

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
ST. MODWEN DEVELOPMENTS LIMITED AND ST. MODWEN PROPERTIES III SARL 'B'	Re-profiling and re-modelling of site levels, de-culverting of part of the River Arrow and associated infrastructure including construction access As augmented by: Geo-Environmental Additional Information received 30.11.2011 Longbridge East and Part River Arrow, Groveley Lane, Cofton Hackett	EMP LB SETT	11/0882-DMB 24.01.2011

RECOMMENDATION: that permission be **GRANTED**.

Consultations

WH	Consulted - views received 13.12.2011: <ul style="list-style-type: none"> ▪ No objection subject to Conditions relation to: ▪ Access, turning and parking ▪ Wheel washing ▪ Parking for site operatives
HA	Consulted - views received 10.11.2011: <ul style="list-style-type: none"> ▪ No objection
ENG	Consulted 28.10.2011: views awaited.
STW	Consulted - views received 07.11.2011: <ul style="list-style-type: none"> ▪ No objection
CO	Consulted - views received 20.12.2011: <ul style="list-style-type: none"> ▪ No objection
EH	Consulted - views received 11.11.2011: <ul style="list-style-type: none"> ▪ No objection
WRS Contaminated Land	Consulted - views received 19.12.2011: <ul style="list-style-type: none"> ▪ No objection subject to Conditions relating to: ▪ Contamination remediation measures
WRS Air Quality	Consulted 28.10.2011: views awaited.
EA	Consulted - views received 20.12.2011: <ul style="list-style-type: none"> ▪ No contamination subject to Conditions relating to: ▪ Contaminated land remediation
NE	Consulted - views received 04.11.2011: <ul style="list-style-type: none"> ▪ No objection
WWT	Consulted 28.10.2011: views awaited.
Network Rail	Consulted - views received 09.11.2011: <ul style="list-style-type: none"> ▪ No objection
BW	Consulted 28.10.2011: views awaited.
Rights of Way	Consulted - views received 09.11.2011: <ul style="list-style-type: none"> ▪ No objection

Ramblers Association	Consulted 28.10.2011: views awaited.
Birmingham CC	Consulted 28.10.2011: views awaited.
Cofton Hackett PC	Consulted - views received 30.11.2011: <ul style="list-style-type: none">▪ No objection
Publicity	38 letters sent 28.10.2011 (expired 18.11.2011) 3 site notices displayed 17.11.2011 (expired 08.12.2011) 1 press notice published 04.11.2011 (expired 25.11.2011) 1 response received: Barnt Green Sailing Club - views received 25.11.2011: <ul style="list-style-type: none">▪ Support scheme▪ This will help with storm water drainage flow across the site and into the River Arrow▪ We are strongly in favour of anything which ensures that as much water as possible feeds into the River Arrow and on into our reservoir at Upper Bittell▪ Some doubts regarding the opening up of the River Arrow regarding rubbish debris and pollution which could affect the reservoir into which the river flows

The site and its surroundings

The application site comprises an area of some 24.99 hectares and forms part of the former car plant. Historically, the application site comprised a number of large industrial buildings. These have now been demolished to enable redevelopment to commence and the site comprises the remains of the hardstanding, building foundations, internal roads and car parking areas. The former industrial site shapes the majority of the application site as a rectangular plot.

The application site abuts the Green Belt and Cofton Park to the south and north-west, and is crossed by the partially culverted River Arrow. In the western section of the application site there is a pond, fed by Cofton Reservoir situated immediately outside the application site boundary to the west. The River Arrow runs across the main part of the site in culvert in a west to east direction. The area surrounding the pond is predominantly woodland, with agricultural land to the south. To the east of the woodland is a former car park.

The central and main part of the site has been cleared of former industrial buildings. It is predominantly flat, with vegetated embankments around the south and west of the application site approximately 8 metres above the main application site. To the north-west the embankment rises approximately 9 metres up to residential properties that border the application site boundary. The north of the application site borders Groveley Lane, where the main access onto the application is located (via retained gatehouse).

To the east of the application site the River Arrow flows out of culvert, under the Lichfield to Redditch cross city railway, with part of the flow passing through filter beds. Further to the west the application site is made of predominantly wet woodland. Residential properties dominate the land use in areas to the west and north east, the Lichfield to

Redditch Cross City land runs parallel to the main eastern application site boundary, whilst industrial uses lie adjacent to the north across the B4096 Groveley Lane. Beyond the railway line to the east of the application site, a number of existing employment units form part of the Cofton Centre.

The site is located in an employment zone.

Proposal

The application relates to a full application for site level reprofiling and remodelling works, deculverting of part of the River Arrow and associated infrastructure, including construction access from Groveley Lane.

The proposals aim to restore the more natural levels of the site's slope which historically was cut out of the hill side to accommodate the large level footprint of the former factory buildings. This would allow for an improved environment for the future residential development of the site, removing the site's steep boundary embankments that may otherwise be difficult to maintain, manage and secure in any later development.

The proposals also include the deculverting of part of the River Arrow through the site, creating a new open watercourse through the central part of the site. New culverts are proposed to replace existing culverts, connecting the proposed open watercourse to its source further west, near Cofton Reservoir.

Taken together, the reprofiling and remodelling works, along with the works to the River Arrow, will prepare the site for its future residential development, creating site levels and a profile which will be suitable to build on. The two existing areas of Green Belt at the southern and western areas of the application site will not be affected by the reprofiling and proposed site levels.

Differences to the 2009 Consent Approved Under B/2008/0333

For the reference of Members, in principle the proposals remain consistent with the 2009 permission in terms of the general approach to remediate the site and provide for the opening up of part of the River Arrow and new site levels which will facilitate the future development of the site.

The current application proposals, however, now incorporate a more extensive level of re-profiling, fully re-instating the original hill side and natural site levels across the site whereas the previous permission only provided for a more modest site re-profiling and still resulted in steep embanked sides to the site.

The consequence of this is that more material needs to be brought to site from other parts of the Longbridge regeneration area, with consequential increases in HGV traffic, albeit on a temporary construction basis. The resultant development arising from the current proposal will result in a more coherent base for future development by eliminating the need for steep embankments around the perimeter of the site. The scheme also includes a new access onto Groveley Lane which will assist in construction access. Focusing on the current application in further detail:

Reprofiling and Remediation Works

Alternative proposals for site reprofiling and remodelling and deculverting part of the River Arrow were granted planning permission in 2009 (reference B/2008/0333) (albeit to a lesser extent). However the revised proposals submitted under the current application now co-ordinate with and facilitate the required site profile to deliver the latest scheme for the residential redevelopment of the site which has been submitted under separate applications (site wide outline application 11/0748 and the full planning application relating to Phase 1 only under reference 11/0750). For the reference of Members both these applications are currently being considered. For clarity, the proposals submitted under this application replace those approved in 2009 under application B/2008/0333.

The proposed reprofiling will require a cut and fill programme to re-instate the site slope. Suitable materials on site will be re-used in the cut and fill operation to establish the new slope. These materials include crushed brick, crushed concrete, metal and glass. The best opportunity for this is from the use of crushed brick and concrete as fill material and capping layers in roads and hard standings. Contaminated materials will also be assessed to determine whether they are suitable for re-use following appropriate remediation to remedial targets. Following appropriate remediation techniques, such material will be used as fill but where contaminated materials are not suitable for re-use they will be removed off site and disposed of to an appropriately licensed facility.

In addition to achieve the full extent of the naturalised slope of the site, up to 60,000m³ of suitable material will need to be imported from the wider Longbridge regeneration sites.

The main area is predominantly flat, partly in cutting to the surrounding topography, with an existing level of 170 AOD. Existing levels surrounding the main plateau fall to 166 AOD to facilitate the railway underpass. Proposed levels will vary across the site, the levels range from the tie in to existing levels along the eastern boundary adjacent to the railway line (ranging along the eastern boundary from 163.913m AOD to 169.755 in the north and 166.45 to 166.197m AOD to the south) to the raised site levels along the western boundary which tie into the embankment (ranging along the western boundary from 177.208 to 177.747 to the north and 177.494 to 178.224m AOD along to the south).

Levels will vary along the western boundary by up to 5 metres adjacent to the Parsonage Drive back gardens (existing base of embankment is 169.836m AOD, the proposed levels will raise to 174.533m AOD, which then ties in to the existing 176.634 level at the top of embankment), and up to 11 metres along the south western boundary (from existing base of embankment 170.725 to 181.00m AOD) adjacent to the agricultural land to the west. The range in levels from the raised ground along the west to the existing levels along the east will form a graded plateau across the site which will set development platform levels.

Localised soil and groundwater contamination issues have been identified at the site and have been the subject of ongoing remediation works. These works are continuing on site in accordance with Geo-Environmental and Remediation Strategies which have been the subject of discussions with the Environment Agency and Regulatory Services. Ground investigation at the site has identified a number of localised contaminants present (within the soils, surface water and groundwater) which are considered to have the potential to constrain the development unless remediated. Contaminants such as hydrocarbons and PAHs (Poly-Aromatic Hydrocarbons) would appear to relate to the historical use of the

site, for example in areas of underground and above ground storage and holding tanks. Localised hot spots of arsenic and copper are distributed randomly throughout the site.

The overall philosophy for remediation of the site is severance of Source-Pathway-Receptor linkages, primarily by means of the removal of significant sources of contamination from the sub-surface. This will be based on an over-dig strategy for selected parts of the application site as part of the cut and fill earthworks and free phase removal with localised shallow groundwater treatment where required.

Access

A new access is proposed to the site from Groveley Lane. This will be used in conjunction with the existing access leading off Groveley Lane for construction purposes. There will be no construction traffic accessing the site from any location other than Groveley Lane. There will be no HGVs accessing the site via Parsonage Drive.

The reprofiling and remodelling works themselves will largely be self contained on site. However, as detailed above in order to reinstate the full quantum of material to achieve the full naturalised slope, material is required to be transported from Longbridge West and Longbridge South to the application site. No material will be brought in from other external sources. The movement of this material will be undertaken by Heavy Goods Vehicles (HGV) with an estimated capacity of 8m³ per vehicle amounting to 22 HGV movements per day (44 return journeys) over the 360 working-day period (72 weeks). This period, however, is likely to overlap with the construction phases of other proposed residential development on the site.

To limit the impact of HGV movements on peak period traffic, the Construction Traffic Management Plan will restrict delivery of these materials outside of peak periods and therefore between 09:00 and 17:00. A Route Plan has been produced as part of the Construction Traffic Management Plan outlining the required delivery route for HGVs. It includes A38 Bristol Road South, Lickey Road and Lowhill Lane.

River Arrow Enhancement Works

The proposed include the formation of the new River Arrow open channel and the new outfall and associated culverts. The existing overflow from the pond, which sources the River Arrow and feeds the existing culvert which flows beneath the application site, will be replaced with a new outfall. The new outfall from the pond will be constructed in a location that allows better access for maintenance and facilitates a more suitable route for the new open channel across the application site. The outfall will feed a new 900mm diameter conduit, which will be laid at a shallower depth through what is currently the upper car park (immediately to the east of the woodland) (the existing culvert is approximately 8-10 metres deep).

The de-culverting of the River Arrow will restore it to a more natural open watercourse. A new headwall will be constructed where the river exits the 900mm diameter conduit and moves into an open channel. This new river alignment has been sized to convey all flows from the upstream catchment, including allowance for the Cofton Reservoir spillway during a 1 in 1000 year event.

The new open watercourse is proposed to meander through the site, discharging to the existing culvert under the railway line via a reprofiled riverbed. To the east of the railway line, flows will continue downstream towards the Bittell Reservoirs and the River Avon catchment.

The application has been accompanied by the following documents:

- Environmental Information Report containing the following aspects:
- Biodiversity
- Noise and vibration
- Air quality
- Traffic
- Archaeology
- Materials management and reuse

In addition to the above, the report also includes in its appendices and cross references to other supporting information including:

- **Geo-environmental information and Site Remediation Strategy**

Remediation of the site has been in progress for a number of years, addressing historic contamination and readying the site for its future residential redevelopment. The remediation of the site has been progressing in line with discussions and agreement with the Environment Agency and the District Council's Environmental Health Department and will continue as part of these reprofiling and site remodelling works.

- **Flood Risk Assessment and Drainage Strategy**

Co-ordinating with site wide and phase one proposals for the redevelopment of the site, the Flood Risk Assessment and Drainage Strategy demonstrate how the proposals appropriate manage water resources.

- **Construction Environmental Management Plan**

The development is to progress in accordance with a Construction Environmental Management Plan (CEMP) and this is included in the application. The CEMP will ensure that site works are progressed sympathetically and to agreed good practice to ensure that the potential, adverse impacts of the construction period, albeit being temporary, are minimised as much as possible.

The CEMP gives consideration to the following matters, amongst others, and sets out appropriate mitigations in relation to:

- Hours of construction and site working activities
- Means of access to the site
- Arrangements for construction works
- Noise and dust mitigation measures
- Protection measures for ecological interests and trees
- Routing plans and timing arrangements for construction and site fill materials

Members are encouraged to review all submitted documentation. All submitted information is available to view in full online via the Council's Public Access system or within the planning application file.

Relevant policies

WMSS	QE1, QE2, QE3, QE6, QE7, QE9, PA1, PA5
WCSP	SD.2, CTC.1, CTC.8, CTC.9, CTC.10, CTC.12, CTC.14, CTC.17, CTC.18, CTC.19, CTC.20, T.1
BDLP	C4, C10a, C17, DS13, E1, E2, E3, E4, E5, E9, ES1, ES2, ES4, ES5, ES6, ES7, ES8, ES14, ES16, S39, TR1, TR11, TR12
Others	PPS1, PPG2, PPS4, PPS5, PPS9, PPG14, PPS23, PPG24, PPS25, Circular 06/05, Longbridge Area Action Plan

Recent relevant planning history

11/0750	Erection of 229 residential dwellings comprising 110 x 4 bed units, 82 x 3 bed units and 37 x 2 bed units. Neighbourhood park, children's play area, associated landscaping and access works (full): pending
11/0748	Mixed use development comprising residential (C3) and/or residential institution (C2), community use building (D1), public open space, de-culverting of part River Arrow, demolition of existing buildings and site re-profiling, access, parking, landscaping and associated development infrastructure (outline): pending
B/2008/0529	Mixed use development comprising residential (C3) including houses and apartments, residential institutions (C2) including sheltered elderly care, retail (A1, A2, A3, and A5) and non residential institutions (D1) including library and community centre with a neighbourhood centre, parking service and highway infrastructure open space including new public park, enhancement works to river arrow, recreation facilities, public transport routes, footpaths, cycleways, landscaping, service infrastructure, highway access and infrastructure, drainage flood storage areas, public art and street furniture (outline): pending
B/2008/0333	Site Re-modelling, Re-profiling and alterations to River Arrow and culverts: approved 18.03.2009

Notes

I consider the main issues relating to this application are:

- need for the development
- highway impact and highway safety
- visual impact
- noise and dust generation
- ecological impact (with particular regard to the River Arrow)
- groundwater protection
- impact on residential amenity

Re-Profiling and Remediation Works

Policy ES16 of the Bromsgrove District Local Plan refers to development proposals involving the reforming of land. This policy states that such proposals would be considered against the relative benefits and dis-benefits 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 majority of the scheme involves the re-profiling of the existing land levels with a cut and fill exercise. The works form part of the re-development of the site and relate directly to the pending site-wide outline application (11/0748) and pending full planning application for Phase 1 (11/0750). As such I am of the view that the objective of re-profiling the site is considered to be acceptable in principle (Members will be mindful of the approval in 2009 for the previous application submitted under application reference B/2008/0333) and I am satisfied that the volume of fill is necessary to achieve the required levels. The de-contamination of the site is in line with the content of the AAP.

The alignment of the culvert running through the site arises from the aim for it to follow the roads within the new housing development proposed for the site (enabling it to be accessible for maintenance as it cannot go under any building. I raise no concern over this approach.

Members will note the Environment Agency and the Contaminated Land Officer have raised no objection on contaminated land and culvert alignment issues, subject to the imposition of suitable Conditions.

Concerning the potential impact on amenity, I note the site is bounded by residential dwellings to the western boundary (Parsonage Drive/Oakfield Drive/The Grove), with the rear garden curtilages of these properties backing onto the application site. It is inevitable that works to remediate and re-grade the site will create disturbance to the occupiers of these dwellings and is likely to cause some harm to local amenity in the short term. I am of the view, however, that the Construction Environmental Plan (CEMP) accompanying the application can be suitably conditioned to ensure the applicant complies with the mitigation measures set out in this document. Such measures relate to controlling factors such as working hours and dust generation.

Members will note the eastern, southern and western boundary of the site forms 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. Given the previous use of the site, the employment status of this site and the relative small change in contouring, I am of the view that the scheme would have limited harm to views out of the Green Belt in this location.

WH has raised no objection to the scheme, subject to suitable Conditions relating to access arrangements and wheel washing to serve the site. I would therefore suggest the proposal complies with policy ES16 of the BDLP.

Ecological Issues

In relation to ecological issues, the previous scheme was accompanied by an extended Phase 1 survey was conducted on the site at an early stage in 2005 which was subsequently updated in 2007. An updated Ecological Appraisal has been submitted with the current application. There is one statutory conservation sites within the zone of influence with the potential to be affected by the proposed development, namely Bittell Reservoirs SSSI which is of national ecological importance. There are four non-statutory sites within the potential zone of influence of the proposed development. The previous ecological field surveys in relation to the 2008 application recorded the following main habitat types within the application site: harstanding and buildings, woodland and scrub, individual trees and hedgerows, semi-improved grassland, open water and swamp. Updated specific species surveys have been undertaken for bats, badgers, great crested newts and reptiles. Surveys found a low level of use of the former car plant site as foraging habitat for the Common and Soprano Pipistrelle and Noctule bat. Badgers have been identified as active within the application site. The applicant has submitted a license application to Natural England in relation to the Badger sett. Great Crested Newts and reptiles are not a constraint to the proposed re-profiling.

Section 5 of the submitted Longbridge East: Site Re-Profiling and remodellings: Supporting Environmental Information (September 2011) document details proposed mitigation measures to ensure the development meets the requirement of PPS9 to maintain, enhance, restore or add to biodiversity interests. Re-profiling will be controlled by means of a CEMP, which will prevent damage to valuable habitats and harm and disturbance to protected species. Where protected species impacts have been identified mitigation will include method statements to be developed within Natural England licence applications, where required, and the implementation of mitigation to minimise potential impacts. Planting of species along the western boundary of the site will be undertaken in line with this application to allow early establishment of species in line with the landscape strategy for the future site end uses.

Subject to a suitable Condition to ensure such mitigation measures are complied with, I consider the scheme to be acceptable in this respect.

Heritage Asset Issues

There are not listed buildings or Conservation Areas within the application site boundaries. There are no Conservation Areas adjacent the site. The following five listed structures are located to the south of the application site:

St Michael's Church, Cofton Church Lane (Grade II*)
Medieval cross in the churchyard of St Michael's Church (Grade II)
Chest tomb in the churchyard of St Michael's Church (Grade II)
Cofton Barns, Cofton Church Lane (Grade II)
Cofton Hall, Cofton Church Lane (Grade II*)

It is considered that the development will not have any significant impact on the listed buildings. The site is located approximately 150 metres from the nearest listed building, St Michael's Church. The proposed change in levels to the southern section of the

application site is not significant and landscape screening is proposed to be retained fronting Cofton Church Lane.

Conclusions

The proposal will enable this previously developed site to be put to a beneficial use and forms part of the wider strategic redevelopment of the former Longbridge sites. Having regard to the provisions in the development plan, so far as, material to the application and to all other material considerations, I consider that the proposal is acceptable and therefore recommend that permission is granted.

RECOMMENDATION: that permission be **GRANTED**

1. C99 (3 years)
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

- Existing Site Contours - PJF066-P006-002
- Proposed Contours Sheet 1 of 2 - PJF066-P006-004 rev A
- Proposed Contours Sheet 2 of 2 - PJF066-P006-005 rev B
- Section Location Plan - PJF066-P006-006
- Site Cross Sections Sheet 1 of 2 - PJF066-P006-007 rev A
- Site Cross Sections Sheet 2 of 2 - PJF066-P006-008 rev A
- Proposed Culvert Details - PJF066-P006-009
- River Arrow Long Section - PJF066-P006-010
- River Arrow Cross Sections 1 of 6 - PJF066-P006-011
- River Arrow Cross Sections 2 of 6 - PJF066-P006-012
- River Arrow Cross Sections 3 of 6 - PJF066-P006-013
- River Arrow Cross Sections 4 of 6 - PJF066-P006-014
- River Arrow Cross Sections 5 of 6 - PJF066-P006-015
- River Arrow Cross Sections 6 of 6 - PJF066-P006-016
- Culvert Outfall into open River Arrow channel - PJF066-P006-017
- Site cross sections North/South 1 of 2 - PJF066-P006-018 rev A
- Site cross sections North/South 2 of 2 - PJF066-P006-019 rev A
- Retaining Structure sections and illustrative planting - PJF066-P006-020
- Weir Detail Pond into culvert source - PJF066-P006-021
- Longbridge East Proposed construction site access - PJF066-P006-024

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

3. The approved remediation scheme must be carried out in accordance with the document Longbridge Redevelopment Remediation Strategy (July 2008) and the document St Modwen Developments Limited Remediation Strategy and Outline Method Statement, Longbridge East Phase I Remedial Works (October 2011) prior to the commencement of development, other than that required to carry out remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ES7 of the Bromsgrove District Local Plan.

4. Following the completion of the measures identified in the approved remediation scheme set out in the document Longbridge Redevelopment Remediation Strategy (July 2008) and the document St Modwen Developments Limited Remediation Strategy and Outline Method Statement, Longbridge East Phase I Remedial Works (October 2011), a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ES7 of the Bromsgrove District Local Plan.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ES7 of the Bromsgrove District Local Plan.

6. The development hereby approved shall be implemented in accordance with the approved Construction Environmental Plan (CEMP) without deviation.

Reason: To safeguard nearby residences from undue noise and disturbance in accordance with policy DS13 of the Bromsgrove District Local Plan and Policy SD.2 of the Worcestershire County Structure Plan and 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.

7. Notwithstanding Condition 7 and the content of the Construction Environmental Management Plan (CEMP), the hours of operation for the re-profiling works and remediation works hereby permitted shall be 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturdays. No operations are to take place

whatsoever on Sundays or Bank Holidays. No vehicles whatsoever shall arrive at the site and no operations pertaining to the works hereby permitted shall be carried out on the site outside of these hours.

Reason: To safeguard nearby residences from undue noise and disturbance in accordance with policy DS13 of the Bromsgrove District Local Plan and policy SD.2 of the Worcestershire County Structure Plan

8. Notwithstanding the mitigation measure for dust control detailed in Section 6 of the document Longbridge East: Site Re-Profiling and remodellings: Supporting Environmental Information (September 2011), dust control measures shall be achieved through compliance with the content of the *London Best Practice Guidance: The control of dust and emissions from construction and demolition* (November 2006). These measures shall be fully implemented prior to the development commencing and for the duration of the works hereby approved.
Reason: To safeguard nearby residences from undue dust generation in accordance with policy DS13 of the Bromsgrove District Local Plan and policy SD.2 of the Worcestershire County Structure Plan
9. Noise mitigation measures shall be achieved through implementation of the recommendations in Section 5 of the document Longbridge East: Site Re-Profiling and remodellings: Supporting Environmental Information (September 2011).
Reason: To safeguard nearby residences from undue noise in accordance with policy DS13 of the Bromsgrove District Local Plan and policy SD.2 of the Worcestershire County Structure Plan.
10. 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.
Reason: 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.
11. Mitigation measures for biodiversity shall be carried out without deviation in accordance with Section 5 of the document Longbridge East: Site Re-Profiling and remodellings: Supporting Environmental Information (September 2011).
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
12. No development shall take place until the applicant has secured and implemented a programme of archaeological work in accordance with the Written Scheme of Investigation (WSI) produced in June 2011. The WSI shall be submitted to and approved by the Local Planning Authority.
Reason: To protect features of archaeological interest in accordance with policy C38 of the Bromsgrove District Local Plan and policies CTC.17 and CTC.18 of the Worcestershire County Structure Plan

13. All vehicular access to the site and operations hereby permitted in relation to the remediation and re-profiling of the site shall be gained via the existing access or proposed access off Groveley Lane.
Reason: 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.
14. HC25 (modified): The access hereby permitted shall not be brought into use until it has been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority.
Reason: 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.
15. HC44 (wheel washing)
Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety
16. HC51 (parking for site operatives)
Reason: To prevent indiscriminate parking in the interests of highway safety

Notes

No work on the proposed site access should be commenced until its engineering details have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

The applicant is advised to apply for a temporary access under Section 184. The Highways Act 1980 to allow a sacrificial construction to be used so that the site re-engineering works can commence and the permanent access be installed under either the full or outline application and will still provide the access as per this application.

Details of the River Arrow cascade, cascade to tie into the existing railway culvert, the future footway access and the future bridge edge restraint/railing and concrete headwall finish shall be submitted to the Local Planning Authority as part of the future landscape strategy.

The applicant is advised to contact the Environment Agency to obtain the necessary Waste Management Licence or a formally registered exemption.

Under the terms of the Land Drainage Act 1991, the prior written consent of the Environment Agency will be required for any proposed works or structures (that is, culverting, diversion, etc.) that will affect the flow of water in the River Arrow (designated an ordinary watercourse in this location).

As part of the consent applications some further detail on the watercourse works will be required and the following points on the submitted drawings will need to be addressed:

- (1) Where the new open watercourse is culverted under the access road there will need to be a properly constructed lead in for the river bed so that it is level with the soffit of the pipe, to prevent scour.
- (2) The applicant has included details of the new overflow structure from the pond at the extreme west of the site. The larger the entry screen to this structure is, the less often it will need to be raked clear. Also, the drawings show a change in direction in the screen where a reinforcing bar crosses the frame. This will prevent easy raking of the screen. The applicant may be better off using a single face with no intervening bars.
- (3) The EA will need to see details of how the new watercourse will tie into the existing culvert under the railway.
- (4) A planted slope is proposed as a buffer between the back gardens of the houses on Parsonage Drive and the new development. The EA suggests a French toe-drain at the toe of that slope to convey rainwater away and prevent soggy ground at the bottom of the slope.
- (5) Some detail is shown of the new access opposite Cofton Park. The EA are aware that there have been some flooding problems at the east corner of the park which have been predicted by the EA areas susceptible to surface water mapping. The EA are aware that this water drains into a culverted watercourse under the north of the development. The design should ensure that overland flows can get into this pipe easily without flooding Groveley Lane and the new development.

The applicant should contact Dave Hughes in the Development and Flood Risk Team on (01543) 404899 to discuss the consenting requirements in more detail and to apply for consent.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore its handling, transport, treatment and disposal 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 granting of planning consent does not supersede the applicant's responsibilities for biodiversity under the Wildlife and Countryside Act 1981 (as amended), the Countryside

and Rights of Way Act 2000, the Natural Environment and Rural Communities Act 2006 and the Badgers Act 1992.

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.

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover an additional cost of road maintenance due to damage by extraordinary traffic. Prior to the commencement of works the applicant and representatives of Worcestershire County Council, as the Highway Authority shall carry out a joint road survey/inspection on the roads leading to the site. Any highlighted defects shall be rectified to the satisfaction and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of the development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

The applicant/developer is advised to contact Mr Des Harris, Third Party Works Engineer on 01827 252038 in order to ensure that any necessary consents are obtained and that the works comply with British Waterways Code of Practice for Works affecting British Waterways.

Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways should not be constructed within 10 metres of Network Rail's boundary.

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the applicant should contact Keith Buckland at Network Rail on opewestern@networkrail.co.uk before works begin.

The applicant should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges. The applicant is to reimburse Network Rail the cost of any remedial works to damage or deterioration of the tunnel structures caused by any development and in this respect Network Rail reserves the right to carry out any necessary emergency work on the site at the applicant's expense should this become necessary.

No piling over the tunnel. Border piles as part of an independently supported structure clear from the tunnel may be acceptable, but the piles must not be closer than 5m from the outside face of the tunnel structure and have full bearing below invert levels, unless with the prior approval of Network Rail's Engineer.

All excavations/earthworks carried out in the vicinity of Network Rail property/structures must be designed and executed such that no interference with the integrity of that property/structure can occur.

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.8, CTC.9, CTC.10, CTC.12, CTC.14, CTC.17, CTC.18, CTC.19, CTC.20, T.1
BDLP	C4, C10a, C17, DS13, E1, E2, E3, E4, E5, E9, ES1, ES2, ES4, ES5, ES6, ES7, ES8, ES14, ES16, S39, TR1, TR11, TR12
Others	PPS1, PPG2, PPS4, PPS5, PPS9, PPG14, PPS23, PPG24, PPS25, Circular 06/05, Longbridge Area Action Plan

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.