

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
REDMAN HEENAN PROPERTIES LIMITED 'A'	Earthworks / site regrading - Part Cofton Centre, Groveley Lane, Cofton Hackett (as amended by plans received 25.06.2007)	EMP	B/2007/0539 22.08.2007

RECOMMENDATION: that permission be **GRANTED**.

Consultations

WCC (HP)	<p>Consulted - views received 29.05.2007:</p> <ul style="list-style-type: none"> No objection subject to Condition.
Planning Policy	<p>Consulted - views received:</p> <ul style="list-style-type: none"> The proposal is for new employment uses on land currently identified as employment land in the BDLP and as such guidance contained in PPG4 and policy PA1 of the RSS, WCSP polices on employment land are not particularly relevant to this application; particularly relevant BDLP polices are E9 and TR8. The Preferred Option Longbridge Area Action Plan is also relevant in this instance. The general principle of new employment development on this site is acceptable in terms of the existing development plan and is supported by the emerging Area Action Plan for the whole of the former MG Rover Works. The preferred options draft of the AAP is looking to reallocate this site for employment uses beyond the life span of the currently adopted planning policy. This AAP has been through extensive public consultation, and is backed up by a substantial amount of technical baseline evidence.
WCC(Waste)	<p>Consulted - views received 09.07.2007:</p> <ul style="list-style-type: none"> No objection to the proposal subject to conditions restricting the importation and / or exportation of material on or off site, unless identified as contaminated material, etc.
Network Rail	<p>Consulted - views received 05.06.2007:</p> <ul style="list-style-type: none"> No objection.
EA	<p>Consulted - views received 29.06.2007:</p> <ul style="list-style-type: none"> No objection subject to Conditions. We have reviewed the Cofton Centre, Groveley Lane, Longbridge Phase 1 & 2 Geo-Environmental Audit Dated January 2007 submitted with planning application B/2007/0356-DB. In summary, this report indicated that there appears to be no significant total soil or leachable contamination within re-worked and in-situ ground analysed from this site. Therefore, based upon this information it would appear that remedial treatment of soils is unlikely to be required, in order to protect Controlled Waters.

- Deeper groundwater contamination identified within the Triassic Sherwood Sandstone is likely to have originated from an off-site source. Work is ongoing on the Longbridge site as a whole, up gradient of the Cofton Centre, to deal with identified significant contaminant sources, which is likely to have a beneficial impact on groundwater quality down gradient.
- Therefore, based upon the information reviewed to date, re-profiling works involving re-worked and in-situ soils at the Cofton Centre is unlikely to result in any additional adverse impact from contamination.

BW Consulted - views received 12.06.2007:

- No objection.

HSE Consulted 25.05.2007: views awaited.

Ramblers Consulted 25.05.2007: views awaited.

Association

Rights of Way Consulted 25.05.2007: views awaited.

Birmingham CC Consulted 25.05.2007: views awaited.

Cofton Hackett Consulted - views received 14.06.2007:

- No objection.

PC

Publicity 4 letters sent 08.06.2007: no response received (expire 29.06.2007).
2 site notices posted 28.06.2007: no response received (expire 19.07.2007).
1 press notice published 07.06.2007 (expires 08.06.2007).

The site and its surroundings

The application relates to a plot of land some 11.8 hectares located to the south of Groveley Lane. The site forms part of the former MG Rover Works at Longbridge known as the Cofton Centre and is accessed via Groveley Lane, with this access shared with the existing buildings (storage and distribution uses) to the northern aspect of the Cofton Centre. The site is bounded to the west by the main Birmingham to Bristol railway line, beyond which is the former East Works, which is currently undergoing site clearance. To the east and south is open countryside located in designated Green Belt. To the north of the site across Groveley Lane, the site adjoins the main outer urban area of Birmingham including, to the north west across a railway bridge, other parts of the former Longbridge works site, much of which in this part of the site is occupied by the Nanjing Automotive Company.

The application proposals relate to the southern most part of the Cofton Centre which is almost entirely hard surfaced and was previously used for the storage of completed motor vehicles prior to despatch and distribution. The site is formed by two plateaus with a narrow landscaping strip of limited quality and value separating the two. Much of the site is surrounded by an existing landscaped bund.

The site is located in an employment zone.

Proposal

The application relates to a full application for proposed re-profiling earthworks to include a cut and fill exercise, to establish the formation level for future buildings, access roads and hard standing areas. The submitted drawings indicate a volume difference in cut and fill of minus 2,152 cubic metres (cut volume: 45,549 cubic metres / fill volume: 47,701 cubic metres).

This difference allows for the future construction materials associated with the development to achieve the proposed levels with an estimated construction thickness of 400 mm. This will be made up of appropriate engineered sub bases for the proposed buildings, car-parking areas and access roads, including surfacing as part of the future construction works associated with the new employment buildings. The fill area is concentrated to the southern and south-eastern boundary of the site allowing all suitable materials to be reused on site.

This application compliments the recent outline approval for the redevelopment of the site for industrial and warehouse units within use classes B1(b) and (c), B2 and B8 with associated access, parking, service yards and landscaping under planning reference B/2007/0356.

Relevant Policies

WMSS	QE1, QE2, QE3, QE6, QE7, QE9, PA1, PA5
WCSP	SD.2, CTC.1, CTC.9, CTC.10, CTC.12, CTC.13, CTC.14, CTC.19, CTC.20, T.1
BDLP	C4, C10a, C11, C17, DS13, E1, E2, E3, E4, E5, E9, ES1, ES2, ES4, ES5, ES6, ES7, ES8, ES14, ES16, TR1, TR11, TR12
Others	PPS1, PPG4, PPS9, Circular 06/05, Longbridge Area Action Plan: Issues and Options Report

Relevant Planning History

B/2007/0356	Industrial and warehouse units with use classes B1(b) and (c), B2 and B8 with associated access, parking, service yards and landscaping (outline): approved 02.08.2007
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Notes

The main issue to consider in the determination of this application is the appropriateness of the works in this location.

Policy ES16 of the Bromsgrove District Local Plan refers to development proposals involving reforming of land. This policy states that such proposals would be considered against the relative benefits and disbenefits of the proposal taking into account various factors such as the number of vehicle movements, effect upon landscape and the impact upon the amenities of local residents.

The scheme involves the re-profiling of the existing land levels with a cut and fill exercise. This forms the majority of the proposed works. The scheme also includes the limited

importation of appropriate engineering sub bases for the proposed buildings, car-parking areas and road access system as part of the future construction works of the new employment buildings (consisting typically of new aggregate / crushed rock / concrete). The works will enable the proposed use approved under B/2007/0356 to utilise the site (as detailed in the approved scheme under B/2007/0356). Members will note the views of the EA raising no objection to the scheme and the comment that the re-profiling works involving re-worked and in-situ soils at the site is unlikely to result in any additional adverse impact from contamination.

The WCC(HP) has raised no objection to the scheme, subject to a suitable condition relating to access arrangements to serve the site.

The eastern, southern and western boundaries of the site form the edge of designated Green Belt as detailed in the Bromsgrove District Local Plan. Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design. Members will note this site is contained within a landscaped bund and this will enable the development to be softened by enhanced perimeter planting. Given this landscaping, the employment status of this site and the recent outline planning approval under B/2007/0356, I am of the view that the scheme would have limited harm to views out of the Green Belt in this location.

Given that the site is located some distance away from the nearest residential property, I find the application would not raise any issue of adverse residential amenity.

I would therefore suggest the proposal complies with policy ES16 of the BDLP. Members will also be aware that this scheme complements the recent approval for the redevelopment of the site approved under B/2007/0356.

RECOMMENDATION: that permission be GRANTED.

1. C99
2. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amendment to the Method Statement detailing how this unsuspected contamination shall be deal with.
3. The means of vehicular access to the development hereby approved shall be from Groveley Lane only.
4. Before any materials are brought on to the site or any development commenced, the developer shall erect protective tree fencing in relation to retained tree specimens as illustrated by BS 5837:2005 Fig. 2, on a line concurrent with Section 5 of BS 5837:2005. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development, the subject of this permission, has been completed.

Reasons

2. To protect controlled waters in accordance with Policy ES1 and ES7 of the Bromsgrove District Local Plan and Policy CTC.9 of the Worcestershire County Structure Plan
3. In the interests of highway safety in accordance with Policy TR11 of the Bromsgrove District Local Plan and Policy T.1 of the Worcestershire County Structure Plan.
4. In order to protect the trees which form an important part of the amenity of the site in accordance with Policy DS13/C17 of the Bromsgrove District Local Plan and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan.

Contaminated soil that is excavated, recovered or disposed of, is controlled waster. Therefore its handing, transport, treatment and disposals is subject to waste management legislation which includes:

Duty of Care Regulations 1991

Hazardous Waste (England and Wales) Regulations 2005

Waste Management Licensing Regulations 1994 (as amended)

Pollution Prevention and Control Regulations (England and Wales) 2000

Landfill (England and Wales) Regulations 2002

Only clean, uncontaminated rock, subsoil, brick, rubble and crushed concrete should be used as fill material on site.

The applicant should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid delays.

The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy (WMSS) June 2004, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan (BDLP) January 2004 and other material considerations as summarised below:

WMSS	QE1, QE2, QE3, QE6, QE7, QE9, PA1, PA5
WCSP	SD.2, CTC.1, CTC.9, CTC.10, CTC.12, CTC.13, CTC.14, CTC.19, CTC.20, T.1
BDLP	C4, C10a, C11, C17, DS13, E1, E2, E3, E4, E5, E9, ES1, ES2, ES4, ES5, ES6, ES7, ES8, ES14, ES16, TR1, TR11, TR12
Others	PPS1, PPG4, PPS9, Circular 06/05, Longbridge Area Action Plan: Issues and Options Report

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.