

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Mr. S. Dudley 'A'</b>	Refurbishment and extension of Wharf Cottage and Conversion of Warehouse into 2 dwellings with removal of modern lean-to and internal staircase (as amended by plans received 19.04.2011, 17.05.2011, 25.05.2011, 01.07.2011. As augmented by plan received 17.05.2011, Structural Report and calculations received 26.04.2011, Bat Emergence Survey received 10.05.2011, external material samples received April and May 2011, email received 03.06.2011 and letter received 23.06.2011 (drainage details)) - Wharf Cottage and Warehouse, Tardebigge, Bromsgrove, B60 1NF	GB Cons. Area LB2 LPA	<b>11/0266-SG</b> 19.05.2011

**RECOMMENDATION:** that permission be **GRANTED**.

### Consultations

WH	Consulted 31.03.2011, expired 14.04.2011 - no objection.
Tutnall & Cobley PC	Consulted 31.03.2011, expired 21.04.2011 - no objection.
EHM	Consulted 31.03.2011, expired 14.04.2011 - no comments received.
SPM	Consulted 31.03.2011, expired 14.04.2011 - no comments received.
TO	Consulted 31.03.2011, expired 14.04.2011 - no objection subject to conditions.
CO	Consulted 31.03.2011, expired 14.04.2011 - no objection subject to conditions.
ENG	Consulted 31.03.2011, expired 21.04.2011 - no objection.
BW	Consulted 31.03.2011, expired 21.04.2011 - no objection subject to conditions.
WWT	Consulted 14.04.2011, expired 05.05.2011 - no comments received.
Publicity	Neighbour notification - 2 letters sent 19.01.2011, expired 09.02.2011. Site notice posted 05.04.2011, expired 26.04.2011. Press notice published 07.04.2011, expired 28.04.2011.
	1 objection received. Object on two counts:
	(i) I believe that the development is not in the best interest for the community and the economy of the area. In particular in view of the change in funding / stewardship of British Waterways. I would prefer to see a development of a café and visitor centre to augment the canal and the trip boat amenity.
	(ii) There is no environmental survey to be carried out. The application states that there are no priority species using the building, the applicant cannot know this and I told him that there was a high probability of the building being used as a bat roost during his public consultation. I belong to the Birmingham and Black Country and

Worcestershire Bat groups and have recorded several species using the area of a number of years. As part of my planning application, I had to have a bat survey, which recorded 6 species of bat using the area and I had a maternity roost for Soprano Pipistrelles and an overnight roost for Brown Long Eared bats. As a minimum there should be a professionally conducted bat survey. Also, last year a pair of swallows raised 2 young, they gained access via the upper window to the canal side. As the numbers of this species is declining, mitigation should be installed to maintain nesting opportunities.

### The site and its surroundings

This application relates to Wharf Cottage and Warehouse which are Grade II Listed. Wharf Cottage and Warehouse are located within New Wharf which consists of a hamlet of cottages and wharf buildings. The site is located north of the Worcester and Birmingham Canal in Tardebigge. The site is accessed via a communal driveway off Alcester Road which is shared by the other cottages and wharf buildings in the complex.

Wharf Cottage and Warehouse are officially listed as "Workshops 75m SW of Tardebigge Tunnel". The building dates back to the early 19th century with some mid-19th century alterations. The building is made of sandstone ashlar with low-pitches slate roof. The south gable end to the canal has moulded stone cornice, stone coped verge above, a central vertical opening which was formally the loft door and is now blocked over with a 3 light casement. A 20th century lean-to was added to the west side of the building which is not of any special architectural interest. A small cottage and privy were added to the north-northwest elevation of the warehouse before 1876.

The warehouse has remained largely redundant for commercial use for almost 60 years. At present, Wharf Cottage and Warehouse are empty and appear in need of renovation.

The site is located in the Tardebigge Conservation Area within the Green Belt and Landscape Protection Area.

### Proposal

This application proposes the extension and restoration of the existing 2-bed cottage and conversion of the Warehouse into two 3-bed dwellings with hard and soft landscaping and integrated car parking. The existing lean-to on the west side of the warehouse would be removed, and the original openings reinstated in the front elevation.

To the rear of the cottage, an additional storey would be added to the existing single storey extension that currently houses the bathroom and kitchen. The extension would match the height of the main body of the houses and would tie in with the existing main roof to the cottage. The existing privy is to be retained and refurbished. Internally, the ground floor to the cottage would be open plan with existing stair case leading to 2 bedrooms and a bathroom on the first floor.

Internally the existing open space of the warehouse would be divided into 2 units with a new party wall located in the centre (approx.) of the building and would be sub-divided

across two floors. The internal arrangements of the warehouse on the ground floor will be relatively open with few new partitions. There would not be ceilings on the first floor which would allow for a view of the roof and trusses. No new windows or roof lights are proposed for the warehouse therefore only original openings will be used or opened up for the doors and windows. Floor joints, beams and cast iron columns are to be exposed.

The landscaping proposed includes a car parking and amenity area to the front consisting of golden flint chippings to be defined with cast iron bollards and blue brick edging. It is proposed that the rear gardens are lawned with grass and that the side and rear boundaries are defined with 1.1m high timber post and rail fencing.

### Relevant Policies

WMSS	QE1, QE5, QE6
WCSP	SD.2, CTC.1, CTC.19, CTC.20, CTC.21, D.38, D.39
BDLP	DS2, DS13, C27, C10A, S35A, S36, S39, TR11, ES5, C1, C4, TARD1
DCS2	CP3, CP16, CP17, CP20
Others	PPS1, PPG2, PPS5, PPS7, PPS9, Circular 06/2005, SPG1, SPG4

### Relevant Planning History

None.

### Notes

The main issues in the consideration of this application are whether the proposal is appropriate development in the Green Belt, the design of the scheme and its impact on the Listed Building and Tardebigge Conservation Area, the structural condition of the building, ecological and parking issues and the impact on the amenities of adjoining occupiers.

### Principle

Policy TARD1 of the BDLP states that "land adjacent to the canal basin at Tardebigge is designated for recreational / leisure purposes in conjunction with the use and compatible with the interpretation of the canal for leisure uses appropriate within a Conservation Area. Proposals for uses not closely associated with the canal will generally be unacceptable". The application site falls within this policy designation. Given the fact that this application involves the conversion of a redundant commercial warehouse for residential use, I consider the principle for development to be contrary to policy TARD1. On this basis, it is now for me to consider whether there are any overriding circumstances that would outweigh the presumption against residential use.

I have regard to Planning Policy Statement 3 (PPS3): Housing which sets out the national framework for delivering the Government's housing objectives. I also pay regard to the current Draft Core Strategy 2 which contains the most recent housing targets for the District which are in accordance with those published in the RSS Examination in Public panel report. With regard to house types, I refer to the District's Housing Market Assessment 2008 which identified a high need for smaller house types (2 / 3 beds) within

the District. I also note a key target of PPS3 to achieve a variety of houses and the need to provide housing in rural areas. I consider the proposed development would help to meet the objectives of PPS3 and the proven housing needs of the District by providing a two bedroom house and 2 three bedroom houses within a rural area. I also take account of the fact that the scheme would be making effective use of an existing building to accommodate new housing. For the reasons above, I attach substantial weight to housing supply as a material consideration.

The need to secure a new use for a listed building at risk should also be balanced against the aims of policy TARD1. It is noteworthy that the warehouse has been largely redundant from commercial use for almost 60 years and there have been no recent planning applications at the site. The PPS5 Practice Guidance, which is a material consideration in the determination of planning applications, advises that:

"77. Finding the optimum viable use for an asset may require the local planning authority to apply other development control policies flexibly and imaginatively to achieve long-term conservation. For example, to realise the benefits of bringing an abandoned listed building on the Heritage at Risk register back into viable use it may be necessary to make an exception to a policy that restricts residential use on employment land."

"79. There are a number of potential heritage benefits that could weigh in favour of a proposed scheme:

1. It sustains or enhances the significance of a heritage asset and the contribution of its setting.
2. It reduces or removes risks to a heritage asset.
3. It secures the optimum viable use of a heritage asset in support of its long term conservation.
4. It makes a positive contribution to economic vitality and sustainable communities.
5. It is an appropriate design for its context and makes a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment.
6. It better reveals the significance of a heritage asset and therefore enhances our enjoyment of it and the sense of place."

The Council's emerging core strategy policy CP16 also states that:

"The Council will conserve and enhance the significance, heritage interest and setting of the historic environment by

- Stimulating and supporting the sensitive reuse of redundant historic buildings as a catalyst for regeneration and economic vitality."

Taking the above into consideration, I am of the opinion that active use of the listed building would outweigh the policy constraint of policy TARD1 and would benefit the Tardebigge Conservation Area. For these reasons, I consider the principle of development for residential use to be acceptable.

## Green Belt issues

Policy DS2 of the Bromsgrove District Local Plan 2004 is in general accordance with the provisions of PPG2: Green Belts in setting out the instances where development may be considered appropriate in the Green Belt. One such instance is proposals for the re-use of rural buildings in accordance with policy C27.

Policy C27 sets out a number of criteria against which proposals for the re-use of rural buildings are assessed. Criterion (a) states that proposals must not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it. Criterion (b) states that extensions to any re-used rural building and associated land surrounding the building will be strictly controlled, where this would conflict with the openness of the Green Belt and the purposes of including land in it. The proposed development includes a small first floor extension to the cottage above the ground floor lean-to which would create an additional 9.3m<sup>2</sup> of floor space. To my mind, the demolition of the lean-to extension to the front of the warehouse (with an area of 44.6m<sup>2</sup>) would more than compensate for the first floor addition. Demolition of the lean-to would also significantly improve the appearance of the listed building and I consider the cottage extension to be small scale and would result in consolidation of its form and appearance. I also note that the footprint of the cottage would not be increased. In light of the above, I do not consider the new use of the building would have any greater harm on the openness of the Green Belt than its present redundant use.

## Design issues

Policy C27 of the BDLP and policy D.16 of the Worcestershire County Structure Plan 2001 (Re-use and conversion of buildings) state that the form, bulk and general design of a conversion scheme should be in keeping with its surroundings and respect local building styles and materials. The Council's Supplementary Planning Guidance Note 4: Conversion of Rural Buildings (SPG4) notes that one of the reasons for allowing conversion schemes is to preserve the character and integrity of the original building. Paragraph 3.0 states that a building should be capable of conversion to its new use without loss of those characteristics which make it worth keeping. In the case of the building to be converted, the early 19th century warehouse and mid-19th century cottage with detached privy are listed. The characteristics of the warehouse are its vernacular architecture with sandstone ashlar and low-pitched slate roof, and its simple and utilitarian form and appearance.

There have been no new openings proposed in the warehouse because the proposal will utilise all existing openings; some of which are currently blocked up. There are 5 existing openings in total that span the length of the building. The full length opening on the gable end will incorporate a 3 window casement and those openings to the front and rear elevations will incorporate 2 window casements. I consider the proposed aluminium framing for these windows to be appropriate as it will reflect the former industrial use of the building.

Refurbishment of the cottage would introduce a new doorway in the side elevation and a first floor bathroom window. The first floor extension to the cottage would introduce a new opening on the rear elevation and a change to the profiling of the existing roof. In my opinion, the introduction of a few new openings and modification to its roof would not

be of harm to the character and appearance of the cottage since it has an established residential use. Furthermore, the finished cottage would remain subservient to the principle warehouse building.

The Conservation Officer has not raised any issues with regards to the design of the conversion scheme and its impact on the Listed Building or Conservation Area. Indeed, the conversion of the warehouse to a new use is considered positive and the proposed residential use will be in keeping with the character of the wharf which contains a group of notable unlisted historic buildings.

Although some of the surrounding cottages have tiled roofs, slate is considered to be more appropriate in this case as the cottage is an addition to the slated warehouse.

I am happy with the use of cast iron bollards for the parking area since these are traditional to the Canal and the gravel surface to the front of the building would provide a softer appearance than tarmac as suggested by British Waterways.

Since there have been no extensions or new openings proposed for conversion of the warehouse, I consider its original form, character and appearance would be successfully maintained. It is noteworthy that external and internal works are to be carried out to the stone on the warehouse to preserve its vernacular architecture.

#### Listed Building and Conservation Area

The building has individual special interest as a surviving early industrial building that contributes to the character of the wider Canal Conservation Area. I consider the active use of the building would benefit the Listed Building since the structural works would deal with extant issues of structural movement and decaying fabric. I consider removal of the unattractive lean-to extension would also be advantageous because it would improve the appearance of the building. I note that conversion of the warehouse to a residential use would also be in keeping with the character of the wharf which contains a group of notable unlisted historic cottages. Retention of the historic brick privy is also welcomed.

Whilst the new residential use will require some changes to the internal historic floorplan, I recognise that efforts have been made to retain an open plan layout particularly on the ground floor and that new partitions follow the line of the existing cast iron columns and trusses. The loss of the existing staircase is unfortunate but unavoidable in order to enable a new use. There would be the loss of some internal historic fabric with the introduction of plasterboard to improve energy efficiency which would conceal the stonework. Whilst this is unfortunate, I consider it just reasonable to create suitable living conditions and this will also enable the new wiring, plumbing, etc. to be contained within the plasterboard.

To maintain the historic fabric of the building and ensure a high quality restoration, the applicant has submitted samples of the stone for the repairs to the warehouse and a sample of the new roof slate for the cottage which have been checked on site and to which I find acceptable. A detailed photographic record of the interior and exterior of the warehouse and cottage has been received from the applicant (subject to request) to provide a record of the existing buildings which are considered to be of historic interest.

Methods statements have been received by the applicant with regard to the removal of the existing render and its replacement; for the repair to the crack between the gable wall and rear wall; and for the removal of the ivy and associated chemical treatment. These methods statements are considered acceptable for the provision of sympathetic repairs that would not harm the special interest of the building.

For the reasons above, I consider the proposed scheme would have no adverse impact on the special interest of the listed building and its reuse would enhance the character and appearance of the wider Conservation Area.

#### Structural condition of the building

Policy C27 requires rural buildings to be converted to be a permanent and substantial construction and capable of conversion without major works or complete reconstruction. Policy D.16 of the WCSP has a similar requirement.

The application was accompanied by a structural report carried out by Russellford Associates dated 25th April 2011. The report found that the buildings are currently in a stable condition and suitable for conversion but do require a degree of maintenance. The report details the following work required or possibly required as part of the proposed conversion and extension of the cottage.

- The cottage will require a new roof which will have new lead flashing into the stone gable and around the brick chimney which requires re-pointing.
- New pointing with lime based mortar to replace the areas where cement based hard mortar has been used. Some re-pointing internally is also required.
- Two slates on the main roof of the warehouse require replacement.
- The underpinnings of the foundations to the cottage are required to maintain stability. An alternative solution, which would be preferable from a health and safety point of view, is for the rear single storey wing to be carefully taken down, and then the new foundation and the walls above could be constructed on the same footprint.
- Extensive ivy coverings and its roots needs to be removed from the buildings.
- The crack in the northwest corner should be tied together with resin anchored stainless steel bars. The brick pier is to be rebuilt and tied securely to the outer stone wall to provide support for the heavy first floor beam.
- The concrete ground floor will require levelling before the dpm, insulation and screed are installed. The boards to the first floor will be replaced and any defective or inadequate floor joints replaced. The timber must be checked once it has been cleaned down and any rot or infestation treated.
- The cast iron columns supporting the first floor must be fire protected.
- There are two purlins on the rear roof slope in the bay adjacent to the canal which requires replacing, and the wall plate in the same area should be checked.

I am satisfied that the works detailed above would not amount to major structural works or complete reconstruction. I therefore consider the proposed development accords with criterion (c) of policy C27.

## Ecological issues

PPS9: Biodiversity and Geological Conservation (paragraph 1vi) states that "*The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests.*" Where a proposed development would adversely affect those interests suitable mitigation measures will need to be secured or, where significant harm cannot be prevented, adequately mitigated against or compensated for, then planning permission should be refused. Policy C10A of the BDLP states that the Council will seek to minimise the effects of development proposals on features of nature conservation importance in the District. Policy QE7 of the WMSS requires Local Planning Authorities to encourage the maintenance and enhancement of the Region's wider biodiversity resources giving priority to (among other criteria) the protection of statutory protected species.

Article 12 (1) of the EC Habitats Directive requires Member States to take requisite measures to establish a strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites or resting places. This directive is implemented by the Conservation (Natural Habitats, etc.) Regulations 1994. Administrative guidance on the application of law relating to planning and nature conservation is provided in Circular 06/2005. Paragraph 116 of the Circular states that under regulation 3(4) of the 1994 Regulations, a Local Planning Authority has a duty to have regard to the Habitats Directive when dealing with planning applications where a European protected species may be affected. Natural England has drawn attention to recent case law (R. (on the application of Simon Woolley) -v- Cheshire East Borough Council) which has clarified and placed emphasis on this duty. Paragraph 99 of the Circular states that "*It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making that decision.*"

During the consideration of the application, the applicant submitted an Initial Internal and External Bat Survey (dated March 2011) followed by a Bat Emergence Survey (dated May 2011). These surveys were undertaken according to Natural England and Bat Conservation Trust guidelines within the approved season for survey. It was evident from the initial Bat Survey that bats may currently utilise the buildings as roosts and that a full bat emergence survey would be required in order to determine if this was the case. Accordingly, a full Bat Emergence Survey was undertaken in early May 2011. The Bat Emergence Survey conclusively determined that there was not a bat roost present within the buildings. The low levels of activity also indicate that the site and surrounds are low quality foraging for bat species, and the strong neon floodlighting from the British waterway compound to the West of the site illuminates both the canal corridor and the Western aspect of the building, which is likely to deter bats.

In order to comply with PPS9 a certain level of mitigation / compensation will be required within the works. Whilst there is not a roost present, as compensation for loss of roost potential the Bat Emergence Survey recommends that mitigation as specified in the initial internal / external bat survey should be undertaken and that works should be timed to avoid the bird breeding season.

Having regard to the findings of the bat survey and following Natural England's standing advice, I consider it acceptable to secure the proposed mitigation proposals through

planning conditions. To compensate for the reduction in the availability of bat roosting sites, artificial roost sites in the form of 8 bat boxes would need to be installed on the western face of the boundary wall. Details and locations of the bat boxes would need to be submitted to and approved by the Local Planning Authority to ensure that these would provide for roost replacement for all species determined including the brown long-eared bats as well as the common pipistrelle. It would be inappropriate to attach bat boxes to the building due to its Grade 2 listed status.

Further to the survey, claims have been made by a 'third party' that bats are now utilising the building, via the County Council Ecologist. A request for further details has been requested by the applicant to the County Council Ecologist, however no details to substantiate this claim have yet been provided to the applicant or the Local Planning Authority. To this end, I consider the current situation is that further bat surveys are not justified or required. Should further information come to light which may then substantiate this claim, the position will be re-assessed by the Local Planning Authority as to whether a further survey is required. I will update Members at the meeting of the Committee on this issue. However, as the situation currently stands, the legal requirement for consideration of bats has been met by the existing surveys.

#### Parking and access issues

Policy C27 states that traffic generated by a conversion scheme must be able to be accommodated and parking facilities should exist or be provided without detriment to highway safety, the visual amenities of the Green Belt or the character of the local rural environment. The proposal has the provision for 8 car parking spaces which is ample in relation to the new use of the building for 4 houses. Since the warehouse has remained largely redundant for commercial use for almost 60 years, the proposed use for 2 dwellings would increase the parking needs of the site. However, I am satisfied that the parking area can be adequately supplied and would not harm the visual amenities of the Green Belt since, for the most part, the parking area would replace the existing front lean-to extension. No alterations are proposed to the existing access arrangements. Worcestershire Highways has raised no objection to the proposal.

#### Residential amenity

The front elevation of the warehouse and cottage look toward a wharf building which is located a minimum of 15.5 metres away. The wharf cottages located north-west of the building are a minimum distance of 58 metres away. For that reason, I do not consider that the proposal raises any privacy issues to these occupiers. The rear elevation of the warehouse and cottage are located a minimum of 11.5 metres from the site boundary where it adjoins the private garden area of 'Plymcot'. The rear elevation of the building to be converted is also over 24 metres from the windows on the rear elevation of 'Plymcot'. Therefore the proposal also accords with the minimum separation distance recommended in SPG1. It is noteworthy that the adjoining property, Plymcot, is located at a higher level than the application site. For this reason, a 7m high (approx.) boundary wall exists between the application site and the rear garden of Plymcot. Hence, the windows to be inserted in the rear elevation of the buildings will look towards the brick wall for the most part. Thus, I do not consider the proposal would give rise to any privacy issues.

I consider the private amenity spaces proposed for each of the dwellings to be adequate with a minimum garden length of 10.5 metres and minimum area of 90sqm.

### Services

Criterion (f) of policy C27 states that the provision of necessary services must not adversely affect the environmental character or visual amenities of the Green Belt. The building benefits from an existing connection to a nearby treatment plant for foul water and there is an existing arrangement for the discharge of storm water. Further information was received from the applicant via email on 03.06.2011 and via letter on 23.06.2011 in relation to drainage details. Subsequently, the Drainage Engineer has raised no objections.

### Trees and Landscaping

I have regard to the views of the Tree Officer in relation to the request for a landscaping scheme to include tree and hedge planting. However, I consider this request to be unreasonable on the basis that the application site does not consist of any trees or hedges. Thus, the proposal does not involve the removal of any trees / hedges. I am concerned that tree / hedge planting would obscure views of the Listed Building and cause it harm as a result of root damage. Furthermore, I consider the low timber fencing as proposed on the landscaping plan (Drawing No. HSE-039-005 Rev D) would be more in keeping with the open character of Tardebigge Wharf.

### Conclusion

The proposed development involves sympathetic alterations and an extension that would maintain the historic interest of the buildings, and enhance the character and appearance of the Conservation Area. Re-use of the building is considered acceptable in terms of impact on the Green Belt, and mitigation measures will be provided to compensate for the reduction in available bat roosting sites. There was found to be no need for major structural works and the provision of necessary services can be accommodated. I therefore find the proposed development to be acceptable in accordance with policies DS2, C27, C10A, S35A and S39 of the BDLP, policies D.16, CTC.20 and CTC.21 of the WCSP, PPS5, SPG4, PPS9 and Circular 06/2005.

**RECOMMENDATION:** that permission be **GRANTED**.

1. The development must be begun not later than the expiration of one year beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Drawing Number HSE-039-001 received 24.03.2011;  
Drawing Number HSE-039-003 Rev F received 25.05.2011;  
Drawing Number HSE-039-005 Rev D received 01.07.2011;  
Drawing Number HSE-039-006 Rev D received 19.04.2011;

Drawing Number HSE-039-008 Rev A received 17.05.2011;  
Drawing Number HSE-039-009 received 24.03.2011;  
Drawing Number HSE-039-011 received 19.05.2011;  
Drawing Number HSE-039-012 received 17.05.2011;  
Statement of Significance and Design & Access Statement received 24.03.2011;  
SJD Architects Structural Report dated 11.04.2011, received 13.04.2011;  
Russellford Associates Structural Report dated 25.04.2011, received 26.04.2011;  
Russellford Associates Design Calculations received 26.04.2011;  
Russellford Associates Gable frame and Ties Drawing Number 699001 received 17.05.2011;  
Bat Survey and Mitigation Strategy dated March 2011, received 06.04.2011;  
Bat Emergence Survey dated May 2011, received 10.05.2011;  
Email from applicant received 03.06.2011 and letter received 23.06.2011 (Drainage details).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to H shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the openness of the Green Belt in accordance with policies DS2 and C27 of the Bromsgrove District Local Plan January 2004 and policy D.39 of the Worcestershire County Structure Plan 2001.

4. Prior to occupation of the development hereby permitted, the implementation of the recommendations set out on page 12 in Section 5.0: Recommendations of the Bat Survey and Mitigation Strategy (March 2011) shall be undertaken and implemented without deviation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sufficient mitigation measures to address the presence of protected species on site in accordance with policy CTC.12 of the Worcestershire County Structure Plan and policy C10a of the Bromsgrove District Local Plan

5. Prior to occupation of the development hereby permitted, details and locations of 8 bat boxes to be placed on the western face of the boundary wall with Plymcot, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented without deviation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sufficient wildlife enhancement measures in accordance with policy CTC.12 of the Worcestershire County Structure Plan and policy C10a of the Bromsgrove District Local Plan

Notes:

**Third party works permission**

*"The applicant / developer is advised to ensure that any necessary consent is obtained and that the works comply with British Waterways' "Code of Practice for Works affecting British Waterways: (<http://www.britishwaterways.net/media/documents/CoPIntroductions1-4.pdf> ). For further advice, please contact our Works Engineer (Phil J White)."*

**Access**

*The applicant is advised that an agreement with British Waterways would be required for access relating to the BW depot and canal, for service crossings and for drainage/water connections.*

*The applicant is advised that permission would be required for any access to British Waterways land to accommodate the proposed demolition, excavation and construction works, i.e. scaffolding.*

**Encroachment**

*The applicant / developer is advised that an agreement would be required for the erection of balconies, foundations, etc. on British Waterways property.*

**Right of Support**

*British Waterways offer no right of support to the adjacent property. The land owner should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure at this location.*

The applicant should contact British Waterways with regard to measures to prevent the ingress of construction materials into the waterway during the course of construction to prevent pollution of the waterway.

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

WMSS	QE1, QE5, QE6
WCSP	SD.2, CTC.1, CTC.19, CTC.20, CTC.21, D.38, D.39
BDLP	DS2, DS13, C27, C10A, S35A, S36, S39, TR11, ES5, C1, C4, TARD1
DCS2	CP3, CP16, CP17, CP20
Others	PPS1, PPG2, PPS5, PPS7, PPS9, Circular 06/2005, SPG1, SPG4

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.