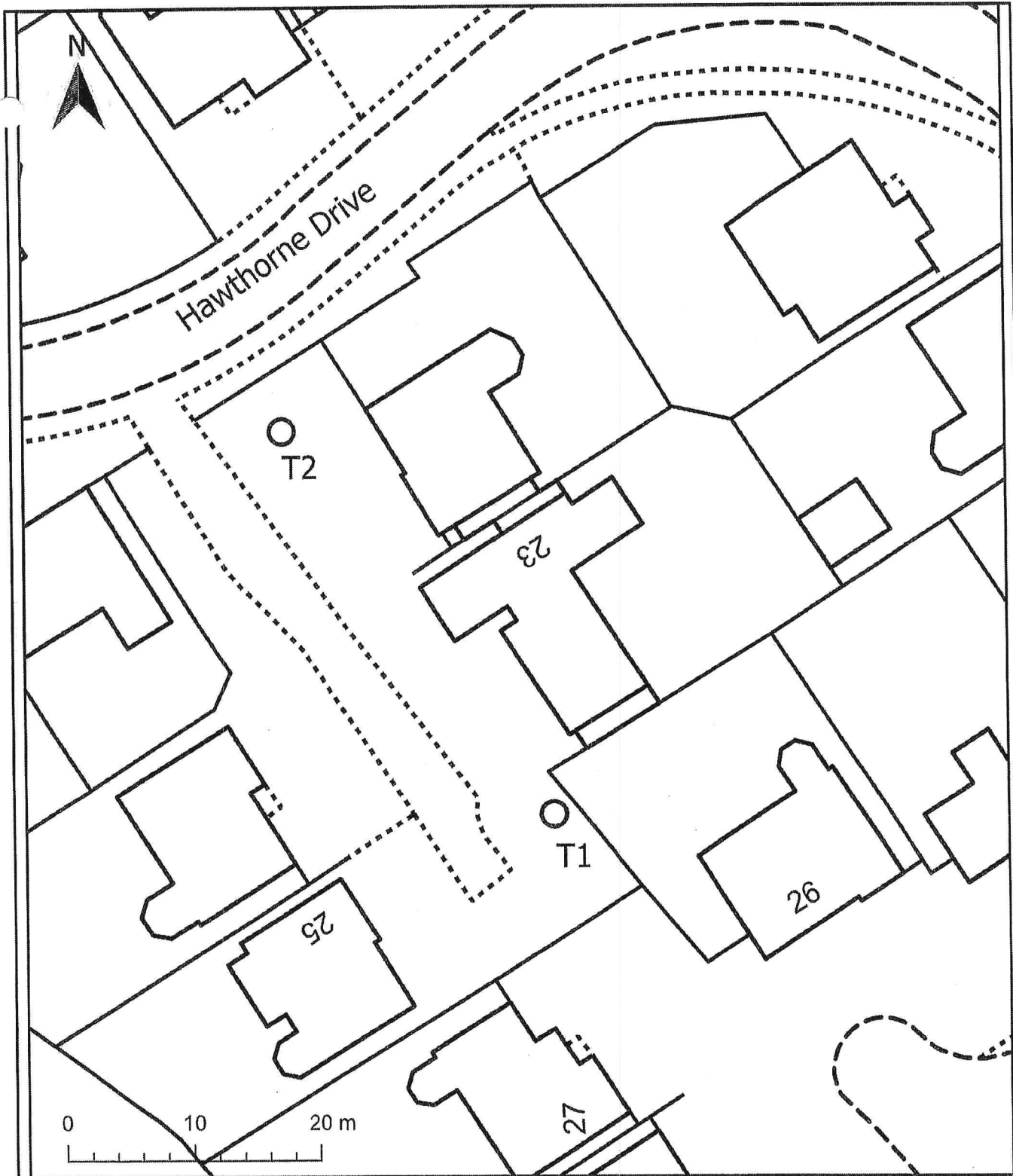
NONE



Woodlands

(within a continuous black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
-------------------	--------------------	------------	------------------

NONE



 <p>Bromsgrove District Council www.bromsgrove.gov.uk</p>  <p>REDDITCH BOROUGH COUNCIL making a difference www.redditchbc.gov.uk</p>	Project: Bromsgrove District Council TPO (3) 2024	Drawn: Gavin Boyes - Arboricultural Team	Environmental Services Town Hall Walter Stranz Square Redditch Worcs B98 8AH	<i>James Hussey 08/02/24</i> Authorised Signatory	
	Drawing: 21 & 23 Hawthorne Drive, Hollywood B47 5QT	Scale: 1:400 @ A4			© Crown copyright and database rights 2023 Ordnance Survey 100023252
	Drawing No.: 1 of 1	Date: 2.2024			

T.E.M.P.O Tree Evaluation Sheet

APPENDIX 2

Evaluation by: Gregin Boyes Date: 7th February 2024 Sheet No. 4 of 4

Address/Site Details: 21-23 Hawthorne Drive - Hollywood.

Tree Ref	Species	DBH (mm)	Amenity Assessment			Sub	Trees must have accrued 7+ points (& no zeros) to qualify	d - other factors	Trees must have accrued 9+ points (& no zeros) to qualify	Exped iency	Score	TPO Y/N?	Notes
			a - Condition	b - Longevity	c - Visibility								
1	Oak	*800	3	4	4	11		1	5	17	Y	Crown previously Reduced	
2	Oak	*1000	3	4	4	11		1	2	14	Y	Crown previously Reduced.	

- Part 1: Amenity assessment**
- a) **Condition**
- 5) Good (highly suitable)
 - 3) Fair (suitable)
 - 1) Poor (unlikely)
 - 0) Unsafe
 - Dead
- b) **Longevity**
- 5) 100+
 - 4) 40 - 100
 - 2) 20 - 40 (suitable)
 - 1) 10 - 20 (just suitable)
 - 0) <10 (unsuitable)

- Part 2: Expediency assessment**
- 5) Very large trees, or large trees that are prominent features (V/ige=200sqm+)
 - 4) Large trees, or medium trees clearly visible to the public (ige=100-200sqm)
 - 3) Medium trees, or larger trees with limited view only (Suitable, med=25-100sqm)
 - 2) Small trees, or larger ones visible only with difficulty (Unlikely, small = 5-25sqm)
 - 1) Young/v.small or not publicly visible regardless of size (prob unsuitable, <5sqm)
- Part 3: Decision guide**
- Any 0 Do not apply TPO
 - 1 - 6 TPO indefensible
 - 7 - 11 Does not merit TPO
 - 12 - 15 Possibly merits TPO
 - 16+ Definitely merits TPO

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CLARE & ADRIAN PICKERSGILL

26 Beech Road
Hollywood
Birmingham
B47 5QS

5 March 2024

Gavin Boyes
Bromsgrove District Council
The Tree Team
Crossgate House
Crossgate Road
Redditch
B98 7SN

Dear Mr Boyes

Tree: 23 Hawthorne Drive, Hollywood, B47 6QT – NGR 408684, 276805

Thank you for your letter 8th February 2024.

We object to the proposed permanent TPO on the basis:

1. The tree provides no amenity value whatsoever, in fact most of the year it looks like something from the Blair Witch project! *Figure 1*
2. When the weather is bad branches fall into our garden which means we cannot leave garden furniture etc under the tree for fear of damage.

Although the tree does provide an excellent place for pigeons to drop poop all over our patio! Another reason none of us sit underneath/near the tree!

Should the tree ever come down in bad weather then it is entirely likely someone's house is going to be damaged, possibly very badly.

3. We have previously investigated having solar panels fitted to our roof, but on both occasions, we were advised not to proceed due to the shading caused by the tree.

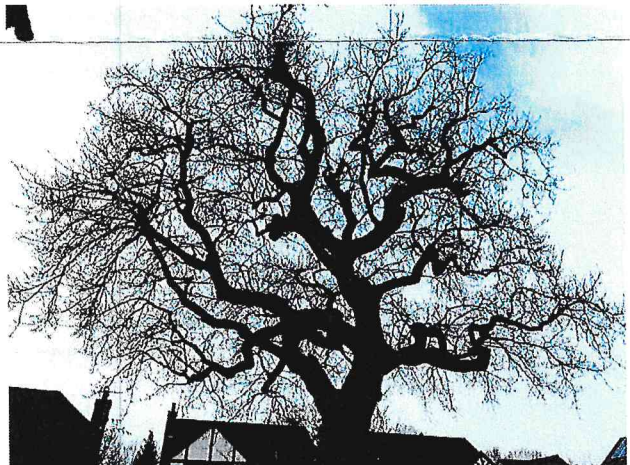


FIGURE 1: NOT PRETTY

4. The tree shades a large portion of our garden which results in:
 - a. Loss of natural sun light
 - b. Our grass doesn't grow well, let alone any plants in this shaded area.
 - c. Much of our garden and patio remains overly shaded and cold in the spring and summer so we don't get use our garden as much as we would like.



FIGURE 2: SHADOW

5. The tree is located at the end of a private cul-de-sac that's provides no public access. I cannot imagine any member of the public wanting the 'enjoy the amenity value' of this tree by standing at the top of the cul-de-sac and looking down.

6. The tree has clearly grown too large and encroaches our property. *Figure 3*

When we moved into our house 3 years ago the branches were almost touching our bedroom window. Our neighbour at the time, whose land the tree is on, agreed we could have the tree cut back. This cost us nearly £800 and as you can see from this picture the tree is again growing close to our property. *Figure 4*

FIGURE 3: 2021 OVER GROWN

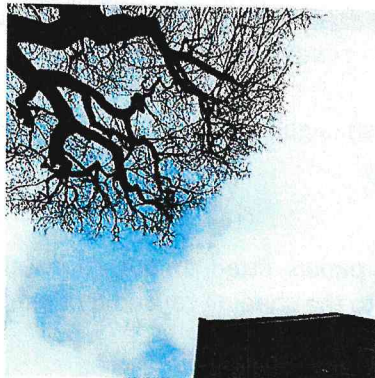
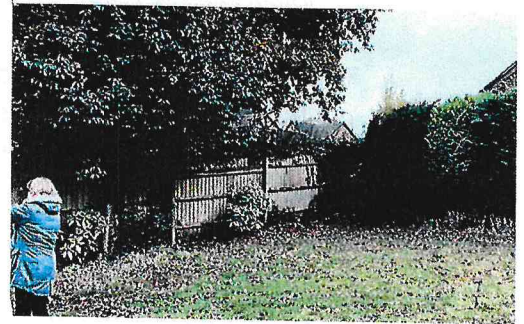


FIGURE 5: ENCROACHING

This does give us cause for concern about potential root damage to our house's foundations (and neighbours).

We'd estimate the tree was planted around 30 years ago when the estate was



first built, and the developers gave little thought to how large it would grow or encroach upon our houses.

7. We're mindful that the tree is above the main public combined gravity sewer which come down this part of Hawthorne Road and through into Beech Road. I imagine a tree this size will have a root system that could easily damage the drains. *Figure 5*

Any damage to these drains would be costly to repair.



FIGURE 5: DRAINS

In summary the tree is a nuisance, and we object to any protection order over this tree.

If you would like to discuss any of the above points, please feel free to contact me.

Kind regards

Yours sincerely

Two black rectangular redaction marks covering the names of the signatories.

Clare & Adrian Pickersgill

Environmental Services

Bromsgrove District Council

Crossgate House

Crossgate Road

Redditch

B98 7SN

RECORDED DELIVERY F.A.O. Gavin Boyes

26th February 2024

Dear Gavin,

Town and Country Planning Act 1990

Tree on land at 23 Hawthorne Drive, Hollywood, Birmingham, Worcestershire B47 5QT (TPO (3) 2024

We refer to your letter of 8th February 2024 in relation to the placing of a Tree Preservation Order on a tree at the above address and write to register our objection on the basis that the positioning and size of the tree in question does not meet the criteria to deem it 'in the interests of amenity' as it 'provides special amenity value' and draw your attention to the following:

Before making an Order, a local planning authority officer should visit the site of the tree in question and consider whether or not an Order is justified.

- We are not aware of any site visit to assess the tree in question. Without this we do not believe the authority is able to fully assess the amenity value of the tree concerned. If a visit has taken place, please advise the date and time of the visit and the details of the assessment made.

Orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public and would bring a reasonable degree of public benefit in the present or future. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact.

- The tree in question is positioned at the very end of a private driveway tucked to the left-hand side of the driveway which serves four dwellings. The tree's position is to the side of our property backing on to two other gardens, is barely visible to the public and not accessible to the public and therefore not enjoyable in any way by the public. Indeed, for a member of the public to see the tree they would have to stand at the top of our private drive and purposefully look down the driveway to see the tree and certainly could not enjoy it from the public footpath. In summer months this view would be largely obstructed by a large tree located in a garden at the top end of the private driveway. Only residents in the four surrounding properties where the tree is positioned would gain any benefit from the tree and its position. We do not believe this would meet the criteria of amenity value or public benefit and do not believe removal would have a **significant** negative impact. To the contrary the residents who might enjoy it believe the tree to be too large for its position and an obstruction and invasion of light, sun, and enjoyment of their surroundings.

Public visibility alone will not be sufficient to warrant an Order. The authority should assess the particular importance of an individual tree including its size and form, future potential as an entity, rarity or historic value, contribution to and relationship with the landscape or appearance of a conservation area.

Agenda Item 6

- The size and form of the tree is highly imposing in its inappropriate position in the landscape, located between three gardens and close to footings of dwellings and main sewers that run directly along the grass verge area where the tree is located. Its size and form has become too large for its position. The tree is not one of rarity only being planted when the site was built and so has no historic value and is not placed in a conservation area. We do not believe the tree to meet with the criterion of meeting an 'amenity value'.

Other factors that may be taken into account is its importance to nature, conservation or response to climate change.

- For winter months and until very late spring the tree is void of leaves and foliage and does not provide a habitat for wildlife to nest or to use as cover and protection. This is unlike the shrubs, trees and foliage in its vicinity which are highly active with wildlife and birds. The tree is not in a conservation area and due to its size and positioning is preventing the location of solar panels on two of the properties it obstructs and therefore one could argue is preventing a positive move for climate change management.

In addition to the above I would like you to take in to account that:

- The tree has not been managed and has become overlarge for its location and is not ideally located for its size.
- It casts a shadow of darkness for neighbors located at 26 Beech Road almost touching their windows and still has at least another 5/10 years of growth before reaching its full potential. Residents at this property are not able to enjoy natural daylight/sunshine in summer months due to the canopy of the tree or have solar panels installed.
- There is a main sewer running almost alongside the tree which have severely blocked in the past. Whilst this was resolved by Severn Trent it was not investigated whether the drains were becoming a problem because of the location of the tree to them and whether damage was being caused. With another 5 to 10 years of growth this is becoming an ever-growing concern.
- The tree size is such that the roots (that generally grow in line with its canopy) are in danger of encroaching on footings of both 26 Beech Road and 23 Hawthorne Drive.

We believe the objections above show that a Tree Preservation Order is not appropriate in these circumstances given it does not meet the criterion at any level for a TPO to be placed and is nothing but a nuisance for those in its vicinity.

Kind regards

Penny and Paul Conlon

23 Hawthorne Drive

27 BEECH ROAD
HOLLYWOOD
BIRMINGHAM
B47 5QS.

7 MARCH 2024

DEAR MR BOYES.

TREE: 23 HAWTHORNE DRIVE, HOLLYWOOD, B476QT.
REF: NGR 408684, 276805.

WE WOULD LIKE TO OBJECT TO THE PROPOSED
PERMANENT TPO ON THE ABOVE MENTIONED TREE.
THE REASONS FOR OUR OBJECTIONS ARE:-

- 1/ THE MAINTENANCE OF THE TREE HAS BEEN
NEGLECTED OVER THE LAST 20 YEARS ACCEPT WHEN
OUR NEIGHBOUR 26, BEECH ROAD HOLLYWOOD
HAD THE TREE PRUNED. SINCE THEN THE TREE
HAS GROWN BACK.
- 2/ THE TREE HAS NO AMENITY VALUE AT ALL
TO THE AREA, DUE TO THE FACT IT IS POSITIONED
AT THE BOTTOM OF A CUL DE SAC WHERE THE
PUBLIC DON'T WALK BY.
- 3/ THE BRANCHES OF THE TREE IN THE WIND ARE
CONSTANTLY FALLING ONTO OUR FRONT GARDEN
AND DRIVE. DUE TO THIS WE CANNOT PARK
OUR CARS ON THAT PART OF THE DRIVE.
IF THIS TREE WAS TO FALL DOWN IT WOULD
CAUSE EXTENSIVE DAMAGE TO ONE OR MORE
PROPERTIES. A ROUND IT.

Agenda Item 6

- 4/ ALSO WE ARE UNABLE TO USE THAT PART OF OUR DRIVE DUE TO THE NUMEROUS PIGEONS DOING THERE BUSINESS OVER OUR CARS IF THEY ARE PARKED THERE. WE HAVE TO CONSTANTLY CLEAN OUR DRIVE DUE TO THE MESS CAUSED BY THE PIGEONS.
- 5/ OUR FRONT LAWN IS AFFECTED BY THE ROOTS OF THE TREE DUE TO THE FACT THAT THE TREE IS ABSORBING ALL THE NUTRIENTS FROM THE LAND.
- 6/ IN THE AUTUMN THE LEAVES ARE A BIG ISSUE. AS WE GET LOTS FALLING IN THE GARDEN AND WE HAVE TO CLEAN OUR DRAINS OUT REGULARLY. WE HAVE TO TAKE THE LEAVES TO THE LOCAL TIP WE GET APPROXIMATELY 30-40 LARGE BAGS FULL EVERY YEAR.
- 7/ THE ROOTS ARE A MAJOR CONCERN OF OURS, AS OUR PROPERTY IS VERY CLOSE TO THE TREE. ALL THE MAIN SERVICES RUN DOWN HAWTHORNE DRIVE AND UNDER OUR DRIVE. WITH THE TREE SO CLOSE TO THE ROAD IN HAWTHORNE DRIVE WE FEEL THAT IT IS A CONCERN THAT THE ROOTS WILL BE OR IN THE FUTURE WILL AFFECT THE SERVICES.
- 8/ WE HAVE CONCERNS IF THE T.P.O IS UPHOLD AND MADE PERMANENT. THIS IS DUE TO THE FACT WE HAVE HAD EXPERIENCE OF SUBSIDANCE CAUSED BY AN OAK TREE BEEN TOO CLOSE TO PROPERTIES.

8/ CONTINUED:

WE FEEL IF THE TPO IS MADE PERMANENT
AND WE DO GET SUBSIDANCE IN THE FUTURE
THIS COULD BE A MAJOR PROBLEM FOR ANY
PROPERTIES AFFECTED.
IN SUMMER THE ROOTS ABSORB THE MOISTURE
IN THE GROUND WHICH CAN AFFECT THE
FOUNDATIONS OF THE PROPERTIES CLOSE BY.

SUMMARY

WE OBJECT TO ANY PROTECTION ORDER ON
THE TREE.

YOURS SINCERELY.

A rectangular area of the document has been completely blacked out with a marker, obscuring the signature.

STEPHEN EVANS.

APPENDIX 4

Photo 1
View from public pavement front side 21 Hawthorne Road.



Photo 3
View from public highway just before the turning head opposite the front of 26 Beech Road



APPENDIX 4

Photo 2

View from public road immediately outside the drive ways to 26 and 27 Beech Road.



Name of Applicant	Proposal	Expiry Date	Plan Ref.
c/o Agent	Refurbishment of the existing building and extension to accommodate new bed and breakfast accommodation (Use Class <i>Sui Generis</i>). Alvechurch Sports and Social Club, Radford Road, Alvechurch.	12.07.2024	23/00324/FUL

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

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

Consultations

Worcestershire Highways - Bromsgrove

Worcestershire Highways have no objection subject to conditions. Worcestershire Highways have provided comments at each stage of the application and reviewed the drawings/submitted information as well as comments received from stakeholders.

Worcestershire Highways have provided the following in summary comments:

- The site is in a sustainable location.
- The location of the vehicular access is acceptable, being more than 20m from the junction with good visibility. No accidents have been highlighted in the immediate vicinity of the vehicular access.
- Sufficient car parking (2.4m x 4.8m) has been provided (33 spaces). Larger spaces for vans are not required in this instance, swept path diagrams are acceptable for parking and servicing.
- The amount of traffic to be generated by the proposed development would not have a severe impact on the highway network.
- Worcestershire Highways have requested amendments to the car parking layout, ramps, servicing, bins, cycle parking and find the amendments acceptable or subject to a planning condition.
- Worcestershire Highways have requested conditions for: accessible parking and cycle parking, conforming with details prior to occupation, Construction Environmental Management Plan and Employment Travel Plan,
- S106 financial contributions for dropped kerbs at various locations to Alvechurch Train Station have been requested and reviewed by Worcestershire Highways, however have failed to meet the statutory tests.

Conservation Officer

The Conservation Officer has no objection to the proposals subject to planning conditions. The Conservation Officer has been consulted throughout the determination of the application and has provided a series of comments which are summarised as follows.

Alvechurch Sports and Social Club is located at the eastern end of Alvechurch Conservation Area. The building was erected in the 1960s and is modern in appearance

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having been constructed in a brownish brick beneath a mixture of flat and pitched roofs with largely upvc windows. The building sits at the centre of a sloping site surrounded by carparking with access from Radford Road. Although two storeys in height, it does have the appearance of a three-storey building on the north side, enhanced by the site topography.

The significance of the conservation area is derived from its architectural and historic interest. The area contains a high density and variety of historic buildings covering almost all periods from the medieval through to modern 20th century development, including notably 16th and 17th century timber-framed structures and numerous brick-built dwellings from the 18th to the 21st century, as well as shops and civic structures. It is centred around The Square, Bear Hill, and Swan Street. The multi-period buildings in these streets are predominantly terraced or closely spaced, situated at the back of pavement with minimal set-back. This results in a highly linear building line, with the high density forming distinctively enclosed streets towards the village core. Plots are notably long, narrow, and relatively regular in form, with many of the 18th and 19th century properties occupying medieval and postmedieval burgage plots. Structures within and around The Square are more irregularly aligned, with landmark buildings situated within and at the periphery of the former market square. The multi-phased development of the area's built form generates an irregular roof line through subtle variations in structural scale. The Square represents a relatively open space, inherited from the area's medieval market, a strong sense of enclosure is generated by the largely terraced structural form and minimal gap sites.

To the north of the site is the Grade II Listed Crown House, dating originally from the 16th Century. To the south and rear of the site are the Grade II Listed 5 and 7 Swan Street, dating originally from the 18th Century. The Social Club clearly sits within the setting of the former, directly facing the listed building from the opposite side of the street and towering over it due to the topography. It is separated from the later by a garden fence, rear gardens and some intervening trees.

Historically this site does not appear to have been developed until the Social Club was constructed, although the north side of the site, facing Radford Road appears to have had a row of probably small cottages which enclosed the street facing Crown House, with gardens behind. There was a further house, facing Radford Road in the southeast corner of the site, also with a garden to the rear, and the remaining land to the south of the site, appears to have formed gardens to what are 9 and 11 Swan Street.

The existing building is at odds with the historic and architectural character of Alvechurch Conservation Area, being much bigger and bulkier than the buildings in the centre of Alvechurch, it sits within the centre of the plot, rather than being back of pavement, and constructed in an obviously modern design.

The applicant is proposing to construct a two-storey side extension with the first floor being contained in the roof space and the rooms at this level having dormer windows. It is also proposed to change the fenestration on the existing building, removing the extensive fenestration that is currently on the front elevation, and installing sash style windows. Windows will also be installed in the projecting gable which is currently a dominant feature with no fenestration.

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The existing building is clearly at odds with the character of the Conservation Area; however, it would appear to be a well-used building and an asset to the community, indicated by its ACV status. The proposals are being put forward to secure its longer-term viability. The proposed extension is much reduced in height compared to an earlier application, and the use of dormer windows in the roof space reflects the vernacular architecture of the village and achieves the aim of reducing the height and dominance of the extension. The proposals to change the existing fenestration of the building and particularly the addition of the sash windows to the projecting gable element, as well as the addition of heads and sills details, will improve the overall appearance of the existing building, particularly at the front where it sits within the setting of Crown House.

Overall, it is considered that this is an improved scheme, with the clearly subservient extension, not adding to the dominance of the building, and the proposed changes to the appearance of the existing building are particularly welcomed.

The Conservation Officer has no objection to the proposed window design which has been amended with casement windows and segmental arched window heads at the ground floor within the extension. The main advantage of the scheme is the improvements to the appearance of the existing building, particularly at the front where it sits within the setting of Crown House, and where it is also highly visible within the CA. The inclusion of sash windows for the upgrading of the existing building is considered acceptable.

In conclusion, this is a much-improved scheme, and subject to incorporating the small changes to the front elevation noted above it is considered that the scheme will have a neutral impact on the significance of the CA and will not harm the significance of the nearby listed buildings noted above. It would therefore comply with the requirements of the above legislation and policies.

Worcestershire Archive and Archaeology Service

The site is within an area of high archaeological potential and interest being within the Medieval and Post Medieval core of the village of Alvechurch and within its Conservation Area. Worcestershire Archive and Archaeology Service have requested a planning condition for a written scheme of investigation to inform a programme of archaeological works and recording.

Arboricultural Officer

The application is supported by a Ruskin's Tree Consultancy Arboricultural Report and Impact Assessment, all the tree reference details given below are taken from this report.

The site falls within the Alvechurch conservation area and as such all trees with a stem diameter of 75mm or above at 1.3 metres above ground level are subject to protection under conservation area legislation which is recognised within the Arboricultural Report.

It is highlighted that T16 Ash, and two dead trees will need to be removed to facilitate the proposed development as shown on Site Plan drawing number 1132-07D. T16 Ash has no major prominence within the landscaping of the site or area and is unlikely to be able to achieve full maturity as a good quality tree due to the constraints of its position. Therefore, I have no objection to the loss of this tree alongside the two dead trees.

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The footprint of the proposed extension creates a slight incursion into the theoretical BS5837:2012 Root Protection Area (RPA) of tree T20 Western Red Cedar. However, this tree is sounded by a Tarmac surface car park which is likely to have restricted the extent of the spread of root growth on this tree. Therefore, in view of the constraints of the growing position of the tree and small percentage incursion I would not envisage that the level of root likely to be affected will adversely influence the health or stability of this tree.

The footprint of the extension also creates an incursion in the theoretical RPA of T21 which is an offsite Ash tree. However, this tree stands on a raised ground level beyond a retaining boundary wall, this along with the existing Tarmac surfacing within the development site would be expected to have restricted root growth of the tree within the site. Therefore, I find the level of incursion acceptable and would not envisage it adversely affecting the health which is already in question or stability of this tree. The canopy of the tree does overhang the proposed footprint of the building and I envisage it may need to be raised / cutback to a degree which if symmetrically done in accordance with BS3998:2010 guidance would not have any detrimental influence on the tree.

I have no objection to any tree related issues subject to the tree protection conditions.

North Worcestershire Water Management

The proposed development site is situated in the catchment of the River Arrow. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. Risk to the site from surface water flooding is indicated as low, based on the EA's flood mapping risk. There is some surface water flood risk indicated on the road and surrounding area, correctly designed drainage will mitigate any flood risk from surface water on the site and in the surrounding area.

This site was previously commented on under planning application 21/01845/FUL. While at the time we said that in principle development at this location is acceptable, minimal drainage details had been provided with the application. This time around a drainage strategy has been provided but this indicates possibilities rather than final proposals. It is therefore required that the applicant / agent provides the Local Planning Authority with details of the proposed drainage for the site. This information can be provided via a condition and should be in the form of a drainage plan. It should include the means to manage surface water from the site appropriately and an appropriate level of surface water attenuation. We would also require information on any existing drainage if this were still proposed to be used including information on any discharge points. Any third-party permission would also be required, whether a connection is proposed to STW sewer or the highways drainage system.

If this application is approved, we would request a condition for surface water drainage. Given the uncertainty of the proposed drainage and discharge point at this time we request that this is a pre-commencement condition.

WRS - Noise

I have reviewed the proposals with regards to potential nuisance matters and have no comments other than any new external lighting should avoid nuisance to neighbouring properties and it is recommended that a Construction Environmental Management Plan is

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submitted to minimise disturbance from noise and dust. Further guidance is available at [wrs-technical-guidance-document-for-planning-v-5-4-final.pdf](https://www.worcsregservices.gov.uk/wrs-technical-guidance-document-for-planning-v-5-4-final.pdf) (worcsregservices.gov.uk)

I have looked at noise from the proposed use against its current use and don't see that there should be a significant impact from noise. There was some history of noise complaints from the club mainly relating to loud music and behaviour up to late last year. In theory it should reduce issues relating to late night functions etc as B&B use has lower flows of traffic etc.

Cadent Gas

No objection subject to an informative being added to any future decision notice.

Alvechurch Parish Council

Alvechurch Parish Council (APC) object to the proposals and have provided three consultation responses (12.06.2023, 31.10.2023 and 11.04.2024). APC acknowledge that the revised proposals are a significant improvement, enhancing the existing building and the Conservation Area.

The Parish Council have raised the following in summary objections:

- Alvechurch Sports and Social Club is a Community Asset; any change of use is therefore a Material Consideration and the removal of the function room affects the use of the building by the community.
- APC considers the proposals an over-development of the site; the number of rooms, lack of variation in rooms and substandard design, the massing and volume of the extension is of concern.
- No provision for larger tradesmen vehicles, e.g. Transit and Sprinter vans
- Concerns that the existing site plan is both incorrect and misleading.
- Concerns of the implementation of the obscure glazing and future enforcement, impacts on privacy to rear gardens on Swan Street, window design generally.
- The current design remains simplistic and a better quality of design is warranted due to the location being in the Conservation Area and central in the village.
- Noise and disturbance from increased patronage and vehicles
- Concerns regarding the use class of Sui-Generis

Publicity

25 letters originally sent 4 May 2023 (expired 28 May 2023)

Site Notice displayed 9 May 2023 (expired 2 June 2023)

Press Notice published 19 May 2023 (expired 5 June 2023)

A series of consultation and re-consultation has taken place during the determination of the application as amended plans and additional information has been received.

In total 134 objections have been received, 16 in support and 1 representation.

In summary the following matters have been raised in objection to the proposals including:

- Lack of information, lack of clarity of proposals, lack of public engagement
- Overdevelopment, change of use
- Poor design, out of character, size, window design, architectural details

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- Loss of privacy, inadequate separation, overshadowing, overlooking, overbearing,
- Deliveries and servicing, congestion, increased traffic, loss and lack of parking, size and layout of car parking spaces, lack of public transport, highway safety of access, increased pollution, construction traffic, fire access
- Noise, anti-social behaviour, lighting
- Need for additional hotels
- Economic impacts on the Village
- Impacts to Conservation Area and nearby Listed Buildings
- Asset of Community Value
- No longer a social club
- Lack of disabled rooms, number of single rooms vs family rooms
- Surface water drainage
- Enforcement of any planning conditions
- Impact on trees and wildlife
- Sustainability standards

In summary the following matters have been raised in support to the proposals including:

- Bring trade and visitors to the Village
- Refurbish the existing building
- Creation of jobs
- Retains the existing business and car park

Alvechurch Residents Association

- Lack of information and incorrect plans and details submitted
- Concerns regarding viability of drainage proposals
- Securing requested S106 obligations and planning conditions
- Lack of dimensions on plans
- Planning Committee procedure including site visits
- Inappropriate in size and scale for the Conservation Area
- Lack of Travel Plan or condition
- Overlooking, noise and light pollution to 1-7 Swan Street
- Fails to meet High-Quality Design SPD standards for separation, disputes distances stated
- Does not consider the proposal a mixed use, the hotel should be C1 use
- No longer a members club
- Beat survey not carried out at peak times
- Lack of parking and car parking layout doesn't allow for manoeuvring space, space for unloading or large vehicles
- Lack of safe evacuation routes and fire access
- Rooms are small
- Lack of refuse storage
- Harms to Conservation Area and Listed Buildings
- No viability information
- Previous planning decisions including a refused extension to the Club in 1978
- Concerns of anti-social behaviour and noise
- Concerns of highway safety and visibility splays

Other Matters

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Councillor A Bailes

Requests that the application to be decided by Bromsgrove District Planning Committee if the Planning Officer is minded to approve the application due to public interest.

Councillor Hotham

A request has been made for £15,000 towards improving access to the station for less able people as the route lacks dropped kerbs and a general sum towards public transport for the area.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP12 – Sustainable Communities

BDP13 – New Employment Development

BDP15 – Rural Renaissance

BDP16 - Sustainable Transport

BDP19 - High Quality Design

BDP20 - Managing the Historic Environment

BDP21 – Natural Environment

BDP23 - Water Management

Others

Alvechurch Neighbourhood Plan

Alvechurch Village Design Statement SPG

National Planning Policy Framework (2023)

Bromsgrove High Quality Design SPD

Relevant Planning History

There have been various planning applications pertaining to the application site from the 1960s to the present day.

Assessment of Proposal

Principle of Development

The site is located within the settlement of Alvechurch where the presumption in favour of sustainable development applies. The provision of new services and facilities through conversion or extensions to support economic growth, tourism and communities is supported by Policies BDP12, BDP13 and BDP15 of the Bromsgrove District Plan 2017, BSS2 and BSS4 of the Alvechurch Neighbourhood Plan and paragraph 85 of the National Planning Policy Framework (NPPF) which states that significant weight should be placed on the need to support economic growth.

The proposed introduction of bed and breakfast accommodation has been deemed necessary by the Applicant to diversify its business and provide alternative revenue.

Some resident objections maintain that there is an over-supply of hotel accommodation in this area, and that a need for additional accommodation has not been demonstrated. The

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proposal would include 28 bedrooms which would not in itself create or exacerbate an over-supply and competition in the market is not a material planning consideration.

The existing function room would be replaced by bedrooms, and functions would be held on the ground floor within the bar area if required. The Agent confirmed an increase in employees from 3no. full time and 7no. part time to 6no. full time and 14no. part time; as well as associated spend within Alvechurch from hotel guests. Taking the above into account, and that national policy gives significant weight to supporting economic growth, the principle of development is acceptable and supported by local and national policy.

Asset of Community Value (ACV)

Alvechurch Sports and Social Club is listed on the Council's Register of Assets of Community Value. The Alvechurch Sports and Social Club was nominated by Alvechurch Parish Council and accepted onto the register as of 23 September 2022. The nomination form sets out details of the nomination for the 'former social club and car park'. The nomination form confirms existence of a car parking lease between the District Council, Parish Council and Landowner which terminates in November 2024. The Report to Cabinet following the nomination and the List of Assets held by the Council describes the asset as the Alvechurch Sports and Social Club.

Section 88 of the Localism Act provides the definition of the ACV:

A building or other land in a local authority's area is land of community value if in the opinion of the authority —

- (a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community, and;
- (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.

It is therefore considered that the car park is an ancillary use and therefore does not form part of the listing. Notwithstanding this, the lease agreement for the car park terminates in November 2024.

The Community Right to Bid gives a fair chance to a community to make a bid to buy the ACV on the open market if the owner decides to sell. In this instance, the owner is not selling the asset. The provisions of the Localism Act does not place any restriction on what an owner can do with their property, once listed, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses. Notwithstanding this, the proposal, including any change of use, is a material consideration for the ACV.

There have been comments received setting out that there is no longer a social/members club and concerns raised over the loss of car parking which is a benefit to the community when visiting Alvechurch. The existing function room would be lost to facilitate the change of use, and any future functions would be held on the ground floor within the bar area. It is not uncommon for bars to hold functions and this element of the Club could continue in a similar way if permission were to be granted, although there may be some impact on the frequency and scale of events. The existing function room and/or its internal arrangements could be utilised in a different way, within the same use, without the need for planning permission or the Owner could decide not to hold functions. The car parking

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agreement is to come to an end in November 2024 and the Applicant would permit local residents up to 30 minutes free parking via its proposed ANPR camera system. There is no right to park on this private land.

The Alvechurch Sports and Social Club is an example of a community facility and its importance recognised by its ACV listing. Policy BDP12 supports improvements to existing facilities to enable them to adapt to changing needs and supports facilities that meet the needs of the community; which is supported by paragraph 88 of the NPPF.

Therefore, whilst there may be some harm from the loss of the function room, this could be closed without the need for planning permission. The Alvechurch Sports and Social Club would have the ability to hold functions in the bar area and the proposals would offer lettable accommodation in the centre of Alvechurch. There is no right to park on private land and the car park lease is coming to an end, however, car parking for the community, albeit time limited, has been offered by the Applicant. On balance and taking the above into account, the proposals are considered acceptable and continues to offer a community facility which is supported by local and national policy.

Uses

The existing use of the site as a social club/public house is *Sui Generis*. The proposals would be ancillary to the main use. There is no proposed reception area shown on the proposed floor plans, the accommodation is only accessible through the members bar area, there are no other facilities used exclusively by paying guests of the accommodation and the general activity associated with the coming and going of customers staying at the premises would not be markedly different from the existing use. The inclusion of accommodation is a traditional function and accepted as an ancillary use.

Heritage

Alvechurch Sports and Social Club is located at the eastern end of Alvechurch Conservation Area; the significance of the Conservation Area is derived from its architectural and historic interest. The Conservation Area contains many listed buildings, and the site falls within their setting. Crown House, a Grade II Listed Building is located to the north of Radford Road and 5&7 Swan Street, Grade II Listed, is located to the south on Swan Street. The Conservation Officer has confirmed that the existing building is at odds with the historic and architectural character of Alvechurch Conservation Area, being much bigger and bulkier than the buildings in the centre of Alvechurch, it sits within the centre of the plot, rather than being back of pavement, and constructed in an obviously modern design.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that LPAs when considering planning applications, should have regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest they might have. While Section 72 requires special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

This is supported by Policy BDP20 of the Bromsgrove District Plan, which amongst other things, state that development affecting heritage assets, including alterations or additions as well as development within the setting of heritage assets, should not have a

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detrimental impact on the character, appearance or significance of the heritage asset or heritage assets.

In addition, policies in the NPPF must also be considered. Paragraph 200 which requires applicants to describe the significance of any heritage asset affected by a proposal, including any contribution made by their setting. Paragraph 201 requires LPAs to take account of the significance of affected heritage assets when considering the impact of a proposal, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 205 requires great weight to be attached to the conservation of designated heritage assets, irrespective of the level of potential harm and paragraph 206 states that any harm to or loss of, the significance of a designated heritage asset, including its setting, requires clear and convincing justification.

Policies in the Alvechurch Neighbourhood Plan must also be considered, including policy HDNE1: Built Heritage and Local Character and the Alvechurch Village Design Statement SPG.

The Conservation Officer confirms that the proposed extension is much reduced in height compared to an earlier application, and the use of dormer windows in the roof space reflects the vernacular architecture of the Village and achieves the aim of reducing the height and dominance of the extension. The proposals to change the existing fenestration of the building and particularly the addition of the sash windows to the projecting gable element, as well as the addition of head and sill details, would improve the overall appearance of the existing building, particularly at the front where it sits within the setting of Crown House (Grade II Listed). Overall, the Conservation Officer concludes that it is considered that this is an improved scheme, with a clearly subservient extension, not adding to the dominance of the building, and the proposed changes to the appearance of the existing building are particularly welcomed. The amendments to the proposal include alterations to window number and location within the existing building, casement windows in the dormers, casement windows to ground floor windows with segmental arched window heads within the extension.

The Conservation Officer concludes that there would be a neutral impact on the significance of the Conservation Area, and the proposals would not harm the significance of the nearby listed buildings. The proposals would therefore comply with the requirements of the above legislation and policies. Planning conditions in respect of materials, joinery, and timings for the improvements to the existing building have been requested. The suggested landscaping condition is not considered reasonable given the constrained nature of the site and available space for landscaping.

Worcestershire Archive and Archaeology Service have acknowledged the site's location within the Medieval and Post Medieval core of the village of Alvechurch and within its Conservation Area. Worcestershire Archive and Archaeology Service have requested a planning condition for a written scheme of investigation to inform a programme of archaeological works and recording in accordance with paragraph 211 of the NPPF. The Applicant/Agent has agreed to this pre-commencement planning condition.

Design, Character and Appearance

The proposal includes alterations to the existing building as well as a proposed two storey extension. The proposed extension is located towards the rear of the site, which is set

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back from the highway, and it is the alterations to the existing building that would be most visible.

The proposed extension would measure approximately 6.4m high, 12m deep and 15.4m long. The extension would include 20 bedrooms with a connecting corridor into the main building. The proposed extension is to include bedrooms at ground and first floor level. The internal arrangements including head height and bedroom sizes are considered acceptable and appropriate for their intended use. The Council does not have prescriptive size requirements for hotel bedrooms. The overall bulk of the proposal is considered proportionate to its location and is subservient to the existing building. The extension includes a pitched roof with pitched roof dormers. An external escape stair has been provided to the car park from the extension.

The introduction of additional fenestration on the existing building alongside the alteration of existing openings is welcomed and an improvement to the overall design and appearance of the building. The proposed windows and frames to the existing building are painted timber sash, with or without a restrictor. The proposed windows and frames of the proposed extension are painted timber casement windows, with or without a restrictor. The proposed design of the extension, specifically the window details, is proposed differently to the existing building and is considered acceptable and in keeping with the character of the area.

The proposed main facing brick, including painted finish, of the extension is to match the existing and can be controlled by condition. A further condition for the proposed roof tiles, lintel heads, sills, rainwater goods and the colour of the paint finish of the brickwork can also be secured by condition.

Overall, the proposal's design is considered to accord with policies BDP1, BDP19 of the Bromsgrove District Plan and the Alvechurch Neighbourhood Plan and Village Design Statement SPG.

Residential Amenity

The application has been supported by a site plan with annotated separation distances, site section and window details. The Council's High Quality Design SPD includes guidance for separation distances and is in this instance a starting point, as not all sites will fit neatly within the parameters of the SPD. Alvechurch Neighbourhood Plan Policy BSS2 supports a variety of uses outside the shopping area provided that there is no significant adverse impacts on residential amenity in terms of traffic disturbance, noise, odours, litter or hours of operation as a result of the proposal.

The existing building is located approximately 2m from the boundary and approximately 18m from the rear of 1 Swan Street. The existing building is built at an angle to the gardens on Swan Street and therefore the distance between the boundary increases in a south-easterly direction to approximately 4m. The existing elevation at ground floor contains windows serving the lounge/bar and toilets, which due to the land levels are set down and would not cause adverse overlooking or loss of privacy. The existing building at first floor is devoid of windows. Six sash windows are proposed to be inserted into the existing rear elevation to serve bedrooms. The sash windows are to be installed on a restrictor with the maximum top opening of 300mm to allow for ventilation and are

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proposed as obscure glazed on the first floor and western elevation ground and first floor where they serve bedrooms and bathrooms.

A site visit has been undertaken to 1 Swan Street. At the time of the visit there was existing mature vegetation with the garden of 1 Swan Street and a timber boundary fence. Due to the site levels, the existing ground floor and openings are not visible from the garden of 1 Swan Street. The proposal includes for obscured glazing and restricted openings to first floor windows on the rear elevation and it is considered that this would reduce overlooking and loss of privacy. The inclusion of windows on this elevation would likely cause perceived overlooking and loss of privacy; however, via mitigation, the actual overlooking and loss of privacy would be limited to 1 Swan Street.

The proposed extension is approximately 19m at its closest point to 3 Swan Street; however, the two elevations are not directly opposite and the separation distance increases as the extension is set away from the boundary at an angle with the residential gardens of Swan Street. The extension comprises casement windows at ground floor and within the first-floor dormer windows. The front elevation windows would have clear glazing whereas all windows on the rear elevation within the extension would have obscure glazing and be installed on a restrictor to 60 degrees. The boundary with Swan Street is vegetated and includes boundary treatments of brick or timber fencing. The site levels are set below the properties of Swan Street, as shown on the submitted sections. Owing to the proposed design and mitigation, site levels and vegetation, the proposed extension is not considered to cause adverse impacts to the residential amenities of the properties to the rear of the site, namely 3-11 Swan Street.

The submitted details now clearly indicate the design of the window and glazing proposed which would be secured by planning condition.

Therefore, taking into account the proposed use i.e. the proposal is for bed and breakfast and not permanent residential accommodation, the topography of the site and surrounding residential property, the separation distances, existing vegetation which is protected from removal by reason of its location within the Conservation Area and the proposed window details it is considered that there would be some perceived overlooking and loss of privacy to 1 Swan Street; however, the actual overlooking and loss of privacy would be limited. The proposal is considered to be compatible with the adjoining uses and would not have a significant impact on residential amenity.

The inclusion of obscure windows to some of the proposed bedrooms is considered acceptable for the guests due to the temporary nature of their stay.

The orientation and layout of the site would not result in adverse overshadowing or overbearance to the residential properties and gardens of Swan Street.

Noise

Residents have raised noise concerns for the existing operations at the Alvechurch Sports and Social Club and the proposed disturbance from the new accommodation. The car parking area now includes outdoor picnic benches and reports have been made of patron disturbance, particularly during busy periods late at night. Any incidents of anti-social behaviour should be reported to the Police. Residents have also complained regarding light pollution existing and that proposed.

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The noise typically associated with a social club, including loud conversation, background music, television, and people arriving and leaving would be taking place in close proximity to the proposed accommodation and existing residential properties on land adjacent and is a consideration.

Worcestershire Regulatory Services (WRS) Noise have confirmed within their consultation response that there have been complaints of noise in the past, but it is their view that the proposals would not have a significant impact and that noise may be reduced following the proposals. The proposed use would be a small-scale operation and the nature of the combined bedroom accommodation and the social club would reflect the long established tradition of let rooms. The proposed uses are not inherently incompatible. The proposal would remove the outdoor picnic benches, which may be a contributing factor to additional existing noise, and WRS Noise accept that the proposals may contribute towards a reduction in noise at the site.

WRS have requested a Construction Environmental Management Plan is submitted as a pre-commencement planning condition which has been approved by the Agent.

There would be additional internal lighting to serve the accommodation and the planning system could not control these hours of operation. The site is located within the centre of Alvechurch and the existing and proposed uses would be operational in hours of darkness, therefore lighting is to be expected for the routine running of the site and currently exists on site. The proposal may create a change to the lighting environment, particularly along the residential gardens of Swan Street, however, it is considered that the proposal would not cause such harm to residential amenities as to warrant refusal of the planning application. The internal lighting of the proposal cannot be controlled, and it is considered reasonable for some external lighting as an operational need. It is not considered reasonable to request a planning condition to prohibit external lighting and WRS have requested any new external lighting should avoid nuisance to neighbouring properties which would be achieved by appropriate design.

Highways

The site is in a sustainable location within the Village, off Radford Road, an unclassified road. The site benefits from an existing vehicular access with good visibility in both directions. The applicant has provided 2.4m x 25m visibility splays on a plan which are the existing splays and are deemed to be acceptable by Worcestershire Highways.

There is a lit footpath in front of the site on Radford Road which leads into the centre of Alvechurch and "No Parking" restrictions are in force. The site is located within walking distance of amenities and bus stops for trips to/from Bromsgrove and Redditch Monday-Friday although this is an infrequent service. Alvechurch Railway Station is located approx. 850m from the proposed development providing connections to the local area, including Birmingham.

At present the site has 48 car parking spaces which are to be reduced to 33 spaces (a reduction of 15 parking spaces) which is deemed to be acceptable to Worcestershire Highways as the development meets the Streetscape Design Guide parking standards and is in a sustainable location. The car park is to be controlled and enforced by ANPR (Automatic Number Plate Recognition). The site is to be serviced using a 7.5t rigid

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vehicle and the tracking has been found acceptable by Worcestershire Highways. Refuse bins are identified on the proposed site plan and the occupier would need to ensure that any waste is disposed of appropriately, it is an operational decision as to the contractor that is used to dispose of waste.

The Alvechurch Neighbourhood Plan acknowledges the car parking available at the Alvechurch Sports and Social Club and the shared-use agreement, and Policy GAT2 protects and requires the retention of the parking at the Alvechurch Sports and Social Club unless there is no longer a need for the parking facility, or equivalent public parking space is provided elsewhere within comfortable walking distance of the Alvechurch Village essential services and in easy access for people with disabilities.

Worcestershire Highways have reviewed the Applicant's evidence of alternative car parks/areas (Tanyard Lane, The Square, Bear Hill and the site) including a survey in April 2022 (carried out, weekday 10.00 -12.00 and 19.00-21.00 and weekend 10.00-12.00 and 19.00-21.00) and consider the local availability of parking acceptable should it be necessary; however, the parking study concludes there will be sufficient parking available on site.

Worcestershire Highways consider the existing use to produce no trips in the AM and 8 two-way trips in the PM. The traffic forecast for the proposed development is agreed as 6 AM and 4 PM peak hour new two-way vehicle movements. Therefore, a combined trip generation of 6 additional trips during the AM peak and a total of 12 trips (8 + 4) during the PM peak. The increase in trips would not have a severe impact on the highway network or safety. It should be noted Worcestershire Highways assess the peak periods and not the whole day, the peak periods are when there are the greatest number of vehicles on the road. The proposal will not result in a detrimental severe impact on the operation or safety of the local highway network. NPPF paragraph 115 sets out that 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.

The County Council have requested planning conditions for cycle parking spaces (7), motorcycle parking (2), accessible parking (2), Construction Environmental Management Plan (CEMP), and Employment Travel Plan. The CEMP is a pre-commencement condition and has been approved by the Agent.

A request for financial contributions towards dropped kerbs at various locations to Alvechurch Train Station was requested by Councillor Hotham. Worcestershire Highways have considered the request fails to meet all the tests highlighted within Paragraph 57 of the NPPF. One of the tests being that the proposal is "fairly and reasonably related in scale and kind to the development". Highways do not consider this request to be proportionate to the proposal in this instance.

Paragraph 57 of the NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

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The District Council does not consider that the request complies with the above set out as Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 as the crossing points are not necessary to make the development acceptable in planning terms, is not directly related to the development and is not fairly and reasonable related in scale and kind to the development.

Worcestershire Highways conclude that there would not be a severe impact from the proposals and therefore there are no justifiable grounds on which an objection could be maintained.

The proposals are considered to comply with Policy BDP16, Neighbourhood Plan Policies GAT 1-3 and the National Planning Policy Framework.

Drainage

The information set out within the submitted drainage report states that the proposed drainage strategy incorporates formal attenuation with flow control and small SuDS features proportionate to the scale of the development to provide betterment from the existing. Surface water will be partly attenuated from the proposed extension into geocellular storage tanks beneath a section of car parking with controlled outflow into the existing piped system. There would continue to be some informal surface water site discharge onto Radford Road via a proposed rain garden to provide some retention, detention and water treatment and a proposed channel drain along the entrance to diffuse informal runoff onto Radford Road.

Seven Trent Water are not a statutory consultee and North Worcestershire Water Management have been consulted as the appropriate body.

North Worcestershire Water Management have considered the application and confirm the site is located within Flood Zone 1 and that the risk to the site from surface water is also low. NWWM note some surface water risk within the local area. NWWM have requested a pre-commencement planning condition for surface water drainage should permission be granted which has been approved by the Agent.

Arboriculture & Ecology

The application is supported by Ruskin's Tree Consultancy Arboricultural Report and Impact Assessment. The report confirms that there would be the removal of an Ash tree and two dead trees as part of the proposals. The Tree Officer has no objection to their removal. The Tree Officer notes that there would be an incursion into root protection areas of two trees that are within/adjacent to the site boundary and there may need to be some pruning works due to overhang; however, has no overall concerns. The Tree Officer has requested planning conditions for: tree protection, root protection areas, works to be carried out to British Standards and an Arboricultural Method Statement and tree protection plan. The tree protection conditions are pre-commencement which have been approved by the Agent.

Three trees (two dead) would be removed and there is limited scope available on site for tree planting due to the predominantly sealed surface and built form. A landscaping plan or replacement planting is therefore not considered reasonable in this instance.

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The application is supported by a Protected Species & Habitat Walkover Survey by Chase Ecological Consultancy and Bat Emergence Surveys by Arc Ecology. The report confirmed on-site value to both nesting birds and bats. Two emergence surveys were carried out and no bats were seen entering or exiting the building during the dusk emergence surveys and no evidence of the presence of bats was found during the initial ecological building inspection. Due to a lack of evidence found, bats are not currently considered to pose a constraint to the proposed development of the building, and no further survey for bats with regard to this building is considered necessary. The Arc Ecology Report makes a recommendation for bat boxes which can be secured by condition.

Other Matters

Many objections have raised concerns regarding the name and operation of the site and the applicant; however, the planning system is concerned with the use of land and so commercial and personal considerations are not central to the determination of the present case. The Application Form and development are for the Alvechurch Sports and Social Club and the application has been determined on this basis.

The car park has been used for outdoor seating and the siting of charity recycling bins; these are not considered to constitute development for the purposes of planning control.

Planning conditions requested by Alvechurch Residents Association are not considered to meet the tests within paragraph 56 of the NPPF.

Matters raised which are not material planning considerations have not been detailed within this report.

Conclusions

The principle of the conversion, extension and introduction of accommodation is considered to support economic growth and tourism and is supported by local and national policies.

There would be a loss of the function room and whilst it is proposed to facilitate functions within the bar area; the loss of a dedicated room would cause some harm to the community asset, although the decision to terminate this aspect of the business could be made without planning permission. Similarly, the loss of car parking and introduction of an ANPR system may affect local residents' ability to park on site, however these is no legal right to park on the land.

Notwithstanding that, the introduction of the new use would bring about economic growth during the construction phase and post construction, supporting other facilities within the Village. The proposal would also create additional jobs and support the continued operations of the Alvechurch Sports and Social Club, diversifying its revenue.

There would be some perceived overlooking and loss of privacy to existing residents at 1 Swan Street; however, the actual overlooking and loss of privacy would be limited. The proposed window details can be controlled by planning condition.

The Conservation Officer has concluded that there would be a neutral impact on the significance of the Conservation Area and the proposals would not harm the significance

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of the nearby listed buildings. The improvements to the existing building can be secured by planning condition.

Worcestershire Highways have no objection subject to planning conditions. Worcestershire Highways have considered the proposed car parking provision, layout and turning alongside visibility splays at the access to be acceptable. Worcestershire Highways confirm there are no technical reasons to withhold approval and that there would be no severe highway impact resulting from the proposals.

There are no other technical concerns, of themselves or in combination, that cannot be controlled by condition to suggest that the application cannot be supported.

On balance, the proposals are considered to accord with the Development Plan as a whole and the recommendation is that planning permission should be granted subject to conditions and informatives.

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

Conditions:

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

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

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

Location Plan - received 14.03.2023
Proposed Block Plan - received 15.04.2023
Proposed Site Sections 12C
Proposed Layout 04G
Proposed Elevations 06G
Proposed Window Details 15
Proposed Site Layout 07G
Proposed Room Section 14
General Arrangement and Tracking 01b Sheet 1 &2

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 proposed roof tiles, lintel heads, sills, rainwater goods and the colour of the paint finish of the brickwork 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.

Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls 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, enhances the Conservation Area and setting of the nearby Listed Buildings is maintained as a result of the works in accordance with policy BDP20 of the Bromsgrove District Plan, the NPPF and section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4) Prior to their first installation joinery details at a scale of 1:5 shall be submitted to and approved in writing by the LPA. The development shall then be carried out in accordance with the approved details.

Reason: In order to ensure that the character and appearance of the conservation area and the setting of the listed building is maintained as a result of the works in accordance with policy BDP20 of the Bromsgrove District Plan, the NPPF and section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 5) The new accommodation should not be occupied until the alterations to the fenestration of the existing building as shown on Approved Plan 6G, have been installed.

Reason: To ensure that the improvements to the existing building are carried out.

- 6) 1) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation(s), has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e) Provision to be made for archive deposition of the analysis and records of the site Investigation.
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

2) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme(s) of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 211 of the National Planning Policy Framework.

- 7) No works or development shall take place until a scheme for surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall be indicated on a drainage plan. There shall be no increase in runoff from the site compared to the pre-development situation up to the 1 in 100 year event plus an allowance for climate change. If a connection to a sewer system is proposed, then evidence shall be submitted of the in principle approval of Severn Trent water for this connection. The scheme should include runoff treatment proposals for surface water drainage. The drainage scheme shall be implemented prior to the first use of the development and thereafter maintained.

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

- 8) Prior to commencement of development, an arboricultural method statement and tree protection plan should be submitted in accordance with the recommendations made within the Ruskins Tree Consultancy Arboricultural Report.

Reason: In order to protect the trees on/near to the site, which form an important part of the amenity of the area.

- 9) Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the trees or hedgerows which are shown as retained on the approved plans both on or adjacent to the application site or any within a distance of influence of any ground or development work on any adjoining land shall be protected with fencing around the root protection areas. This fencing shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain as erected until the development has been completed.

Reason: To ensure that retained trees are protected for the duration of the construction phase.

- 10) All tree management pruning work should be carried out in accordance with recognised good practice by reference to British Standard 3998 (2010) to the satisfaction of the Local Planning Authority.

Reason: In order to protect the trees on/near to the site, which form an important part of the amenity of the area.

- 11) No works of any kind shall be permitted within or through the Root Protection Areas of trees or hedges on and adjacent to the application site without the prior specific written permission of the Local Planning Authority. This specifically includes any works such as changes in ground levels, installation of equipment or utility services, the passage or use of machinery, the storage, burning or disposal of materials or waste or the washing out of concrete mixing plants or fuel tanks.

Reason: In order to protect the trees on/near to the site, which form an important part of the amenity of the area.

- 12) Prior to first occupation, in order to provide a net gain in biodiversity four schwegler bat and/or bird boxes or equivalent shall be placed on site in suitable locations at least 3 metres above ground level facing to the south or east and kept thereafter in perpetuity.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to BDP21 of the Bromsgrove District Local Plan and Paragraph 180 of the NPPF.

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

- Details of the proposed measures to monitor and minimise emissions of noise, vibration (piling) and dust during the construction phase.
- 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.

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.

- 14) The Development hereby approved shall not be occupied until the parking and turning facilities have been provided as shown on drawing 1132-07G.

Reason: To ensure conformity with submitted details.

- 15) 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

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- 65) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking (7 spaces) to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

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

- 17) The Development hereby approved shall not be brought into use until 2 accessible car parking spaces have been provided and thereafter shall be kept available for disabled users as approved.

Reason: To provide safe and suitable access for all.

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Alvechurch Sports And Social Club, Radford Road,
Alvechurch, Birmingham, Worcestershire, B48 7LD

Proposal: Refurbishment of the existing building and
extension to accommodate new bed and breakfast
accommodation (Use Class Sui Generis)

Recommendation: Approval subject to conditions

Site Location Plan



Aerial Photograph of site



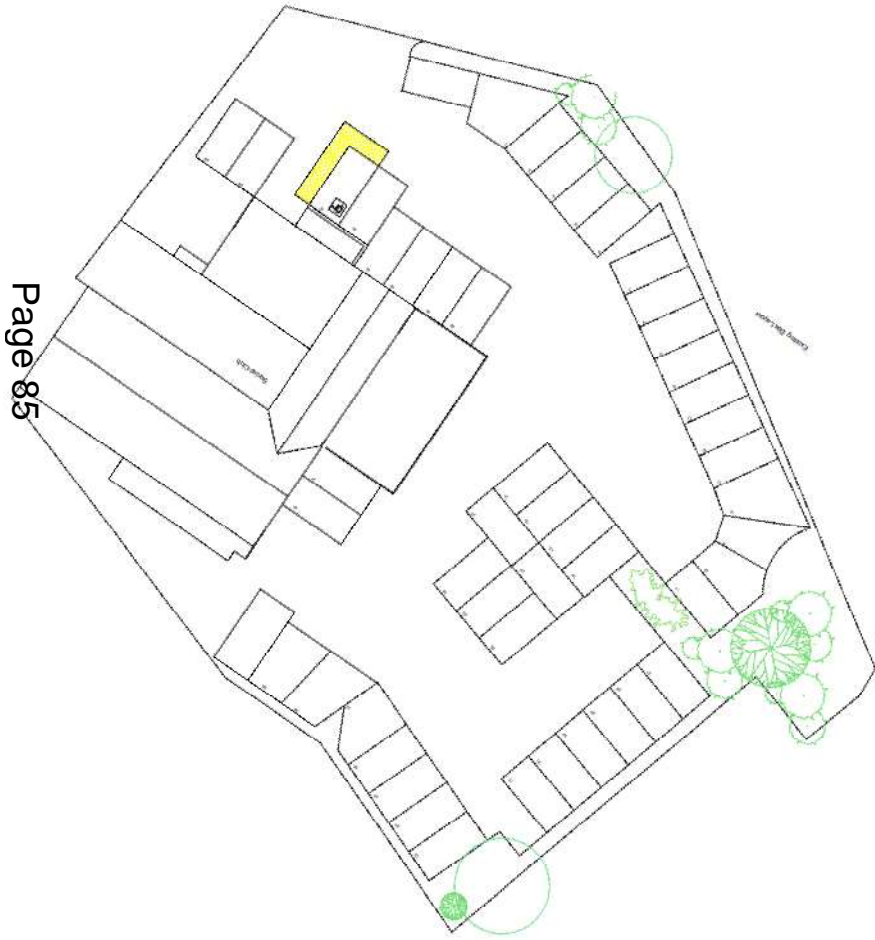
Application Site

Bromsgrove District Plan Proposals Map



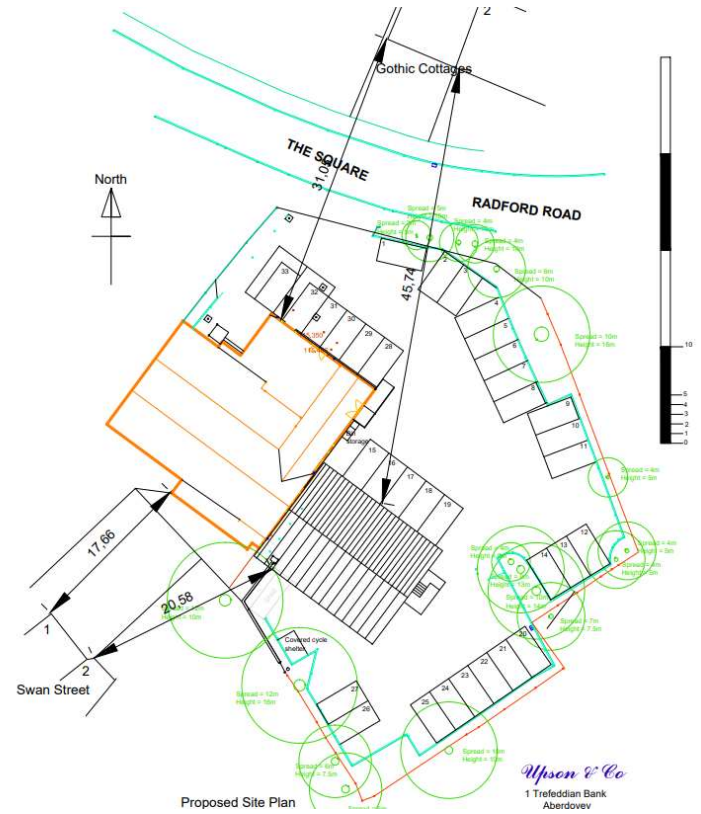
- Shopping **BDP18**
- Conservation Area **BBDP20**
- Residential Area **BDP19, BDP7**

Existing Site Plan



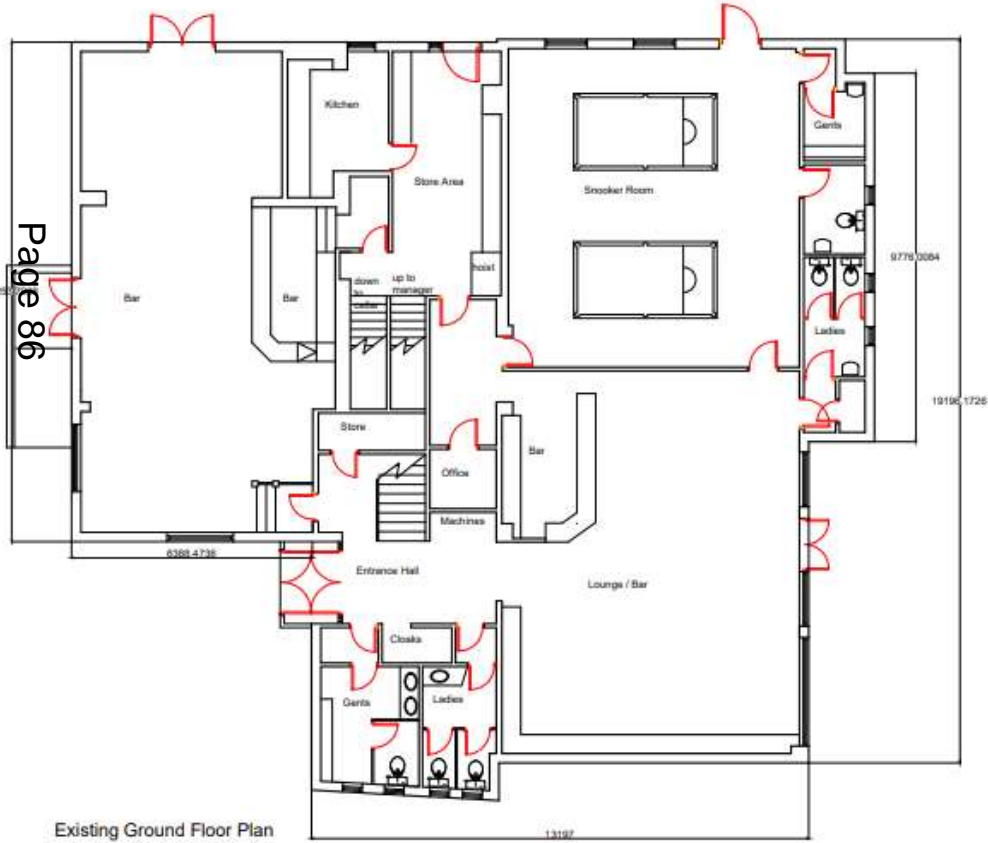
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Proposed Site Plan



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Existing ground floor plan

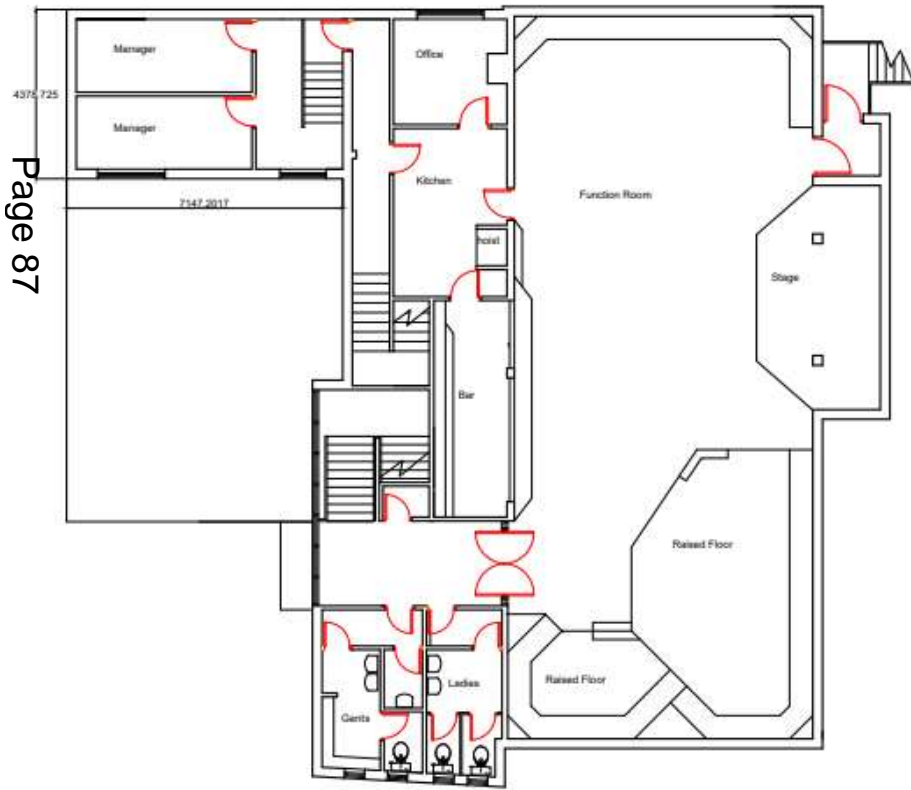


Proposed ground floor plan



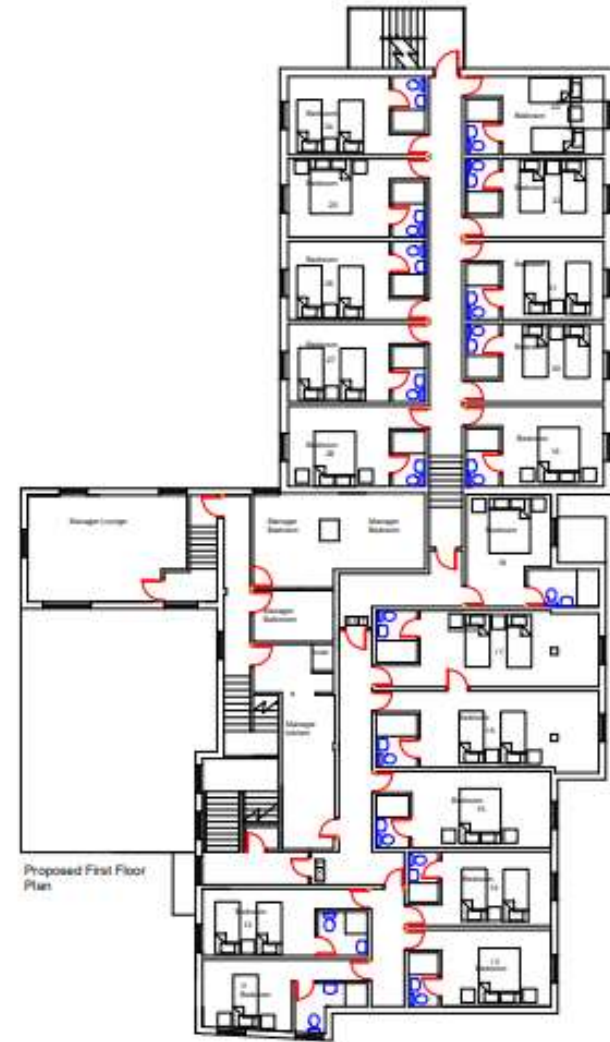
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Existing first floor plan



Existing First Floor Plan

Proposed first floor plan

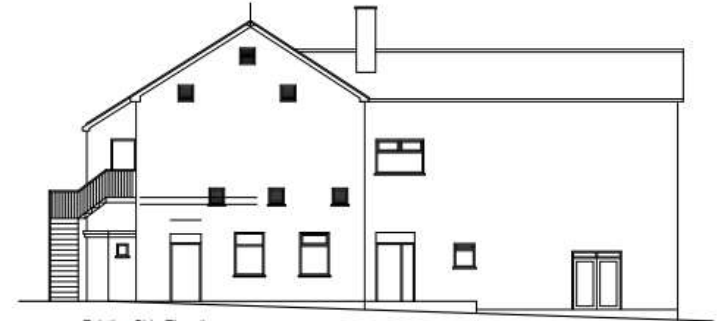


Proposed First Floor Plan

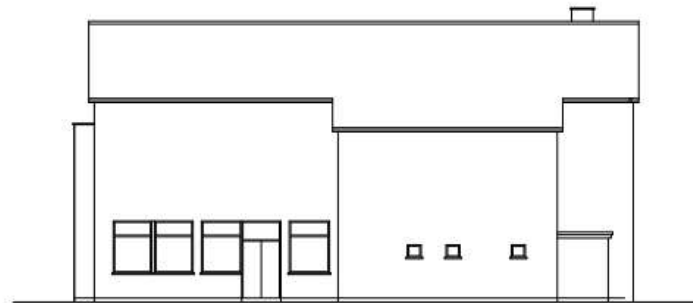
Existing Elevations



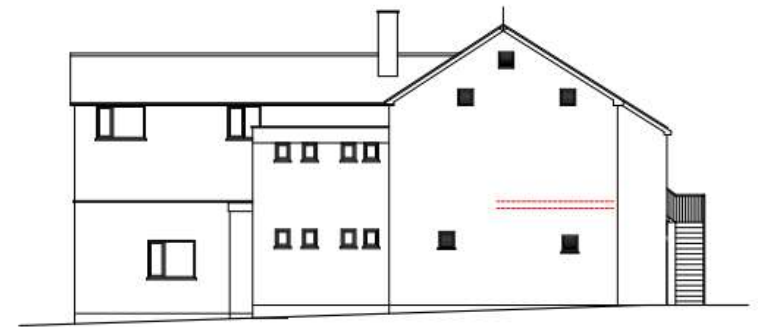
Existing Front Elevation



Existing Side Elevation



Existing Rear Elevation



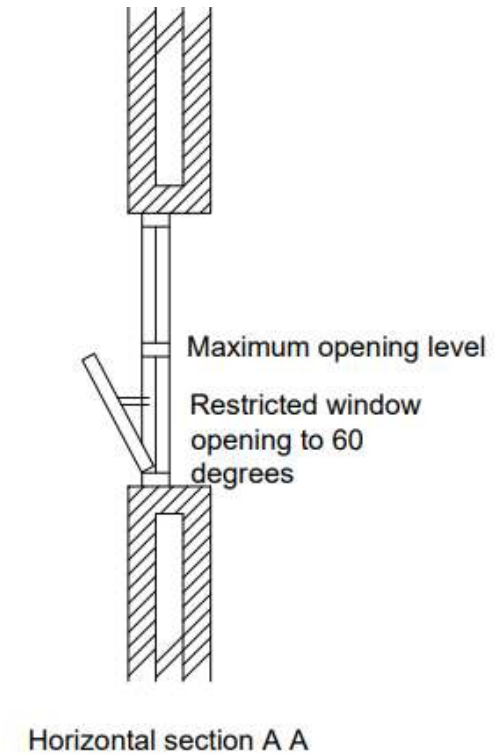
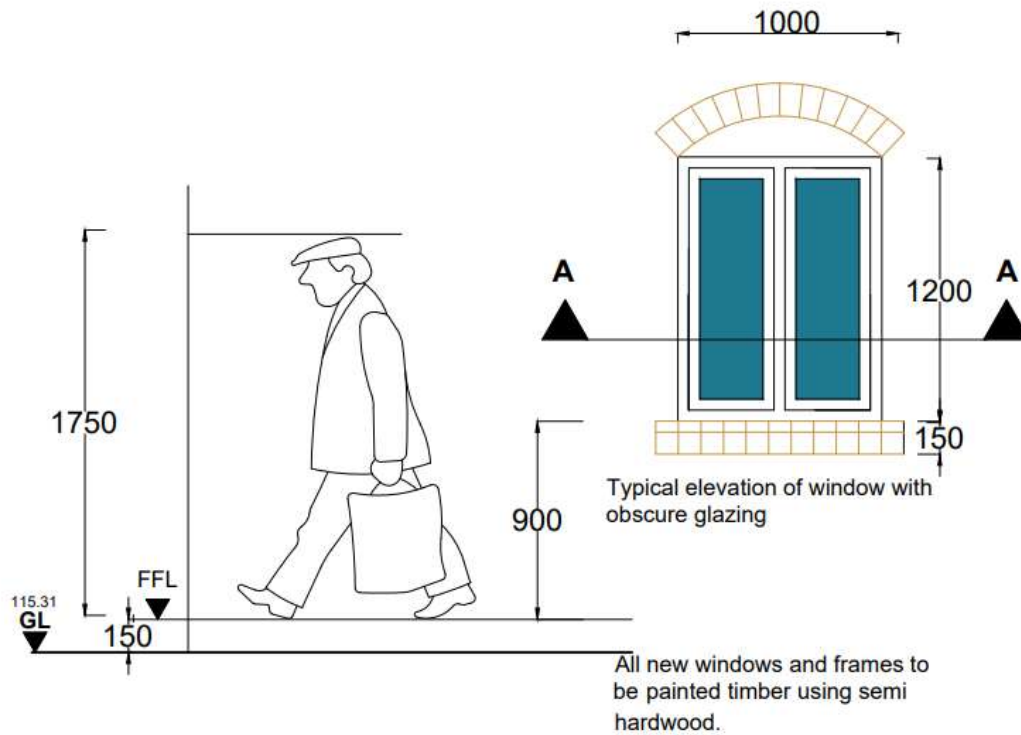
Existing Side Elevation

Proposed Elevations



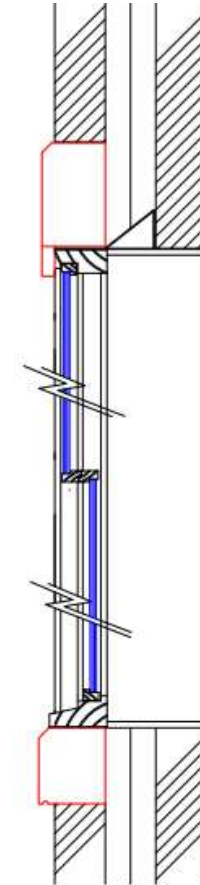
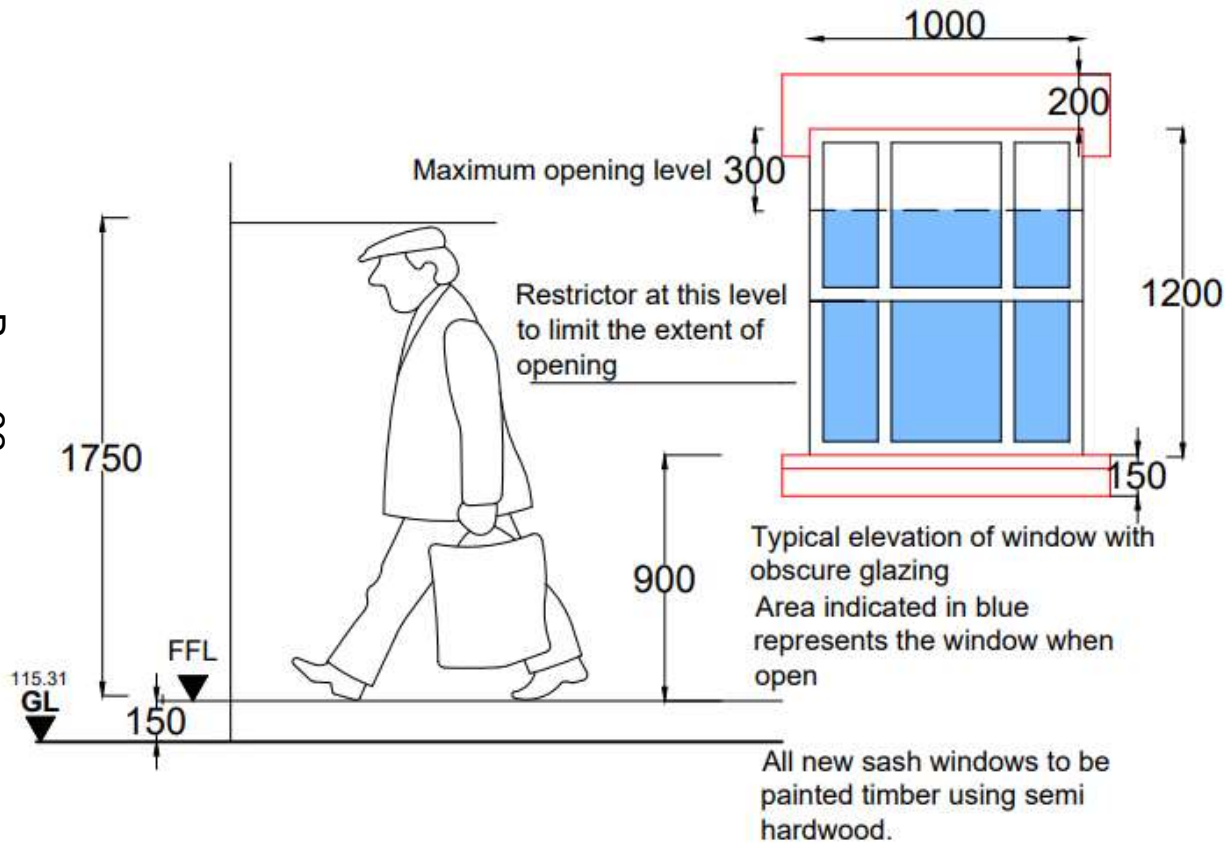
Proposed Window Details - Casement

Page 91



Proposed Window Details - Sash

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Window

Section scale 1:100

Site Photographs



Site Photographs



Site Photographs



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Site Photographs



Site Photographs



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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Persimmon Homes Ltd	Reserved matters approval (appearance, landscaping, layout and scale) for the construction of 241 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 24/00083/REM) Phase 5 Development Brockhill East, Hewell Road, Redditch, Worcestershire		24/00077/REM

RECOMMENDATION: That the Reserved Matters for Layout, Scale, Appearance and Landscaping be granted subject to conditions.

Consideration and Determination of Cross Boundary Application

Two identical applications have been submitted, which include land within two LPA boundaries (Bromsgrove and Redditch).

The consideration of the impacts of a development proposal is not altered by political boundaries and cannot be considered in isolation. Members need to consider the application as a whole, (not just that part of the development within its own administrative boundary) and come to a decision based upon that consideration. However, Members will only be determining the application in so far as it relates to the administrative boundary of Bromsgrove. For reference, this relates to land extending from the approved phase 6 north towards the area for phase 4. The proposed housing and green infrastructure areas are split between both authorities.

The Redditch reserved matters application 24/00083/REM will be considered at a future planning committee meeting.

Consultations

Tutnall And Cobley Parish Council

No comments received

Worcestershire Archive and Archaeological Service

No objection

WRS - Contaminated Land

WRS have no adverse comments to make for contaminated land subject tired investigation condition.

North Worcestershire Water Management

No objection, subject to drainage plan

Housing Strategy

No objection

Worcestershire Highways - Bromsgrove

No objection subject to conditions

- Site Layout
- Attenuation Basin
- Residential Parking Provision
- Cycle Parking (Condition not required as this duplicates condition 37 of the Hybrid permission)

Arboricultural Officer

No objection

Public Consultation Response

174 letters sent 8th March 2024

Site notices displayed 12th March 2024

Press notice published 15th March 2024

One comment has been received neither supporting nor objecting to the application. They raised concern elements of earlier phases are incomplete and feared Persimmon may leave the development unfinished.

Relevant Policies

Bromsgrove District Plan

RCBD1: Redditch Cross Boundary Development
BDP1 Sustainable Development Principles
BDP3 Future Housing and Employment Development
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP12 Sustainable Communities
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP21 Natural Environment
BDP22 Climate Change
BDP24 Green Infrastructure

Others

NPPF National Planning Policy Framework (2023)
NPPG National Planning Practice Guidance
National Design Guide
High Quality Design Supplementary Planning Document (June 2019)

Relevant Planning History

The application site forms part of a larger site that was the subject of a cross boundary hybrid planning applications for the following proposal.

Hybrid applications 19/00976/HYB and 19/00977/HYB for up to 960 dwellings consisting of a full application for 128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works and an outline application (with all matters reserved with the exception of access) for the construction of the remaining dwellings with access points off Cookridge Close, Hawling Street and Weights Lane and including a new District Centre, new play facilities, new highway network, public open space, new drainage system and surface water attenuation, engineering operations and all associated works including landscaping.

This was approved at Bromsgrove Planning Committee on 1st February 2021 subject to the signing of s106 agreement. Following the signing of the s106 agreement, the Bromsgrove decision (19/00976/HYB) was issued on 1st November 2021.

The s106 agreement included the following contributions, highways (including bus service and infrastructure), education contribution on a per plot basis, off site open space contribution, Redditch town centre contribution, Bromsgrove and Redditch CCG Contribution and Worcestershire Acute Hospitals Trust.

The condition requirements to be addressed as part of the Reserved Matters submission include the following:

- Condition 6 requires the development to be carried out in accordance with the Framework Plan 8506-L-02 J and the principles described in the Design and Access Statement. Any Reserved Matter application shall include a statement providing an explanation as to how the design of the development responds to the relevant Design and Access Statement.
- Condition 7 requires an external materials plan.
- Condition 16 requires the specification, extent and methodology of cut and fill works.
- Condition 17 requires details of the finished ground floor levels.
- Condition 24 requires details of the hard landscaping.
- Condition 27 requires an Arboricultural Method Statement and Tree Protection Plan.
- Condition 28 requires details of the mix of type and size of market dwellings.
- Condition 29 requires a plan identifying the number and location of the affordable housing units.
- Condition 30: requires boundary treatment details.
- Condition 31: requires refuse storage details.
- Condition 37: requires details of cycle parking.

Other Planning History

- Phase 1 (2011/177/OUT): Mixed use development of 171 dwellings, public open space (no matters reserved) and outline application for 4,738 square metres of Class B1 (Business) floorspace and access. Planning consent was granted on 3rd October 2011.

- Phase 2 (2014/256/OUT): Mixed use development of 296 dwellings, play area, Community House and public open space and outline application for up to 3,100 square metres of Class B1 (Business) floorspace and access. Planning consent was granted on 29th March 2017.
- New School: (16/000007/REG3) New two-form entry First School with associated external areas including access road, hard play, grass pitches, forest schools area, and parking. County application planning consent was granted on 13th October 2016.
- Land at Weights Lane (2012/120/OUT) Mixed use development of up to 200 dwellings, 5,000 sqm (gross) Class B1 office floorspace with associated open space and access arrangements. Planning permission was granted on 11th March 2014.
- Land at Weight Lane (reserved matters): (2015/265/RM) Layout, appearance, scale and landscaping for the erection of 200 no. dwellings with associated infrastructure and landscaping and the discharge of conditions 5, 9, 15 and 16 of the outline application reference 2012/120/OUT. Planning Permission was granted 16th December 2015.
- Phase 4 (22/00255/REM). Application 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.
- Phase 6 (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.0977/HYB. (Cross boundary application with Redditch BC 22/01553/REM). Reserved Matters was granted 2nd August 2023.

Assessment of Proposal

Site Description

The application site forms part of the Brockhill allocation, which is a greenfield site extending to circa 56ha and is irregular in shape, comprising heavily grazed improved grassland and large arable field parcels typically subdivided by fencing. The allocation site's boundaries extend adjacent to Brockhill Lane to the west, Weights Lane to the north, the Redditch/Birmingham railway line to the east, Phase I (Pointer's Way) and Phase II (Meadow View) to its south, and Phase 3 and Phase 4 which are a continuation of Phase 2. These phases have been or are being built by Persimmon. To the north of the application site, off Weights Lane, is an area of employment development known as Weights Farm Business Park.

This phase covers 10.24ha and will be sited within the context of the above, between Phase 4 and Phase 6. Within Phase 5, the site is covered by arable land / improved grassland, with trees present along the existing field boundaries. A gas main line borders crosses the site, requiring a 28m easement. The gas main will divide this Phase and the

approved Phase 6, with each scheme being set back the required distance to ensure safe onsite operations.

Proposal Description

Following the granting of the hybrid application for up to 960 dwellings, this application seeks consent for the Phase 5 Reserved Matters and the erection of 241 dwellings and associated works and infrastructure. The proposed dwellings are split between Bromsgrove and Redditch BC boundaries.

The principle of the proposed development (for up to 960 units) has been established through the granting of Hybrid permission 19/00977/HYB. Therefore, the issues for consideration by Members are limited to matters of layout (including internal vehicle access), scale, appearance and landscaping.

A total of 142 market homes are proposed to be provided across the site to provide 30 (21%), two-bedroom dwelling, 51 (36%), 3-bedroom dwellings and 61 (43%) four bed dwellings.

The proposals include the provision of 99 affordable housing units, which equates to 41% of the total dwellings proposed. The affordable housing mix would provide 16 (16%) 1 bed units, 50 (51%) 2 bed units; 31 (31%) 3 bed units; and 1 (1%) 4 bed units. The mix is reflective of the requirements set out by the Housing Strategy Team. The affordable housing tenure is split between shared ownership (32) and social rent (67), These units would be provided in clusters across the whole of the site.

As part of the proposal, mostly 2 storey dwellings are proposed. However, there are also some 2.5 dwellings incorporating dormers.

The Reserved Matters to be considered under this application are:

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

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

Phasing

The proposal relates to the fifth of eight phases proposed to complete the Brockhill development (phases seven and eight have not been submitted). The phasing of the development is reflected in the hybrid planning permission. A phasing plan has been approved as part of the discharge of conditions. A copy of this plan is included in the committee presentation.

Layout

The Phase 5 proposals have directly incorporated the ideas of the Framework Plan and Design and Access Statement (DAS) into the layout by mirroring the suggested built form and incorporating areas of green open space along the ridgeline and SuDS basins.

Phase 5 has an average density of 42 dwellings per hectare, allowing for efficient use while being sensitive to the site's landscape and topography. This density is slightly higher than Phases 4 and 6, which have average density of 37 and 32 dph, respectively. However, this density is not inappropriate, as Phase 6 was primarily larger, detached units. This density helps assimilate Phase 5 into the wider site while maintaining its character. The DAS assumes an average density of 41.6dph across the site.

The density also allows for a balanced housing mix across the site with varying sizes in order to accommodate a variety of household types. This provides a hierarchy of dwellings from larger detached properties, through to smaller terraced forms and bungalows,

The development aims to create positive interfaces along the remaining boundaries, with dwellings oriented to offer natural surveillance. This aligns with the DAS, which proposes active frontages along all public open spaces. For example, properties along the southern boundary face towards Phase 6, separated by the gas main easement. This area is identified as a key vista within the DAS and has been treated as such through additional landscaping and footpaths. Other key vistas have been incorporated between Phases 4 and 5, with road users having views over the development and Redditch, and a view up the hill.

The DAS identifies key arrival spaces in Phase 5, including entrances and exits from Phases 4, 6, 7, and 8. The Lambridge house type, a dual-aspect house with a bay window, is used on key corners to signify Phase 5 arrival. A small, paved square is provided in front of Plots 5106-5108, 5124, and 5154-5155, providing a focal node and legibility. The square offers seating and a distinctive character area, while the surrounding houses are rendered to enhance the overall scheme.

The proposed layout is faithful to the masterplan from the outline approval, in its site planning strategy, in its density, and in its detailed layout. The proposal is in accordance with policy RCBD1. Overall, the proposed layout is considered to accord with policies BDP19, Bromsgrove High Quality Design SPD and the NPPF.

Affordable Housing Provision

The hybrid planning permission imposed planning conditions relevant to the scale of development. Condition 1 of the permission requires the scale of phases to be submitted and considered. The scale or quantum of development is fixed by condition 5 of the Hybrid permission, which limits development to up to 960 homes across all the phases of the site. Phase 3 approved 128 homes, Phase 4 approved 72, Phase 6 approved 109 dwellings and this phase proposes 241. This totals 550 and allows up to 410 dwellings to be built under the remaining phases of the development (Phases 7 and 8).

As part of the consideration of the previous reserved matters application (Phase 6), clarification was sought by members regarding the shortfall of affordable housing in that phase. Officers confirmed that the overall percentage of affordable housing on the hybrid site is set out and secured in the s106 agreement and therefore it is considered there is sufficient control in place to ensure overprovision in future phases. Furthermore, it was important to recognise that where a development site is brought forward on a piecemeal basis (such as the phasing in this case), the Council should assess affordable housing targets for each part of the site on a pro-rata basis, having regard to the overall requirements generated by the whole site.

As part of this phase the applicant has increased the provision of affordable housing across the site to ensure this shortfall has been remedied.

The s106 agreement established the principle of affordable housing delivery on the site that Persimmon Homes must adhere to; in Bromsgrove, 40% of the total units constructed must be affordable housing and delivered as 60% social rented and 40% shared ownership properties. In Redditch, 30% of the total homes constructed should be affordable housing. These should be split as 65% social rent and 35% shared ownership properties. This is in line with relevant planning policies for both Councils.

To understand the schedule of accommodation on the layout (drawing ref. PHA29 - PL002L splits the housing mix between Bromsgrove and Redditch districts. The affordable housing mix across the two local authorities is therefore as follows:

Proposed Affordable Housing Mix – Phase 5

	Bromsgrove		Redditch	
	Shared Ownership	Social Rent	Shared Ownership	Rent
1 Bed	0	12	0	4
2 Bed	15	22	2	11
3 Bed	15	12	0	4
4 Bed	0	2	0	0
Sub Total	30 (39%)	48 (61%)	2 (10%)	19 (90%)
Total	78 (40.2%)		21 (44.7%)	

The majority of Phase 5 is located within Bromsgrove and complies with the s106 Agreement criteria by providing 40.2% affordable housing (78 units). This is split 61% Social Rent (48 units) and 39% Shared Ownership (30 units). The 1% discrepancy between these figures and the S106 Agreement requirement is a result of the tenured units being provided in pairs (i.e. semi-detached properties). It is important that these

pairs remain as proposed to ensure that the ongoing management and upkeep of the properties by a Registered Provider is appropriate.

Of the homes located in Redditch, 21 of the 47 units will be affordable (44.4%). This exceeds the obligation by 7 units (14.4%) and therefore demonstrates compliance.

It should be noted that the Phase 6 reserved matters approvals (refs. 22/01608/REM and 22/01533/REM) were granted in August 2023 with 22 affordable housing units (20%). The residential element of Phase 6 is located solely in Redditch, meaning that the parcel was 11 units (10%) short of the requirement (30%). Therefore, the Phase 5 proposals are proposing an affordable housing provision of 21 units (44.4%) in Redditch order to address the shortfall.

On Phase 5, the social rent and shared ownership split differs from that required by the S106 Agreement – within the Redditch parcel, 2 units (10%) will be shared ownership and 19 units (90%) will be social rent. To demonstrate legal compliance, these figures should be 7 units (35%) shared ownership and 14 units (65%) social rent.

As outlined above is an affordable housing balance to consider due to the under provision on Phase 6; Phase 6 was 11 units (10%) short of the s106 Agreement requirement, but the tenure split departed from that specified in the S106 Agreement by providing 12 units (55%) for shared ownership and 10 units (45%) for social rent. Had the tenure split specified in the s106 Agreement (35% shared ownership, 65% social rent) been adhered to, Phase 6 would have provided 11 shared ownership properties and 21 social rented properties.

Therefore Phase 6 overdelivered on shared ownership (by 1 unit) and underdelivered by social rent (by 11 units). The resultant tenure mixes on Phase 5 aims to address this balance by providing 19 social rented units and 2 shared ownership units.

These units would be provided in clusters across the whole of the phased scheme. The Housing Officer has been consulted and agrees that the affordable housing provision, mix and cluster arrangements within the layout are acceptable.

Housing Mix

The DAS requires that building heights be primarily two storeys. This is reflected in the proposals, where primarily 2-storey dwellings mimic local character and occasional 2.5-storey dwellings provide interest and focal points along the street scene.

A range of terraced, semi-detached and detached properties are proposed to create an interesting and attractive setting with varying ridge heights. Four 1 bedroom flats will also be delivered. To generate further appeal along the main and secondary roads, the provision and length of front gardens have been varied. Longer front gardens create a more open scene, whereas shorter gardens or frontage parking create a sense of enclosure.

In conclusion, it is considered the scale of development is acceptable, promoting a good quality design that responds appropriately to the character of the area, in accordance with policies RCBD1 and BDP19, Bromsgrove High Quality Design SPD and the NPPF.

Furthermore, the scale of proposal is considered to comply with the relevant conditions imposed on the hybrid planning permission.

Appearance

The DAS stresses the importance of placemaking and responding effectively to local character. Critical to this will be the use of traditional building materials, particularly the use of colour and boundary details.

The phase will use traditional building material, in particular the use of colour and boundary details. The approach to street pattern, building lines and plot sizes will help ensure that the proposals sit comfortably with the adjoining residential development, along with elevation and design. To achieve this, details include:

- Material palette: multi tone red brick, contrasting brick banding – red brick, anthracite roof tiles, white uPVC windows, black front and garage door, black fascia and soffit and orange brick, contrasting brick banding – red brick, grey slate
- Concrete interlocking roof tiles, white uPVC windows, black front and garage door, black fascia and soffit.
- Weber rough cast silver pearl render on some properties.
- Boundary treatments: 1.8m screen brick walls, 1.8m pier and panel fencing, 1.8m close boarded timber fencing.

The appearance of the units is largely reflective of the surrounding traditional architecture highlighted in the DAS but include detailing in black/anthracite for a slightly more contemporary appearance. For full details are shown on the External Materials Plan which also shows which properties are due to have render. Rendered properties will be feature buildings that provide focal points and vista stops at key points within the scheme, such as around the central paved square and facing out towards the ridgeline.

To ensure the development is fully legible, boundary treatments will define public and private spaces as required by the DAS. These will consist of 1.8m brick walls (brick to match individual plots) at public interfaces such as around the central paved square and key corners along the main roads; 1.8m pier and panel fencing on boundaries fronting key corners along private drives and secondary or tertiary roads or 1.8m timber close board fences to divide gardens. These boundaries help to prevent crime by clearly demarking private land.

The overwhelming majority dwellings face onto the street, with articulation of corners achieved using distinctive materials, bays, and additional windows in habitable rooms, which ensure that blank gables to the street are avoided. This assists in pedestrian way finding through the scheme and the creation of a sense of place. Dual aspect units have been introduced to ensure all elevations make a positive contribution to the public realm and junctions.

The material information provided to date is satisfactory. Overall, the appearance is considered acceptable and to be in accordance with policies RCBD1 and BDP19, Bromsgrove High Quality Design SPD and the NPPF.

Landscaping and Open Space

The DAS, Framework Plan, and Illustrative Masterplan envision a vast amount of Green Infrastructure (GI) (approximately 57% of the total scheme) and a high-quality public realm. Within Phase 5, where over 44% (11.75ha) of the scheme falls outside of developed land. This figure is lower than the 57% identified above, but reflects the higher levels of open spaces in Phases 4 and 6. Full details of the soft landscaping proposals have been submitted as part of the RM application, these reflect the intentions of the DAS to deliver a range of landscape, biodiversity, recreational, and SuDS benefits; additional native tree, hedgerow, and shrub planting will be utilised to retain and enhance the existing GI network.

In relation to the landscaping around the proposed dwellings, to break up the street scene, street trees and other landscaping features will be included along the main street. This will also provide an attractive route through the scheme. Trees will be used within the private curtilage of some properties to provide structure and create privacy for the residents. Different species and sizes will be used to define the character areas and street hierarchy. A mixture of shrub and herbaceous species will be planted in front gardens to create texture, colour and year-round interest. A landscape management plan will be submitted later as details are reserved by a condition.

Overall, it is considered that this proposal satisfactorily achieves the aims of the Design and Access Statement and development plan policy.

Highways and Parking

As part of the application for reserved matters approval, the Design and Access Compliance Statement outlines that the main street/spine road which routes through Phase 5 from Phase 4 to Phase 6 offers a direct and logical route through the phase (note that the spine road already has planning permission). The carriageway will be 6.1m wide with 2m footways on either side. The Applicant provides that the curved shape of the main road would assist bus movements and provide traffic calming by reducing the speed of drivers.

The Highway Authority is content that the Applicant's General Arrangement Layout (100 Rev A) shows that crossing facilities, with tactile paving, have been provided to ensure a safe route for pedestrians within the site.

As per the provisions of the Streetscape Design Guide, the applicant would provide 1 car parking space for a 1-bedroom unit, 2 car parking spaces for a 2-3-bedroom unit, and 3 car parking spaces for a 4+ bedroom unit. The applicant provides that where properties are proposed without garages, a shed in the garden is proposed that would be suitable to store bicycles.

The Highway Authority has been consulted, and several revisions have been made to the plans to ensure the development is acceptable. As a result of these changes, WCC as the Highway Authority, has advised that it has no objection, subject to conditions.

Impact on Residential Amenity

Overall, it is considered that, given the degree of separation, position, and orientation between the proposed dwellings and neighbouring buildings, the proposal would not result in harm to the amenity of the occupants of neighbouring properties or future occupants of the proposed dwellings, in accordance with the above policies.

In relation to the construction phase of this phase of development, under condition 39 of the hybrid permission, a Construction Environment Management would be required prior to the commencement of the 5th phase.

Ecology

Section 15 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. As well as promoting the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

In line with Policy BDP21 Natural Environment, appropriate mitigation measures must be implemented to ensure protection of the natural environment, with benefits from development to biodiversity captured.

Biodiversity Net Gain (BNG) has become mandatory for major applications submitted as of 12th February 2024. However, reserved matters applications are exempt if the outline application was submitted prior to the February 2024 commencement date.

The outline application (the hybrid scheme) was submitted prior to this date and is therefore not subject to mandatory BNG, which would require a minimum 10% biodiversity gain required calculated using the Biodiversity Metric and approval of a biodiversity gain plan.

Conditions 19 Construction Ecological Management Plan (CEcMP), Condition 20 Landscape and Ecological Management Plan (LEcMP) and Condition 21 Lighting of the hybrid permission ensures that appropriate mitigation measures will be implemented to ensure protection of the natural environment.

Other Matters

WRS Contamination considers that in addition to the contaminated land conditions placed on the permission granted under the hybrid application, an imported soils/soil forming materials be placed on any approval granted as part of the reserved matters.

In relation to drainage Phase 5 the site is in the northwestern side of Redditch. The site is split between two catchment areas, the southern part of the site draining into the Batchley Brook and the northern part of the site draining directly to the River Arrow. The whole site is classified as flood zone 1 by the national Environment Agency fluvial flood mapping. Given its location in the catchment and the distance from any significant water course the fluvial risk to the site is low. Phase 5 is located within the Batchley Brook and Hewell Stream side of the catchments. Some Surface water flood risk is indicated but this is minimal. With respect to surface water runoff flood risk, based on the EA surface water

flood risk mapping there are areas of risk indicated across the site. Areas of pooling are generally located around the existing drainage features on such as brooks, ditches and ponds.

NWWM have reviewed the Preliminary Drainage Strategy submitted as part of the application. In principle this is satisfactory subject to a planning condition regarding detailed design.

Conclusions

This is an allocated development site. The four reserved matters under consideration are found to comply with the relevant conditions imposed as part of the hybrid permission and to adhere to the masterplan, the principles of the Design and Access Statement and the NPPF. In the planning balance and taking account of material planning considerations, the development is acceptable and, subject to the conditions set out below, is recommended for approval.

RECOMMENDATION: That the Reserved Matters of Layout, Scale, Appearance and Landscaping be approved subject to the following conditions:

Conditions:

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

- Site Location Plan (ref. PHA29-PL001L)
- Planning Layout (ref. PHA29-PL002L)
- External Material Plan (ref. PHA29-PL101C)
- Massing Plan (ref. PHA29-PL103C)
- Tenure Plan (ref. PHA29-PL105C)
- Fire Strategy Plan (ref. PHA29-107C)
- Refuse Storage Plan (ref. PHA29-PL109C)
- Site Sections (PHA29-PL400)
- Tree Survey Plan (8506-T-01)
- Tree Retention Plan (8506-T-02)
- Tree Protection Plan (8506-TPP-03)
- Alnmouth (ref. PHA29-PL200)
- Danbury (ref. PHA29-PL201)
- Barnwood (ref. PHA29-PL202)
- Sherwood (ref. PHA29-PL203)
- Charnwood (ref. PHA29-PL204)
- Rivington (ref. PHA29-PL205)
- Kennet (ref. PHA29-PL206)
- Greenwood (ref. PHA29-PL207)
- Kielder (ref. PHA29-PL208)
- Wentwood (ref. PHA29-PL209)
- Rendlesham (ref. PHA29-PL210)
- Dallington (ref. PHA29-PL211)
- Galloway (ref. PHA29-PL212)
- Haldon (ref. PHA29-PL213)

Knebworth (ref. PHA29-PL214)
Lambridge (ref. PHA29-PL215)
Tamar (ref. PHA29-PL216)
HQI50 (ref. PHA29-PL217)
Twin Garage (ref. PHA29-PL218)
Single Garage (ref. PHA29-PL219)
Drainage and Levels Appraisal (ref. 0421-1C)
General Arrangement (ref. 0424-100A)
Section 38 Plan (ref. 0424-102)
Preliminary Drainage Strategy, FFL's and Retaining Features Sheet 1 (ref. 22119 A-P5&6-001 Rev C)
Preliminary Drainage Strategy, FFL's and Retaining Features Sheet 1 (ref. 22119 A-P5&6-002 Rev C)

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

2. Notwithstanding the approved details, no works or development above foundation level for phase 5 shall take place until a finalised scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specifically include: -
 - Detailed drainage design, showing all private foul and surface water connections.
 - A simple index assessment considering the water quality of surface water runoff.
 - Consideration of what SuDS features can be incorporated into the site drainage to provide an appropriate level of runoff treatment.
 - Full details of the proposed balancing area. Included information on any proposed permanent water level, which would improve its value.

This scheme should be indicated on a drainage plan and the approved scheme shall be completed prior to the first use of the full application hereby approved.

Reason: To prevent the risk of flooding and to improve and protect water quality.

3. Prior to the commencement of development, a detailed scheme for the site layout be submitted to the Local Planning Authority. The development shall not be occupied or brought into use until the submitted scheme, which is broadly in accordance with General Arrangement (ref. 0424-100A), subject to any necessary changes identified during the detailed design process, has been agreed in writing by the Local Planning Authority, in consultation with Worcestershire County Council Highways, and has been implemented in full.

Reason: In the interests of highway safety.

4. The development hereby permitted shall not be first occupied until details of proposed measures to protect the attenuation basins from pedestrian ingress have been submitted to and approved in writing by the local planning authority. The measures shall be constructed and implemented in full accordance with the approved details.

Reason: In the interest of pedestrian safety.

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

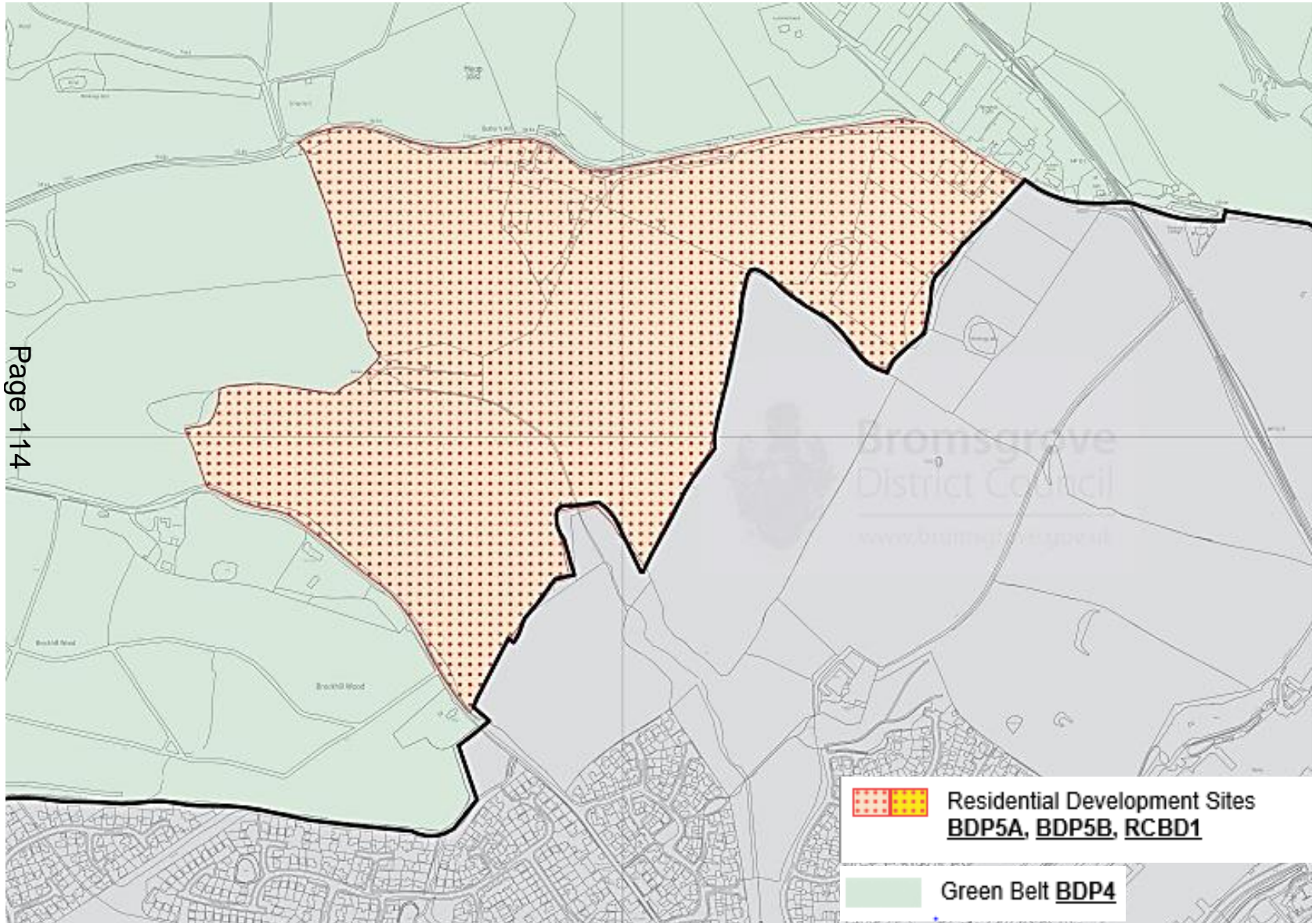
24/00077/REM

Fifth Phase of Persimmon Brockhill Development, Weights Lane, Redditch, Worcestershire

Reserved matters approval (appearance, landscaping, layout and scale) for the construction of 241 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 24/00083/REM)

Recommendation: That the Reserved Matters for Layout, Scale, Appearance and Landscaping be granted subject to conditions.

District Plan Map Allocation



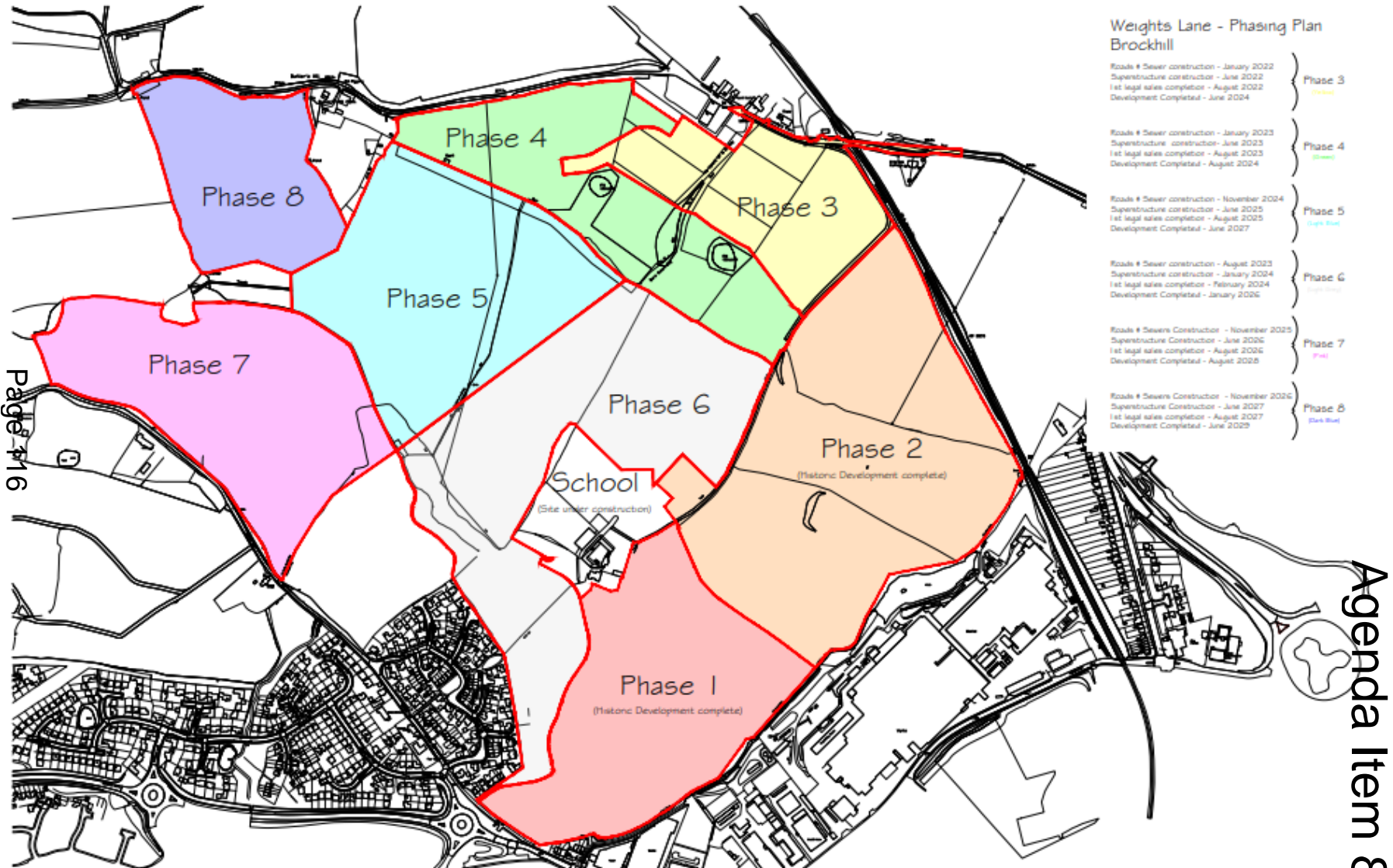
Approved Framework Plan

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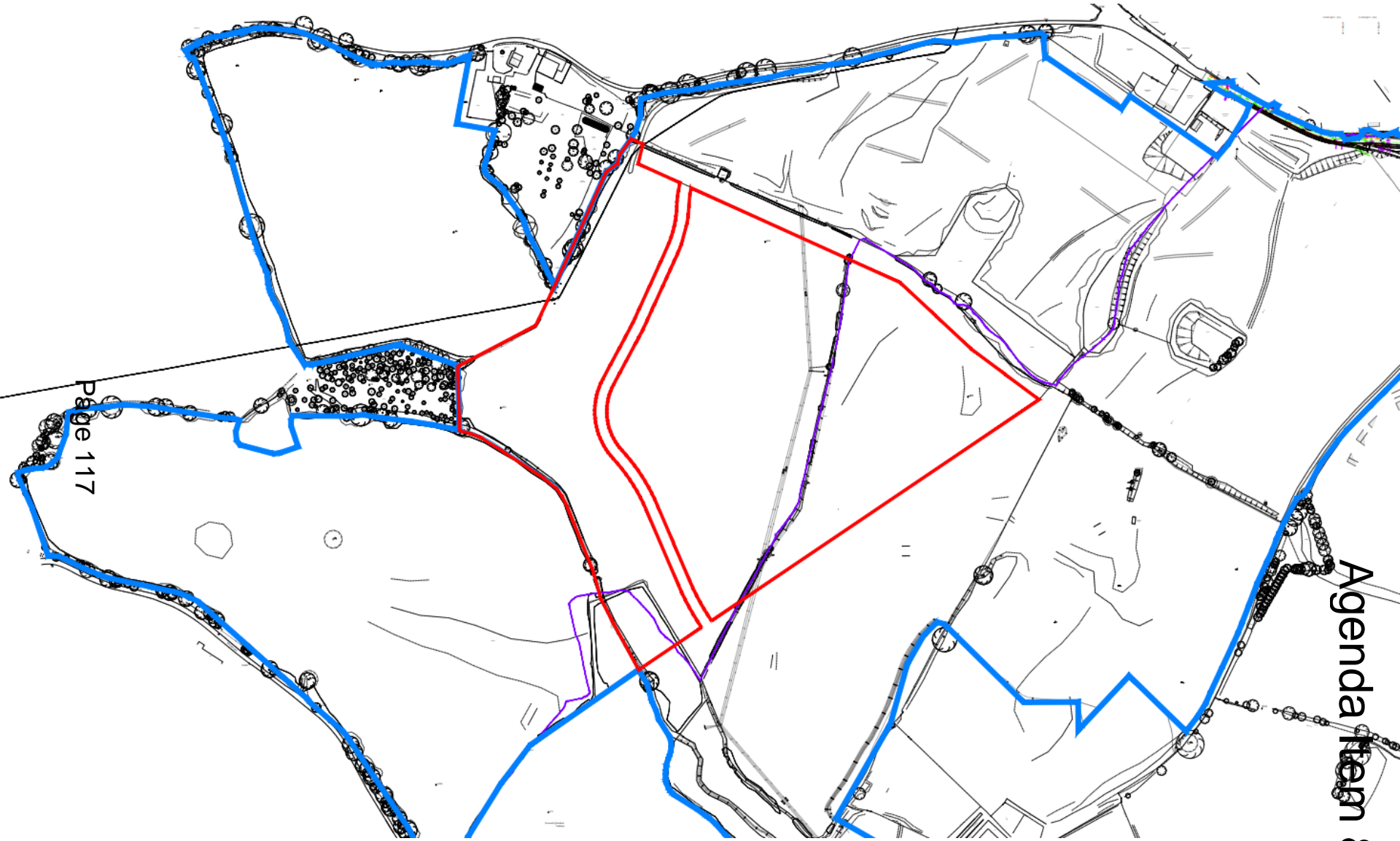
Approved Phasing Plan



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Site Location Plan



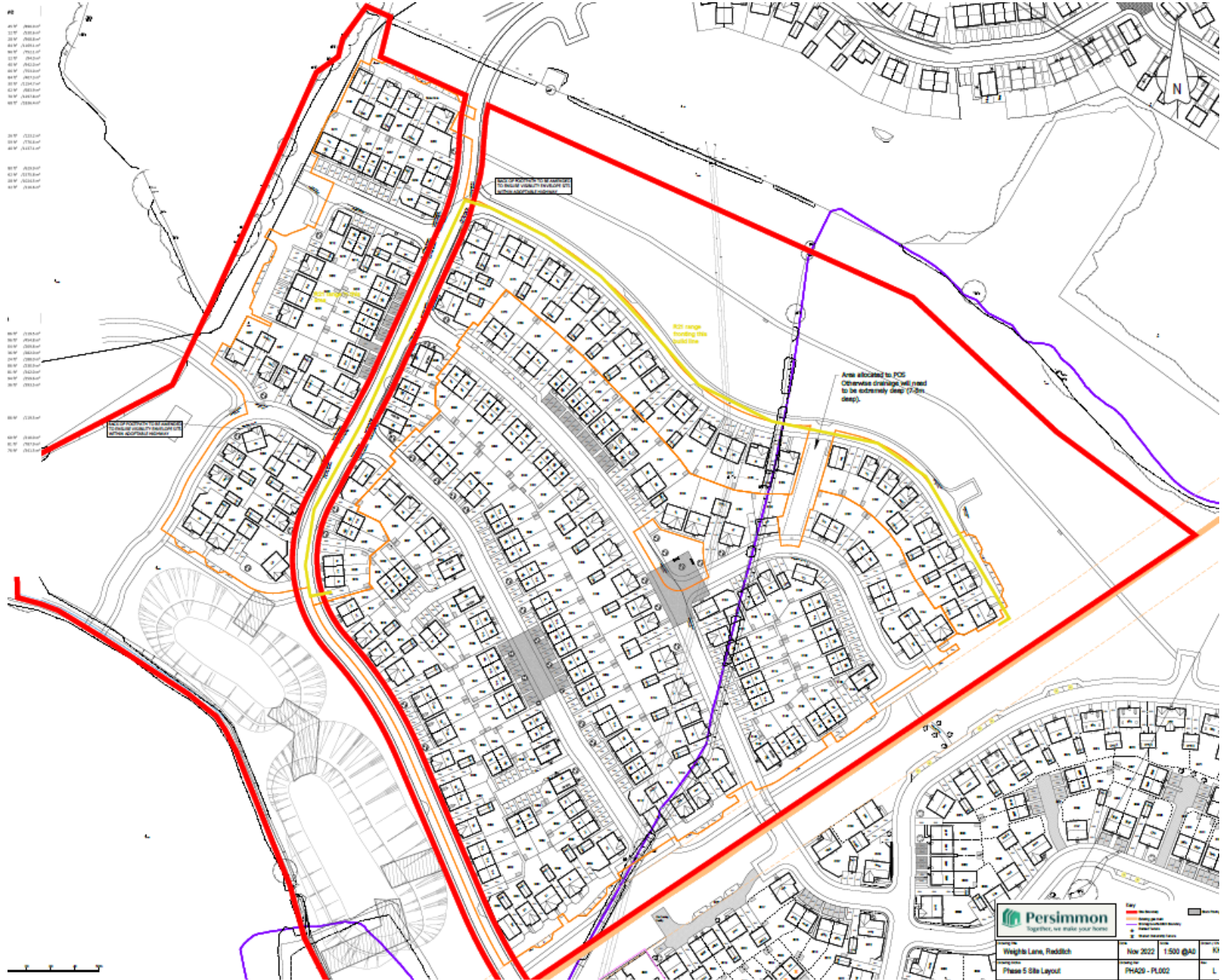
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Satellite View



Proposed Site Layout (B&W)

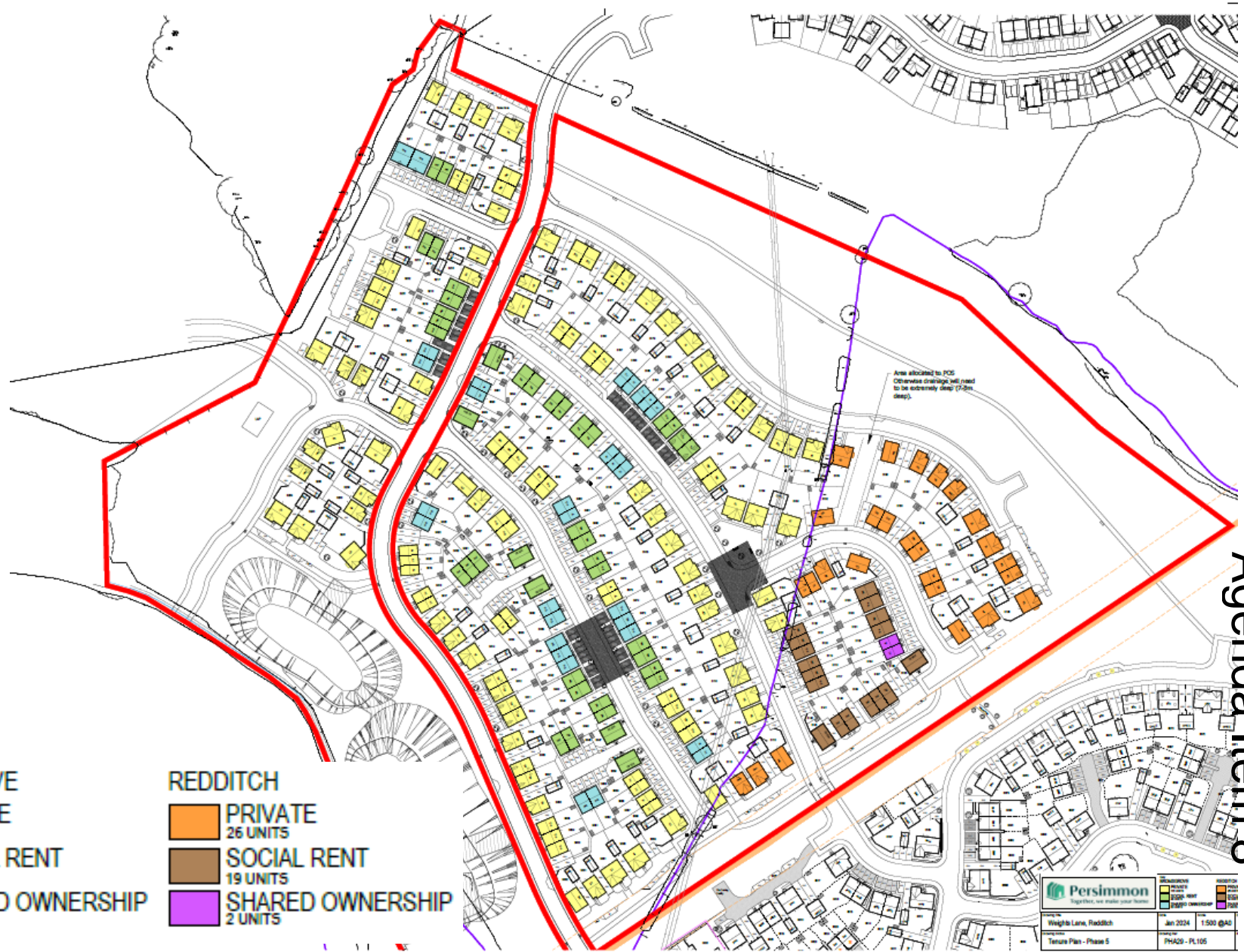


Proposed Site Layout (Colour)









Proposed Tenure Plan

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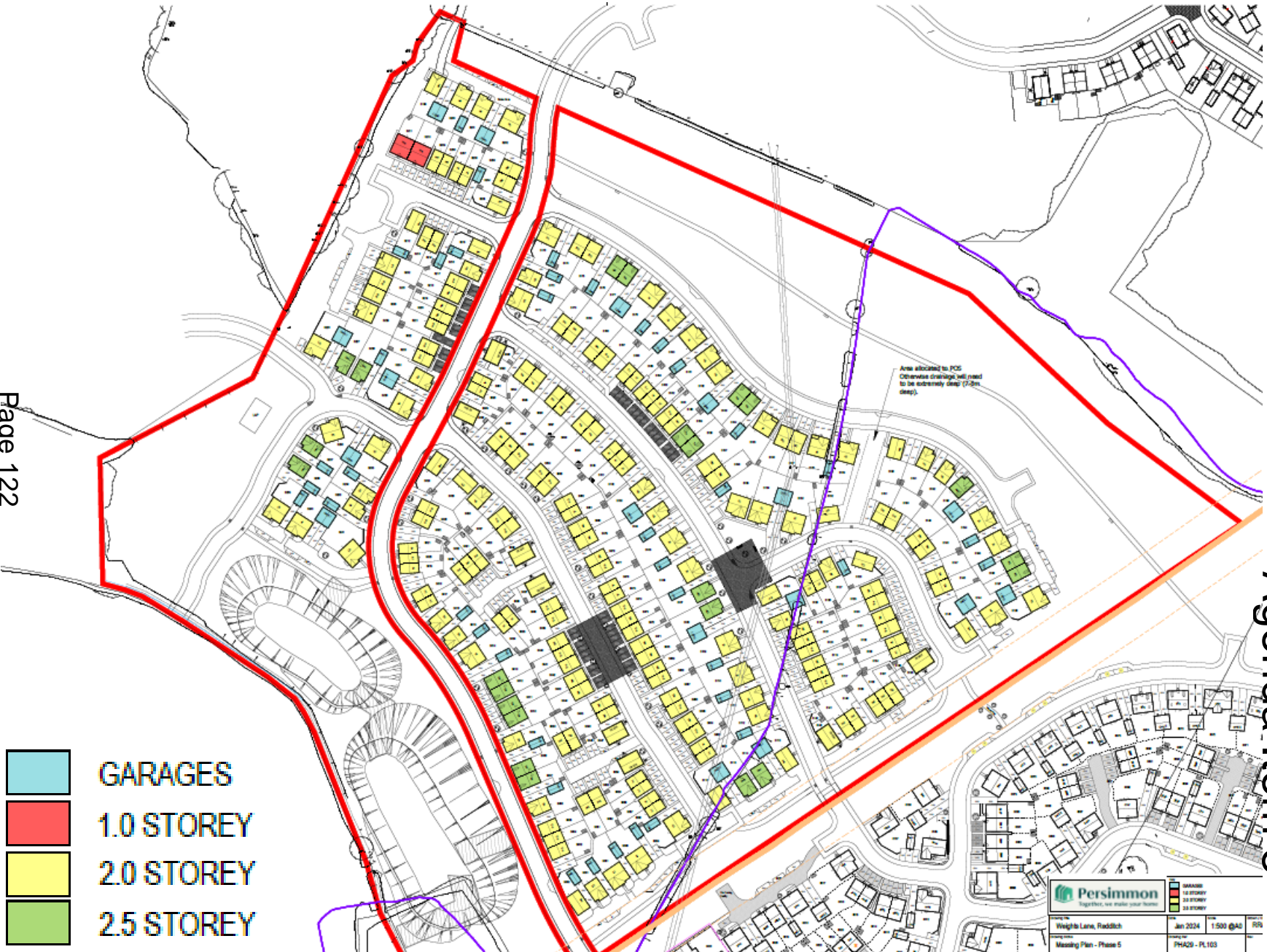
BROMSGROVE		REDDITCH	
	PRIVATE 116 UNITS		PRIVATE 26 UNITS
	SOCIAL RENT 48 UNITS		SOCIAL RENT 19 UNITS
	SHARED OWNERSHIP 30 UNITS		SHARED OWNERSHIP 2 UNITS

Persimmon
Together, we make your home

Weight Lane, Redditch	Jan 2024	1:500 @A0
Tenure Plan - Phase 5	PHAS5 - FL105	

Proposed Massing Plan

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Examples of Proposed Dwellings



Front Elevation



Side Elevation

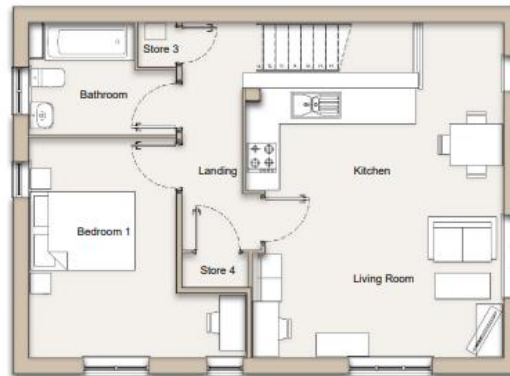


Side Elevation

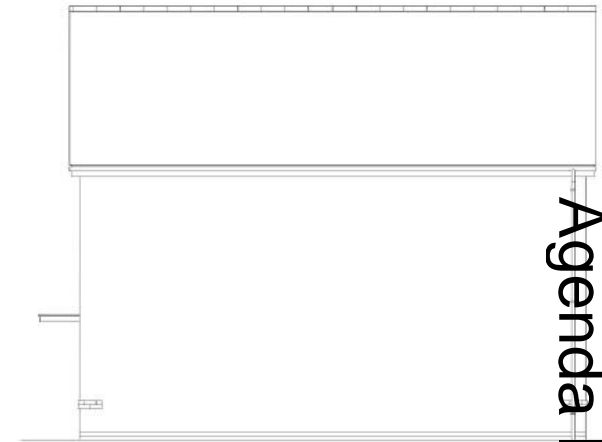
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Ground Floor Plan



First Floor Plan



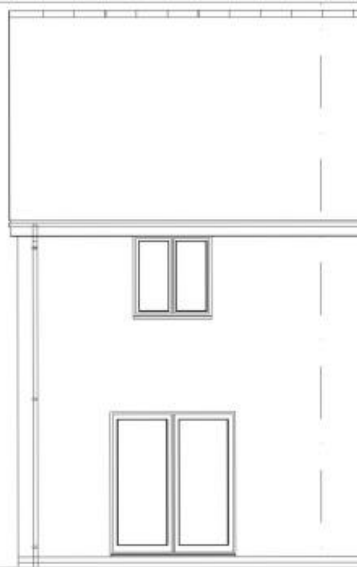
Rear Elevation

Agenda Item 6

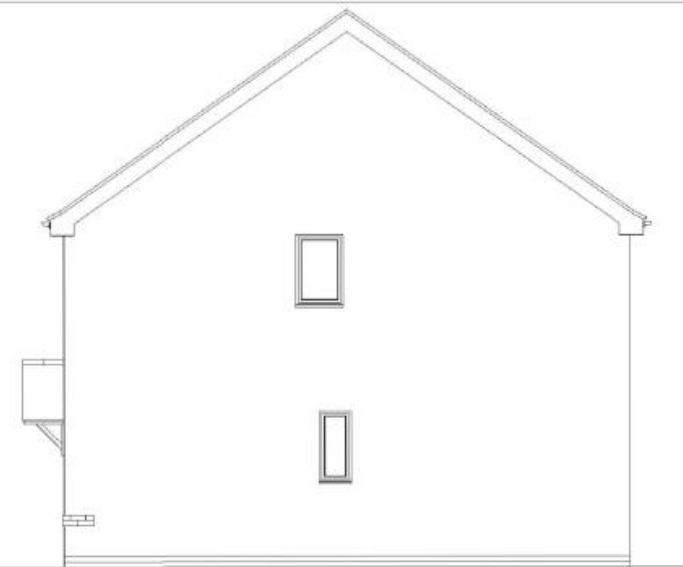
HQI 50 1 Bedroom Maisonettes
Social rent



Front Elevation



Rear Elevation

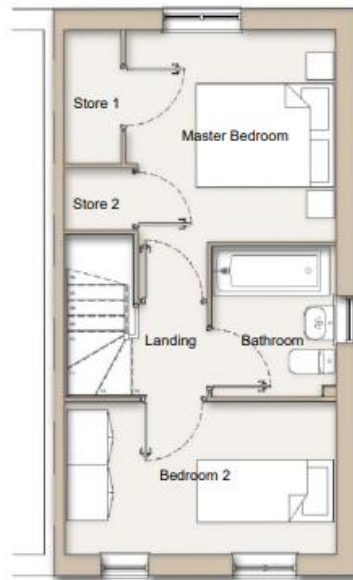


Side Elevation

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Ground Floor Plan



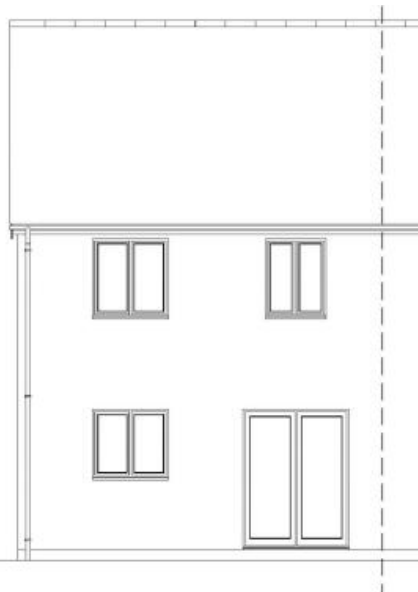
First Floor Plan

Alnmouth 2
Bedroom
Market, Shared
Ownership

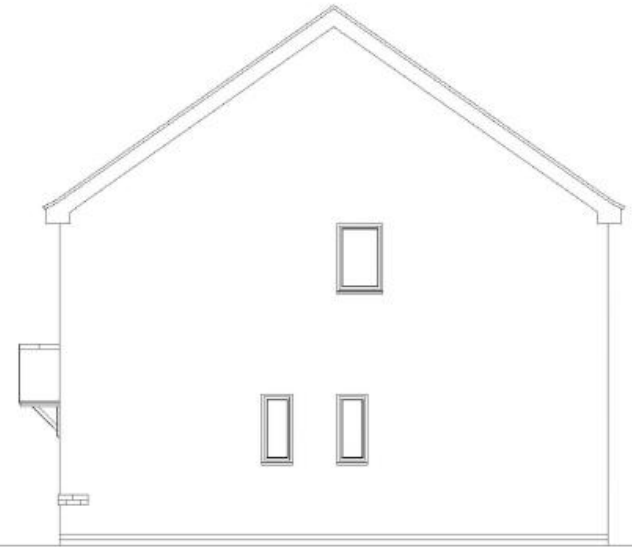
Agenda Item 8



Front Elevation



Rear Elevation

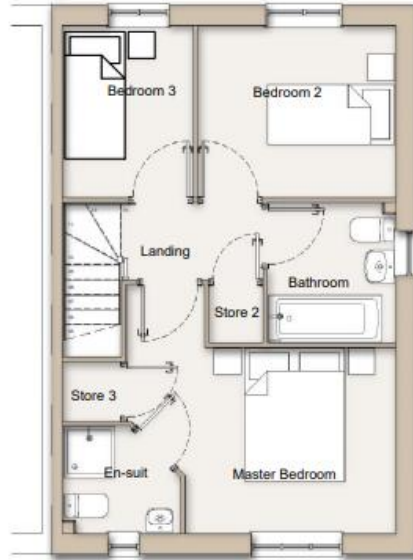


Side Elevation

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Ground Floor Plan



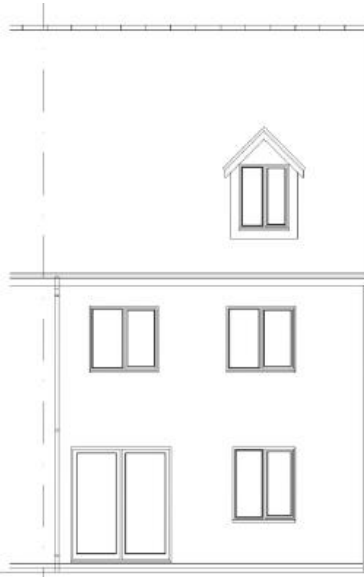
First Floor Plan

Danbury
3 Bedroom
Market and Shared
Ownership

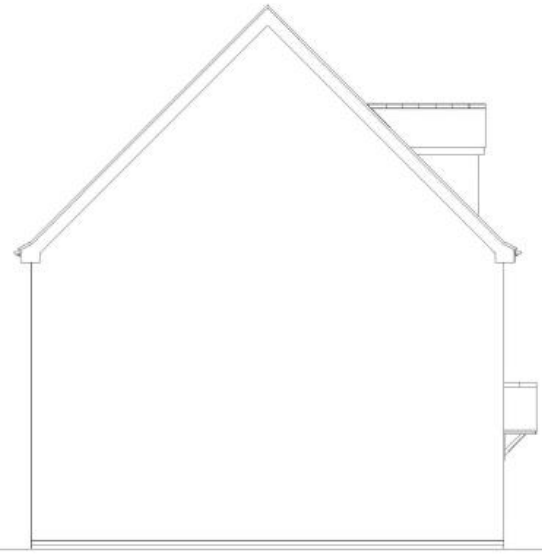
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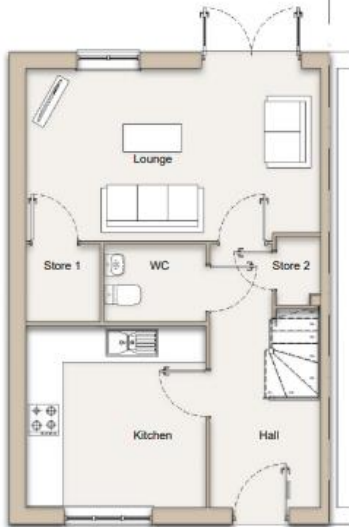
Front Elevation



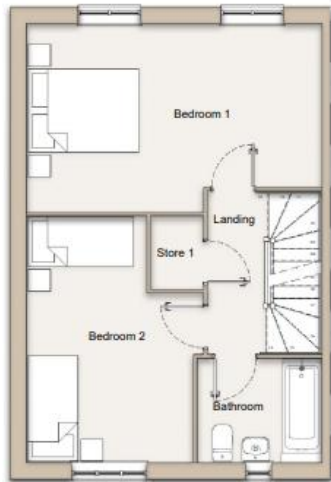
Rear Elevation



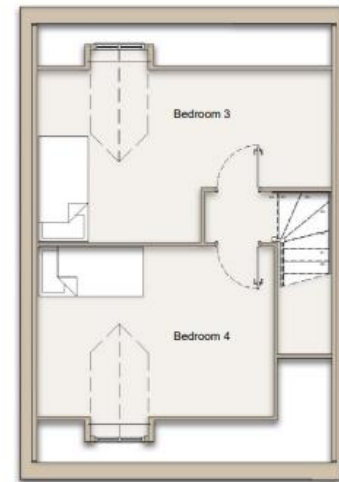
Side Elevation



Ground Floor Plan



First Floor Plan

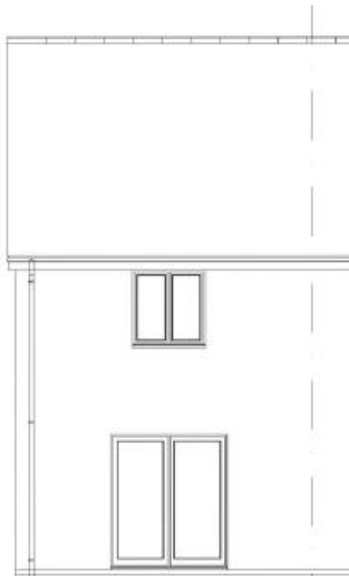


Second Floor Plan

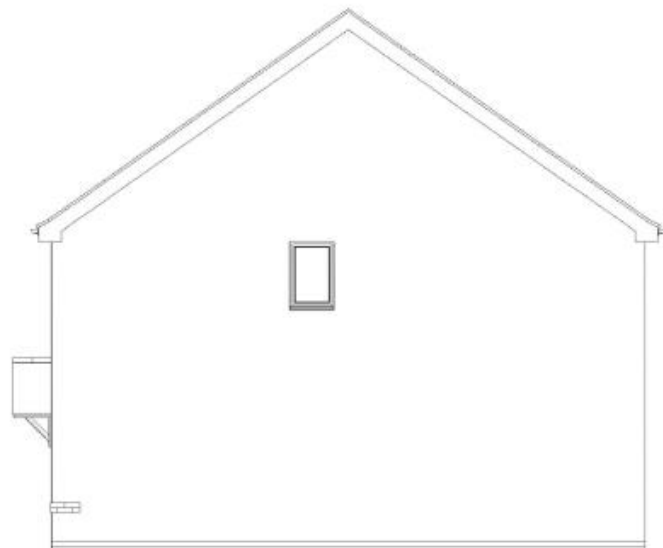
Tamar, 4
Bedroom
Market &
Social
Rented
Agenda Item 8



Front Elevation



Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

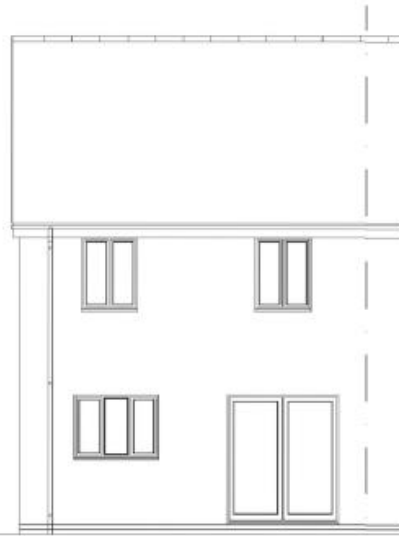
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Haldon, 2 Bedroom Social Rent

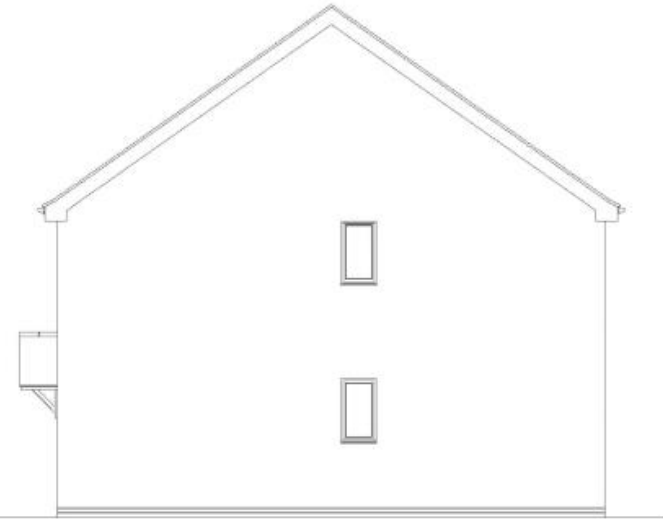
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Front Elevation

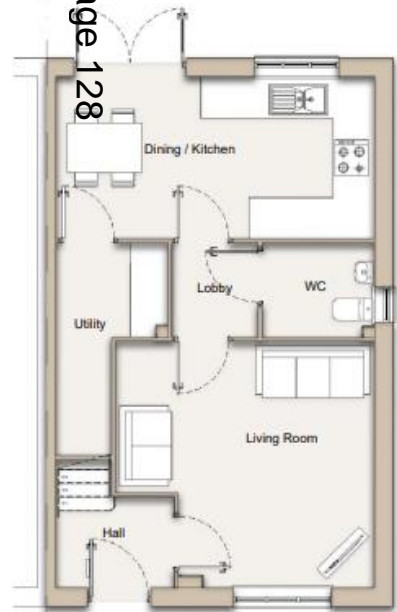


Rear Elevation

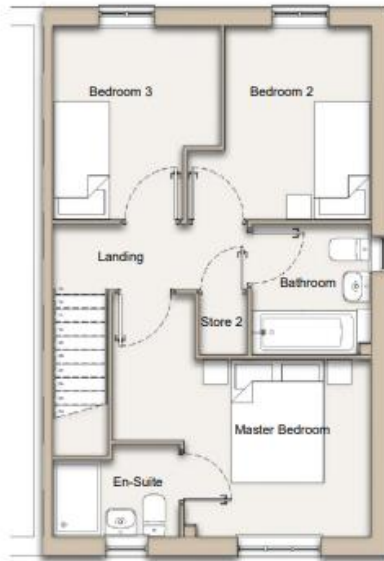


Side Elevation

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Ground Floor Plan



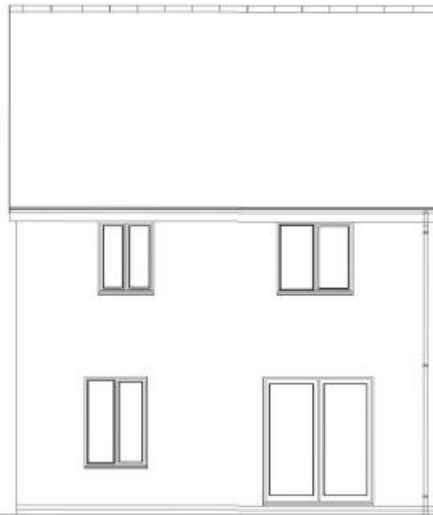
First Floor Plan

Galloway, 3
Bedroom
Market

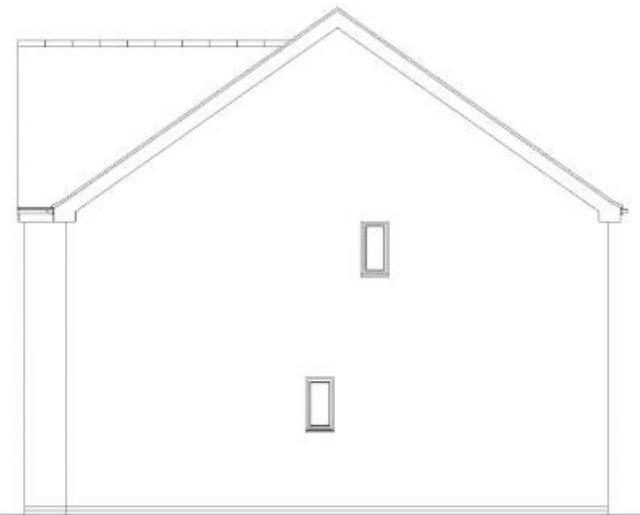
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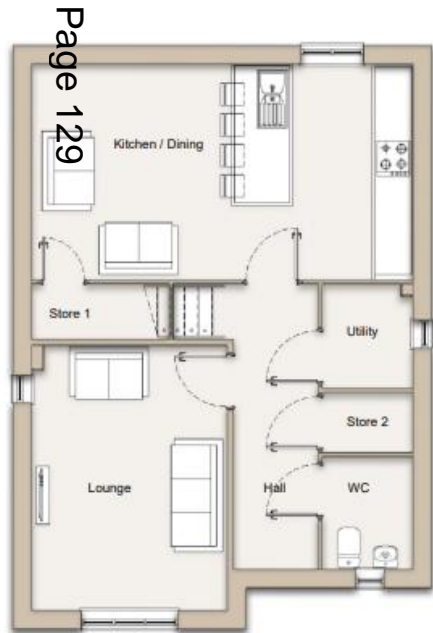
Front Elevation



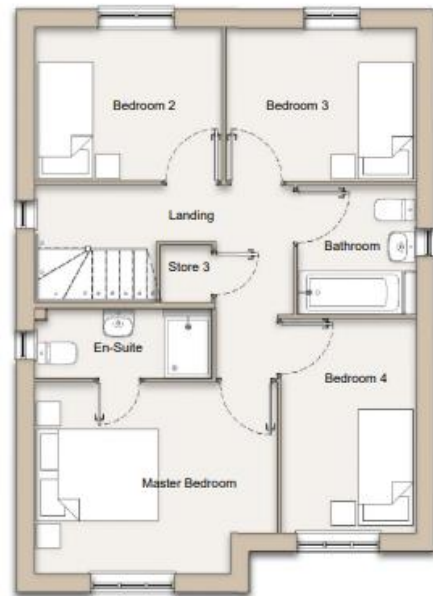
Rear Elevation



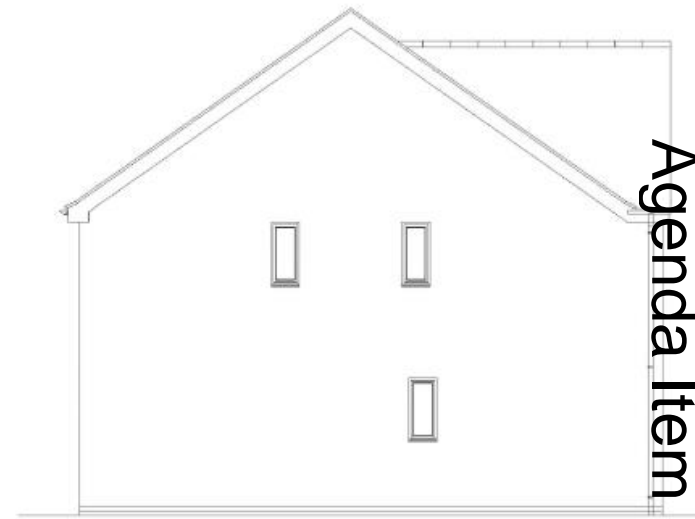
Side Elevation



Ground Floor Plan



First Floor Plan



Side Elevation

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Knebworth, 4 Bedroom Market

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