

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"	Mixed use development comprising residential (C3) and/or residential institution (C2), GB community use building (D1), public open space, de-culverting of part River Arrow, site re-profiling, access, parking, landscaping and associated development infrastructure (outline)	EMP	11/0748 30.11.11

As augmented by:

Delivery and Viability Report received 09.09.11
Re-Profiling Tree Protection Plan received 23.02.12

Land at Former Longbridge East Works,
Groveley Lane, Cofton Hackett

RECOMMENDATION:

(a) MINDED to APPROVE OUTLINE PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:

- (i) The securing of 36 affordable housing units (with a tenure mix of 50% affordable rent and 50% shared ownership) with 18 to be built completed by the occupation of the 100th open market dwelling and the remainder by the occupation of the 193rd market dwelling
- (ii) A LIT contribution of £500,000 to improve education facilities at Lickey Hills Primary School to be made prior to the occupation of the 100th dwelling – with such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education.
- (iii) Construct and complete the new public park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.
- (iv) Viability reviews to be submitted at an agreed trigger point of either (a) upon the submission of each future Reserved Matters application or (b) the prior occupation of an agreed number of dwellings, with the viability review updating the current Delivery and Viability Report submitted with the current application.
- (v) Up to 35% affordable housing with the tenure split to be determined, subject to the future viability of the development
- (vi) Up to £16,500 per dwelling to the Longbridge Infrastructure Tariff (LIT), subject to the future viability of the development
- (vii) A new Community Centre building of up to 450 square metres to form part of the northern Phase 2 of development

- (viii) The District Council's fees and costs of the current, initial and subsequent viability reviews (index linked to RPI, plus expenses and VAT) to be borne by the applicant.

Consultations

WH	Consulted – views received 01.05.12: No objection subject to Conditions relating to: <ul style="list-style-type: none">• Access closure• Highway improvements/off-site works• Wheel washing facilities• Parking for site operatives• Travel plan
HA	Consulted – views received 21.12.11: <ul style="list-style-type: none">• No objection subject to Conditions relating to:• Trip generation schedule• Implementation in accordance with the Trip Generation Schedule• System for vehicular trip monitoring to be agreed• Implementation of the vehicular trip monitoring system• Implementation not to exceed trip generation schedule
Centro	Consulted – views received 20.10.11: <ul style="list-style-type: none">• No objection
Drainage Engineer	Consulted – views received 28.09.11: <ul style="list-style-type: none">• No objection
EA	Consulted – views received 14.11.11 and 19.12.11: <ul style="list-style-type: none">• No objection subject to Conditions relating to:• Verification report for pollution• Contamination identification measures• Surface water drainage scheme• Surface water drainage infiltration prevention measures• Piling restriction measures
STW	Consulted - Views received 08.09.11: <ul style="list-style-type: none">• No objection subject to conditions relating to:• Surface water drainage• Foul drainage
WRS: Contaminated Land	Consulted – views received 31.01.11 and 22.03.12: <ul style="list-style-type: none">• No objection subject to Conditions relating to:• Contaminant detailed remediation scheme• Ground gas monitoring• Information relating to appropriate water supply pipes• Validation of the above measures
WRS: Air Quality	Consulted – views received 31.01.11: <ul style="list-style-type: none">• No objection• In general agreement with the assessment made and conclusions drawn in relation to the submitted Environmental Statement
WRS: Noise	Consulted 30.08.11: views awaited
Climate Change	Consulted 30.08.11: views awaited

Officer

Urban Designer

Consulted - views received 06.10.11:

- Generally, I consider this to be a good submission. All the urban design criteria have been considered, and sound decisions have been made based upon them. If this standard is pursued consistently thought the reserved matters submissions, this could become a very good development.

Structure, Layout and Land Use

- The proposal is for a very straightforward loose grid of perimeter blocks. There is a sound hierarchy of streets, which avoids as far as is possible cul-de-sac, and which positions fronts and backs in the right places. I do have a concern that the development, however well planned, is, because of its shape and its limited accessibility, effectively one large residential cul-de-sac for 700 households. It will be necessary for everyone to leave the site through its single main entrance in order to access any resources, other than the proposed community centre. The accessibility cannot be improved, but I do wonder whether there ought not to be more local resources located within the development, in order to make it less of an isolated peninsula, and to give the community outside a reason to go there.
- For the same reasons, a pedestrian and cycle connection to Cofton Church Lane, which the Statement proposes *will be considered*, is surely essential. Motor vehicle access is clearly difficult and undesirable, and the topography is also difficult, but a connection is necessary.
- A 2m high noise barrier to the railway line is proposed. It will run along the end of back gardens, which is the least problematic location, but it would be useful to know what form it is intended to have. With imagination, it could become an interesting and useful element

Topography

- This is an area about which I am uncertain. The Statement describes the site as predominantly flat, and this is certainly the impression gained from viewing. Presumably this is the consequence of site engineering for the large Austin works which were located there, which has left steep banks around part of the perimeter, where land has been scraped flat. The Statement, in section 4.2, proposes *re-profiling the site's landform to reduce the difference in height across the site, and re-instate the rolling landscape of hills and valleys following the watercourse. It will provide a more permeable layout.*
- The site sections indicate the proposed addition of huge amounts of fill – up to what looks like about 8m deep. There appears to be no information given as to the sustainability of importing this huge amount of material to the site (although one of the four sections also includes a relatively small amount of cut). Building houses on several metres of fill will also considerably increase the cost of foundations. Whether or not the result will amount to a *rolling landscape* is impossible to tell.

There is a contour plan of the site in section 2.7. The contours are labelled *proposed*, but I cannot tell what their intervals are. There is no drawing which relates the proposed layout to the proposed topography. I think the benefits and costs of modifying the topography require some further explanation. How the re-grading affects permeability I cannot understand.

Density

- The Statement describes the proposed development as up to 725 dwellings on 22.33 hectares, at an average density of 40 dwellings per hectare. I do not know what method of calculation the consultants are using, as I make this a maximum average density of 32dph. There appears to be some confusion, as the three character areas into which the development is divided are stated in section 4.6 to have densities of *up to 80dph, up to 45dph, and up to 40dph*. These cannot produce an average of 40dph.
- Setting this confusion aside, an overall density of 32dph is perhaps acceptable. The creation of a spectrum of density, highest in the north adjacent to the site entrance, and lowest to the south, is sensible and appropriate. However, I consider that the division into the three zones, of high, medium and low density, is done rather too rigidly. It would be better if the zones blurred into one another less obviously. This would create greater continuity within the development, and would perhaps reduce the social distinctions which might be generated by a rigid segregation.

Character

- My comments on proposed character are similar to those on density. The relationship of architectural character to density in the three subdivisions is well considered, and the decisions taken are appropriate, and well documented. But it does not seem appropriate to have abrupt boundaries between the three; better and more interesting to have zones of transition, for the same reasons as in the previous paragraph.

Sustainability

- The appendix contains a number of good intentions, but there is no drawn material which gives much idea how these intentions might be translated into form. The presence of the River Arrow in the centre of the site seems to offer an outstanding opportunity for a system of sustainable drainage, but although the Statement contains some attractive and suggestive perspective drawings, this opportunity appears not to be mentioned. Passive solar energy gain is mentioned in the appendix, but there is no reference to how this might coexist with regular perimeter blocks. Perimeter blocks are the orthodox planning form, but by having houses face in all directions, they make the maximisation of passive gain difficult. I consider that a strategic approach to sustainable design needs

Affordable Housing

- Unless I have missed it, there appears to be no statement about

the provision of affordable housing. Especially with a development of this large size, the disposition of the proportion of affordable dwellings is an important matter, and needs specifying.

Strategic
Planning
Manager

Consulted - views received 14.05.12:

Conformity with Longbridge AAP

- The Longbridge AAP was adopted by Bromsgrove District Council and Birmingham City Council in April 2009 following a lengthy period of development and consultation in the years after the demise of MG Rover in April 2005.
- The AAP is the primary development plan for the area although as the planning system has been reformed in recent years, and the economy is significantly different from when the plan was prepared, other considerations will also need to be taken into account. In this first section the applications will be assessed against the AAP without considering the impacts of the economy and or other financial viability considerations. This is simply used as a tool to evaluate the current proposals with that which was originally envisaged for the site.
- In the AAP development at East Works is predominantly addressed by policy H2, there are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered.
- In very simple terms the applications conform with the overall requirements of H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. Both the full application and the outline allow for these policy objectives to be met. One of the key elements of the residential development at east works was to be the range of units and densities to be provided across the site. The AAP requires that an overall density of 40-50 dwellings per hectare (dw/ph) is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.
- The application does provide a range of house sizes and types although in my view architecturally uninspiring and generic which seems to be in contrast to what was being proposed during the time the AAP was being developed. The sustainability of these properties is well below that which the AAP had hoped for with the development proposed being the minimum standards as required by Building Regulations, rather than the more aspirational targets as set out in the AAP.
- The AAP also encourages homes to be built to Lifetime Homes Standards and whilst not strict requirement there is only limited provision for them in the full application, and the outline only identifies that they will be considered through each phase of the

development and incorporated where suitable and viable, although this is something which could be agreed as part of the Section 106 Agreement.

- The requirement of the AAP OS2b: opening up of River Arrow, OS4 & OS4b: East Works Park and OS16 and 17: Green Belt protection have all been included in the scheme. It has been agreed that the scale of the park originally envisaged could be reduced in an effort to aid the overall viability of the scheme, and with improvements scheduled to take place to Cofton Park in the near future this would not be detrimental to the east works development as sufficient areas of open and play space are easily accessible from the site and within the site.
- The outline application still maintains the pedestrian/cycle link to the wider countryside via Cofton church lane which is welcomed as is the street pattern with the scheme conforming with the requirements of the AAP as I understand to the acceptance of the Highway authority.
- The most significant elements of this scheme where it fails to meet the adopted policies in the AAP are the provision of affordable housing and the planning contributions required by the Longbridge Infrastructure Tariff (LIT). Both of these elements are key factors in the discussion on development viability.
- The requirement for affordable housing at Longbridge is that a target of 35% of all new units developed are affordable. The two applications under consideration currently do not meet this requirement.
- The outline scheme does not commit to a level of affordable housing other than referring to the AAP target of 35%.
- The outline scheme does offer more hope of additional affordable housing in later phases although this must be considered against the low existing provision and the ability of the later schemes to deliver vastly increased affordable housing numbers.
- As suggested by the outline application and in line with the AAP the later phases of this development will be developed out at different densities, with the northern section of the site being at higher densities and the southern section of the site being at lower densities. Any suggestion that the southern section of the site could deliver vastly increased numbers of affordable housing which would make up for the overall shortfall in the current application would appear unlikely. The southern section of this site is where the largest most profitable housing will be developed, not only will it be physically difficult to make up for the shortfall with less actual housing units being provided, bearing in mind the issues on viability which will be discussed below it is difficult to see why any developer would increase density here which is most desirable on the open market with high numbers of affordable housing units.
- The LIT was developed as part of the AAP as a precursor to the current CIL regime although it does not operate exactly the same way CIL is required to be operated. The intention of the LIT was

to provide a simple mechanism of ensuring that developers would know what financial requirements would be required as a result of any development to enable the aim and objectives of the AAP to be achieved. It is also an important tool as it allows the councils to pool planning obligations enabling us to allocate the required funding to the area/schemes where mitigation is most needed in and around Longbridge in both districts, regardless of where the funding originated.

- The applications were originally submitted with no contributions to the LIT identified. The discussions about the viability of the scheme have now presented a situation where £500k can be offered to the LIT with the intention of it being used to replace temporary class rooms at Lickey Hills Primary School with permanent structures.

Viability of Development

- As touched on in the comments above the viability of the development at East Works has been a consistent factor and one which has dominated discussions. The Council have employed a specialist who has helped in assessing the current schemes viability, and has also advised on how best to ensure that future development is both viable for the developers and also helps to meet some of the wider aims of the AAP.
- What is clear from both the discussions and the financial modelling work which informed the discussions is that a fully AAP compliant scheme is unviable.
- The AAP was prepared pre-recession when development economics were very different from those which are currently being experienced. With considerable economic restrictions now in place for both developers and prospective purchasers, and a reduction in the availability of publically funded grants and loan schemes, what was once considered to be realistic development is now somewhat different.
- As the AAP was going through its final stages of development and in particular the Examination in Public in late 2008 it was clear that the world economy was experiencing considerable decline, although a collapse on the scale that has been seen since was perhaps not foreseeable. It was with this in mind that elements of the AAP were amended to ensure that the financial viability of developments is allowed to be taken into account and concessions made to allow development to proceed. This approach has since been enshrined in the NPPF.
- The development of the Longbridge site has always been seen as challenging, largely because of the sites former use and the amount of remediation required to clean the site up to an environmentally acceptable standard, combined with the significant levels of new infrastructure required to service the different uses the Councils would like to see introduced.
- The viability work which accompanied the applications has been assessed and whilst some differences remain in opinion it is felt that it does reflect the difficulties of meeting the overall

requirements of the AAP. The improved offer of additional affordable housing and LIT funding in my view makes a difference to the acceptability of the scheme without which would have been unacceptable.

- The provisions in the Section 106 for the outline scheme which allows for development viability to be reviewed over the lifetime of the development and any uplift captured in additional planning gain as required by the AAP, further weigh in favour of granting permission for both the initial 229 dwellings and the outline application, notwithstanding the concerns I have over the ability of the later phases to make up for lost provision particularly in relation to affordable housing on this phase.
- Subject to other planning matters being appropriately dealt with, including the relevant legal agreements, it is with some reluctance think these schemes should be allowed to proceed. The proposals are satisfactory although way below the requirements and aspirations of the AAP.
- It is accepted that viable development is difficult to achieve with current market conditions, and it is for the specific viability reasons associated with this current proposal and for these reasons only that this scheme should be approved. Officers have worked with the applicants for a considerable period of time trying to make this scheme more AAP compliant and thus deliver more of the aspirations that both Bromsgrove District Council and Birmingham City Council have for the Longbridge area.

Open Space Head of Leisure Services	<p>Consulted 06.09.11: views awaited</p> <p>Consulted – views received 06.09.11:</p> <ul style="list-style-type: none"> • No objection subject to Conditions relating to: • POS landscaping measures
Strategic Housing Manager	<p>Consulted – views received 15.05.12:</p> <ul style="list-style-type: none"> • In respect of application 11/0750, based on the viability on phase 1 of the Longbridge site Strategic Housing accept and support the provision put forward for affordable housing. • However we welcome the proposed future reviews of viability which may lead to increased provision of affordable housing on future phases
NE	<p>Consulted - views received 25.10.11:</p> <ul style="list-style-type: none"> • No objection • Recommend the use of planning conditions to ensure the protection of Bittell Reservoirs SSSI and protected species on site • The proposed Green Belt Ecological Management Plan, the Phase 1 Landscape Management Plan and Maintenance Schedule for the Arrow Park and the CEMP should be secured through planning conditions. Ecological management should include the eradication of the Himalayan Balsam on site
WWT	<p>Consulted - views received 29.12.11:</p> <ul style="list-style-type: none"> • No objection • You'll be aware that we have been involved in this site for some

time now and we are pleased to support the de-culverting of the River Arrow and the associated open space and habitat creation that goes with that part of the project.

- In addition we are pleased to note the proposals for protection and enhancement of the Arrow corridor (both on and off-site) and site Green Infrastructure centred on the new park, existing pond and corridors around the site.
- The proposed landscape and ecological management plans, coupled with the submitted CEMP will be important in delivering robust multi-functional GI across the site and we would therefore strongly recommend that they are covered by appropriate planning conditions.
- We are pleased to support Natural England's comments regarding protected species and the nearby Bittell Reservoir.

WCC Landscape Consulted – views received 28.09.11:

- As such I support this application as it will be viewed as part of the larger development and against an existing urban backdrop.
- Notwithstanding this there are a number of concerns regarding landscape issues that I would bring to your attention.
- Landscape links through Green Infrastructure to the adjacent rural areas to the south and west of the site are not sufficiently demonstrated.
- Even though the site was previously industrial, no attempt has been made to restore any of the historical patterns of enclosure or, at least to explain why this is not possible. Historical patterns would enable a more "linked up" approach to surrounding rural landscape and would deliver some aspects of landscape character.
- The public open space is minimal, being confined to the boundary of the Green Belt with some additional small and fragmented areas centred on the river. Far more could be provided and designed to give Green Infrastructure on a north-south axis as well as the west-east.
- The reasons behind only partially de-culverting the River Arrow are not made clear.

WCC(CA) Consulted 06.09.11: views awaited

Tree Officer Consulted – views received 22.12.11:

- No objection subject to Conditions relating to:
 - Tree protection during construction
 - Tree planting schedule
 - Securing of tree planting scheme
 - Landscape Management Plan

Network Rail Consulted – views received 21.09.11:

No objection

BW Consulted – views received 18.10.11:

- No objection

Additional views received 06.01.12 and 09.03.12:

- BW can advise that we have been in discussions with the developer in regards to our letter dated 6 January 2012 and can confirm that a quantitative risk assessment has been

	<p>undertaken.</p> <ul style="list-style-type: none">• BW can confirm the report adequately quantifies the risk and is acceptable to BW.• BW are satisfied that we are unlikely to have to carry out works at the reservoir in the future directly as a result of the development. The report will assist us in discussions with any future independent Inspecting Engineer.• On this basis BW do not wish to make further comments on the application at this stage
WMC	Consulted 06.09.11: views awaited
WCC PROW	Consulted – views received 28.09.11: <ul style="list-style-type: none">• No objection
RA	Consulted 06.09.11: views awaited
WCC Education	Consulted – views received 19.04.12: <ul style="list-style-type: none">• In recognition of the viability issues for the redevelopment of this site we have already agreed that the only contribution we will seek is for the replacement of the temporary accommodation at Lickey Hills Primary School with a permanent extension.• We will not be seeking anything else.• I note that there will be no contribution from phase 1 of the development and this is acceptable.
HSE	Consulted – views received 16.09.11: <ul style="list-style-type: none">• No objection
CO	Consulted – views received 22.02.12: <ul style="list-style-type: none">• No objection
English Heritage	Consulted – views received 19.09.12: <ul style="list-style-type: none">• No objection
CPRE	Views received 23.11.11: <ul style="list-style-type: none">• CPRE supports the development of the site of the former Longbridge East Works for housing• The Council should ensure that any development is in accordance with the Area Action Plan.• Where affordable housing is not provided within a section of the development, the Council should require a binding obligation to be entered into, to ensure that it is provided elsewhere within the development with the appropriate payment in lieu of actual provision. This should include ensuring that there is sufficient actual provision in the north part of the former works to allow a low level of actual provision in the lower density area in the southern part.• It is important that the community facilities identified by the Area Action Plan are actually provided and the Council should require an obligation from the developer and/or a payment to ensure this happens.• Provision needs to be made for the proposed Arrow Park and other Open Space to be maintained in perpetuity by some public authority, and we would suggest that this should be the Parish Council.

- Similarly the AAP anticipates that there will be some retail provision within a district centre. This does not seem to be provided for in the detailed application (11/0750) or (at least not very explicitly) in the outline application for the whole site (11/0748). It is important that the Council ensures that this is actually provided
- Any sheltered housing, or residential institutions (e.g. nursing or care homes) should be located near the retail area. This should be secured by conditions imposed on 11/0748.
- A development of this size will impose a significant strain on the school system. We do not recall what was said about education provision at the AAP examination. However, it is important that the applicant should be required to put forward as part of its applications a plan as to how pupils can be accommodated in the existing schools or expanded schools; as to whether these will need to be enlarged; and if so, how.
- A public footpath exists approaching the east side of the culvert taking the river Arrow under the railway. This appears to end exactly opposite the end of the intended Arrow Park, means should accordingly be found (if possible) for continuing the footpath through the culvert into the intended park.

Birmingham City Council

Consulted – views received 11.05.12:

- The City Council supports the principle of residential development on the site in line with the Longbridge Area Action Plan (LAAP). However, both the outline and full applications raise a number of issues. The issues are:

Affordable Housing

- The LAAP has a target of 35% affordable housing (LAAP proposal H2 paragraph 3.106). The site provides a key opportunity to meet needs for affordable housing in the wider area and it is therefore essential that levels accurately reflect the need.
- The developer's proposal aims to link additional affordable housing to viability at key stages throughout the development. Birmingham City Council would support this on the basis that the baseline figures used match those already agreed with Birmingham City Council's Planning Committee and used in determining St Modwen's recent planning applications in Birmingham.

Sustainability

- Given the overall vision of Longbridge as an exemplar sustainable development and the requirement in Policy S1 of Code Level 4 on adoption of the LAAP and level 5 from 2012, it is disappointing to see the developer's proposal to downgrade to Building Regulations 2006 for open market. Also, it appears that new homes are not developed to Lifetime Homes Standards. The proposal fails to meet the first LAAP Objective: "To establish sustainable communities, which embody the principles of sustainable development and meet current and future social,

economic and environmental needs in a balanced and integrated way.”

Revised Section 106 Offer

- On 2 May 2012 the City Council received a copy of a revised offer from the developer, St Modwen. For the full application for 229 dwellings, the developer is now proposing delivery of 15% affordable housing and a £500,000 contribution towards the construction of a permanent extension at Lickey Hills Primary school. The offer confirms there will be no other financial contribution. For the outline application the revised offer provides up to 35% affordable housing and up to £16,500 LIT contributions per dwelling, both subject to viability. Housing is to be built to 2006 Building Regulation standards. Birmingham City Council notes and welcomes the improved offer.

Conclusions

- The City Council recognises that by applying the full extent of LAAP policy requirements the development is currently unviable.
- In applying section 4.25 of the LAAP, the local authority should enter into negotiations with the developer to work together towards securing a mutually acceptable, deliverable scheme. However, we believe that there are a number of outstanding issues that require resolving before an acceptable scheme can be reached. In general, the developer’s proposed scheme fails to meet some of the key objectives and targets set out in the LAAP.
- Birmingham City Council would be happy to support the applications if: a) the viability appraisal is reworked reflecting the figures previously agreed with Birmingham City Council’s Planning Committee and used in determining St Modwen’s recent planning applications in Birmingham, and b) it incorporates the recently agreed reduced infrastructure costs.
- Accordingly we would urge Bromsgrove to continue your negotiations with the developer, St.Modwen Properties PLC to achieve the above which should then enable a more policy compliant outcome with potentially enhanced levels of affordable housing and Infrastructure tariff.

Cofton Hackett
Parish Council

Consulted – views received 03.10.11:

- Cofton Hackett Parish Council has considered the application and would recommend that it be permitted.
- The landscaping on the western side of the site is particularly welcomed with the raising of the land, and the introduction of fencing, shrubs and trees
- The reference to a community building just to the north of Phase One is of great interest and conversations between all parties should commence soon

Publicity

40 letters sent 31.08.11 (expire 07.09.11)

3 identical site notices posted 27.09.11 (expire 18.10.11)

1 press notice published 15.09.11 (expires 07.10.11)

2 representations received **objecting** to the scheme on the following principal grounds:

- Loss of tree cover to rear of properties in Parsonage Drive
- Strongly against the proposed pedestrian pathway access from the site into Cofton Church Lane. A better option is a pedestrian path through the New Arrow Park to join up with the North Worcestershire path by Cofton Reservoir this would be a much better option for the following reasons.
 - It still allows access to Cofton Church lane but via an existing pathway and joins Cofton Church Lane at a much safer point.
 - Access to Cofton Church Lane by Cofton Church would be very dangerous and unsafe because the road is very narrow and in a cutting with no footpath for pedestrians.
 - The houses which will be built eventually at the south end of the development could suffer a lot of problems with people cutting through and causing a nuisance and we are sure it will cause us a lot more vandalism and nuisance at our Sailing Club at Upper Bittell.
 - This footpath if cut through would provide an excellent escape route for thieves as the police would not be able to follow except on foot and it is a long way around by car.
 - In summary this footpath does not exist at the moment and we cannot see any need for it or why it should be provided in the future.

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.

The site and its surroundings

The application site comprises an area of some 24.99 hectares, located approximately 9 kilometres from Bromsgrove Town Centre and approximately 11.5 kilometres from Birmingham City Centre. The total net developable area of the site is 17.96 hectares.

The site formerly known as East Works/Powertrain was utilised for engine manufacturing and assembly as well as aluminum casting and used to have buildings with 92,000 square metres of floorspace. Almost all of the buildings were demolished in 2007 and the site now comprises of hardstanding, building foundations and car parking areas. The former industrial site shapes the majority of the application site as a rectangular plot.

The whole 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 the 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 severe southern aspect of the site is located in designated Green Belt.

Remediation works have commenced and have reached an advanced stage. The site is located in an employment zone.

Proposals

This development relates to an outline application for the erection of up to 725 residential units (comprising residential (C3) and/or residential institution (C2)), community use building (D1), public open space, de-culverting of part of the River Arrow, site re-profiling, access, parking, landscaping and associated development infrastructure.

Members will note the application has been submitted in outline, with all matters reserved except the principal means of access to the site from Groveley Lane and Parsonage Drive, for which detailed designs of the vehicular accesses have been provided. This means that matters of appearance, access within the development, scale, layout and landscaping of the development are reserved for subsequent consideration and approval.

For the reference of Members, outline applications have to clearly demonstrate that the proposals have been properly considered in the light of relevant policies and the site specific constraints and opportunities. Outline permission can be granted subject to a condition requiring the subsequent approval of one or more reserved matters. Paragraph 52 of Circular 01/2006 states that detailed consideration on the use and amount of development of an outline planning permission will be required. In this respect, the applicant is duty bound to submit indicative parameter plans to detail the extent of the proposed development for consideration by the Local Planning Authority.

In line with the requirements, the applicant has submitted a Concept Masterplan indicating a possible form for the development, with a detailed and comprehensive accompanying Design and Access Statement. This contains parameter plans and development framework measures that detail the underlying development principles and addresses the constraints of the site and the surrounding locality. This includes matters of density, landscape, road hierarchy and building heights.

The key land uses of the scheme include:

(a) Housing and Residential Institution

The application proposes to provide a development of up to 725 dwellings (Use Class C3) of varied types and tenures. The proposals also include the potential to alternatively provide for a residential institutional use of up to 125 units for elderly care (use class C2). Such provision would reduce the number of dwellings to no less than 600. The density of development across the application site will vary and respond to the different character areas. A proportion of the dwellings will be provided as affordable homes.

(b) Community Use Building

The proposed development includes a new community use building (Use Class D1) which will be delivered as part of the development. The building has the potential to accommodate a number of facilities including a hall, multi-function rooms including possibly a library.

(c) Public Open Space

The development proposals will provide a major new public park with an area of 1.15 ha. While it is not envisaged that there will be formal sports pitch provision within the open space it will provide numerous opportunities for informal recreation. The River Arrow in its new open watercourse will be a major landscape and biodiversity feature within the public park. The public park will include an equipped play area as well as other informal play and recreation opportunities. Other features included in the public park include open grassed areas and semi-mature tree planting and a network of pedestrian paths and bridges over the river responding to key desire lines. Other areas of Green Belt land within the site will also be made available for public access. The existing pond from which the River Arrow flows in the western part of the site will be selectively managed for informal recreation purposes and nature conservation. A new footpath will enable public access to this area for the first time linking to existing footpath routes adjoining the site to the west and along the reservoir. Land to the south of the site, adjoining Cofton Church Lane will also be made available for publically accessible open space.

The key elements of the scheme include:

- Main vehicular access off Groveley Lane serving the majority of the site, leading into a loop street structure
- Secondary access off Parsonage Drive to serve up to 50 houses
- An emergency only vehicular access will connect the two vehicular access points
- Arrival square at the main vehicular and pedestrian entrance off Groveley Lane
- Creation of Arrow Park as the heart of the development, with a west to east pedestrian link
- Partial re-opening of the River Arrow
- Retention and enhancement of protected areas of woodland to the west and south.
- Re-profiling of the land form to reduce the difference in height across the site and re-instate the site's rolling landscape of hills and valleys following the watercourse.
- Potential links to the wider countryside. A north-south link will connect Cofton Park to the North Worcestershire Way to the south
- Highways improvements to Groveley Lane, including traffic calming measures.
- Reinforce and recreate existing site edge conditions through the planting of a landscape buffer and new woodland habitat.

- Provision of a noise mitigation barrier adjacent to the railway.
- Creation of a clearly defined set of connected streets with buildings fronting them.
- A bus route will be provided through the site

The scheme also includes a series of improvements to the local highway infrastructure to be delivered as part of the redevelopment of the site through a Section 278 Agreement. The improvements include

Groveley Lane:	Implementation of bridge works, junction improvements, street trees, crossings and lighting. Also includes environmental enhancements at Groveley Lane and Parsonage Drive
Parsonage Drive	Traffic calming and access improvements
A441 Hopwood	Traffic management measures, crossings and other works between the M42 and Longbridge Lane

A phasing strategy for the scheme has been developed identifying three broad phases to the development. The first phase of the development includes the new park and establishes the access points to the development from Groveley Lane and Parsonage Drive. The future phases include new residential development within the northern part of the site which could include the new community use building and its associated parking. The southern extent of the site defines a phase which will also include nature conservation works and public access to the western and southern Green Belt areas.

A period of 12 years is sought from the applicant for the submission of Reserved Matters from the date of outline planning permission, with a further 2 years sought for implementation beyond that date or the date of the approval of the last of the reserved matters if earlier. This reflects the scale of the site and the period over which the development will be delivered.

The application has been accompanied by the following documents:

- Planning Statement
- Delivery and Viability Report
- Design and Access Statement
- Drainage Strategy
- Environmental Impact Assessment comprising: Non-Technical Summary
Environmental Statement
Technical Appendices
- Flood Risk Assessment
- Heritage Statement
- Statement of Community Involvement
- Transport Assessment (including Travel Plan)

The above documents (with the exception of the Delivery and Viability Report) are available in the planning file and online via Public Access should Members wish to view them.

Relevant Policies

Plan reference

WMSS	UR3, UR4, RR1, RR3, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE5, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7
WCSP	SD.2, SD.3, SD.4, SD.5, CTC.1, CTC.2, CTC.5, CTC.6, CTC.8, CTC.9, CTC.12, CTC.14, CTC.15, CTC.17, CTC.19, D.5, D.6, D.43, T.1, T.3, RST.3, RST.5, RST.9
BDLP	DS3, DS11, DS13, S4, S6, S7, S14, S15, S19, S28, S29, S39, C4, C5, C6, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, RAT12, TR1, TR8, TR11, TR13, TR16, ES1, ES2, ES4, ES6, ES7, ES8, ES11, ES14A
Draft CS 2	CP2, CP3, CP6, CP7, CP8, CP10, CP14, CP16, CP17, CP18, CP19, CP20, CP21, CP23, CP24
Others	Longbridge Area Action Plan Circular 01/06 Circular 06/98 Circular 06/05 SPG1 SPG11 Bromsgrove District Housing Needs Study (2004) Strategic Housing Market Assessment (2007) Housing Market Assessment (2008) Ministerial Paper: Planning for Growth National Planning Policy Framework (NPPF) (2012)

Relevant Planning History

11/0882	Re-profiling and re-modelling of site levels, deculverting of part of the River Arrow and associated infrastructure including construction access: Approved 12.01.12
11/0750	Erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works (full application): 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 (withdrawal anticipated imminently)
B/2008/0333	Site Re-modelling, re-profiling and alterations to River Arrow and culverts: Approved 18.03.09

Notes

Site History

The MG Rover Plant at Longbridge closed in April 2005.

Full planning permission for the remediation and re-profiling of the entire Longbridge East site was granted in 2009 (reference B/2008/0333). A further full planning application to further adjust and refine the previously approved levels in order to reflect the latest proposals for the wider Longbridge East site was approved in January 2012 under reference 11/0882.

Members will be aware a full planning application for the erection of 229 residential dwellings, neighbourhood park, children's play area, associated landscaping and access works (Phase 1) (reference 11/0750) appears elsewhere on this agenda.

Policy Context

Following the demise of the plant, an Area Action Plan (AAP) was developed by Bromsgrove District Council and Birmingham City Council. The Longbridge AAP (LAAP) proposals have emerged and evolved through extensive community consultation. The application site forms part of the area covered by the APP.

The LAAP establishes a strategy for redefining Longbridge in land use terms for a mixed use development including a Regional Investment Site, a Learning Quarter, a Retail Quarter, new employment and housing areas, areas for open space and recreation, and opportunities to improve local infrastructure.

Longbridge East forms part of the wider Longbridge regeneration area at its southern extent. The LAAP identifies the site principally for new residential development. The green spaces which adjoin the Longbridge East site are located in the Green Belt.

In accordance with the LAAP objectives and proposals, an overall development framework and parameter plans have been prepared to cover the whole site. This application demonstrates how the first phase of proposed residential development follows the parameters and integrates with an overall framework whilst also forming an acceptable development in its own right.

The application site sits within the LAAP framework, which now forms part of the Development Plan for the purposes of determining planning applications. The AAP contains a shared vision for Longbridge:

"Longbridge will undergo major transformational change redeveloping the former car plant and surrounding area into an exemplar sustainable, employment led mixed use development for the benefit of the local community, Birmingham, Bromsgrove, the region and beyond. It will deliver new jobs, houses, community, leisure and educational facilities as well as providing an identifiable and accessible new heart for the area. All development will embody the principles of sustainability, sustainable communities and inclusiveness. At the heart of the vision is a commitment to high quality design that can create a real sense of place with a strong identity and distinctive character. All of this will make it a place where people will want to live, work, visit and invest and which provides a secure and positive future for local people."

The Longbridge Area Action Plan (AAP) was adopted in April 2009 and is the most up to date Development Plan Document. For the reference of Members, this is the key document against which a decision on the application should be made. The AAP contains site specific policy (Policy H2) that relates directly to Longbridge East. It is also necessary to consider changes to government policy since the adoption of the AAP; in particular, the NPPF (March 2012) and also the Ministerial Statement issued in March 2011. That Statement places a particular emphasis on both the creation of new jobs and meeting housing needs. It establishes a presumption in favour of development which assists in economic recovery (including the construction of new houses) and advises that applications for sustainable growth should be treated favourably.

The NPPF seeks to facilitate sustainable development and growth. There is a clear commitment (paragraphs 18–19) to supporting and securing, rather than impeding, sustainable economic growth. Applications for sustainable development should be approved wherever possible (paragraph 187), consistent with an overarching approach that demands a “presumption in favour” of sustainable development (paragraph 14). It advocates a proactive, creative and solution seeking approach to planning (paragraphs 17 and 187).

Themes familiar from some of the policy documents replaced by the NPPF are reframed and reinforced as the core principles underpinning the new document. These include, *inter alia*, an emphasis on high quality design, carbon reduction, conserving and enhancing the natural environment, reusing brownfield land, promoting accessible mixed use development and sustainable transport, seeking to improve wellbeing, and encouraging the delivery of facilities and services to meet local needs. These are themes which remain consistent with the aims and objectives of the proposed development.

The AAP has been prepared to conform with policies within the Regional Spatial Strategy, the Regional Economic Strategy (RES) and Local Transport Plans. Proposals for the redevelopment of Longbridge East should also have regard to policies within the Bromsgrove District Local Plan. The above documents comprise the Development Plan and, pursuant to Section 38 (6) of the PCPA 2004. A decision on the planning application should be in accordance with the Development Plan, unless material considerations indicate otherwise.

Conformity with Longbridge AAP

The AAP is the primary development plan for the area although as the planning system has been reformed in recent years, and the economy is significantly different from when the plan was prepared, other considerations will also need to be taken into account. This includes financial viability issues.

In the AAP, development at East Works is predominantly addressed by Policy H2. There are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered. In simple terms the applications conform with the overall requirements of Policy H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. The submitted application allows for the policy objectives to be met. One of the key elements of the residential development at Longbridge East works relates to the range of units and densities to be

provided across the site. The AAP requires that an **overall** density of 40-50 dwellings per hectare is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.

In summary:

- Proposal H2 allocates the site for residential and associated community and local retail use. It states that the site will be developed for:
 - Dwelling houses: a minimum of 700 dwellings with a mix of sizes, types and tenures across the site. A target of 35% of dwellings to be affordable. New homes will be encouraged to meet Lifetime Homes Standards
 - An expanded neighbourhood centre to provide essential local services including small scale shopping facilities. Land on Groveley Lane reserved for new library community centre and public meeting rooms
- Other appropriate uses will be residential institutions Class C2.
- Proposal H2 also states that the development will provide for the opening up of the River Arrow and a new neighbourhood park adjacent thereto.
- The plan also contains a number of other proposals/policies that should be applied to proposals for East Works including design requirements, sustainability requirements, and measures identified in the sections on the Movement Strategy and Environment Open Space Strategy, in particular, Proposal S1 which requires that all new residential development target Code for Sustainable Homes level 5 by 2012.
- The AAP refers to the potential need for a Section 106 Agreement. Particularly pertinent are the requirements within Section D concerning "Delivery and Implementation". It sets out requirements for a traditionally negotiated Section 106 Agreement and a standard tariff charge (the Longbridge Infrastructure Tariff (LIT)). It also sets out other highway infrastructure requirements which it envisages would be potentially delivered under Section 278 Agreements.

The developer's contributions should aim to match the contributions triggered by the development proposal, which were agreed through the LAAP examination process and adopted in the LAAP.

For the East Works development, these include:

- S106 to require provision of on site library with community centre/meeting rooms on site neighbourhood park and opening up of river (Policy H2 paragraph 3.109).
- LIT contribution towards educational facilities (LAAP Table 2 pages 48-50).
- LIT contribution towards sports facilities in Cofton Park and improved play facilities in the area (LAAP Table 2 pages 48-50)
- LIT contribution to improved footpath links and ecological improvements around boundary of site (LAAP Table 2 pages 48-50)
- LIT or S278 contributions to traffic management in adjoining areas- inc Parsonage Drive (LAAP Table 1 page 46)
- S278 for junction improvements incl. Groveley Lane/Lowhill Lane junction, environmental enhancements in neighbourhood centre, street (LAAP Table 1 page 46)
- S278 for improvements to A441 / Hopwood (LAAP Table 1 page 46)

- Public transport contributions

Members will note the LIT is broadly related to include off site infrastructure requirements such as public transport, physical, social, recreational and ecological infrastructure including education, community and economic measures and other transport provisions. The intention of the LIT was to provide a simple mechanism of ensuring that developers would know what financial requirements would be required as a result of any development to enable the aim and objectives of the AAP to be achieved. It is also an important tool as it allows the LPA to pool planning obligations enabling allocation of the required funding to the area/schemes where mitigation is most needed in and around Longbridge in both Districts, regardless of where the funding originated.

The Section 106 element relevant to this application is proposed to contain site specific matters including the provision of affordable housing, elements of on-site community infrastructure including community building, requirements and specifications for the on-site park and triggers for payments.

The most significant elements of the scheme where it fails to meet the adopted policies in the AAP are the provision of affordable housing and the planning contributions required by the Longbridge Infrastructure Tariff (LIT). Both of these elements are key factors in the discussion on development viability dealt with further on in this report.

The requirement for affordable housing at Longbridge is that a target of 35% of all new units developed are affordable. The current proposal does not meet this requirement, with this proposal offering 16% affordable housing, consisting of 18 affordable rented properties and 18 intermediate properties. This outline scheme does offer more hope of additional affordable housing in later phases although this must be considered against the very low existing provision and the ability of the later schemes to deliver increased affordable housing numbers. Further details on the level of affordable housing and the issue of viability are dealt with in this report under the heading *Type of Accommodation*.

In accordance with the requirements of LIT, the proposed residential development of up to 725 dwellings would require a payment of £16,500 per unit resulting in an estimated site wide payment of £11.96 million.

Viability Issues

Members will be aware that viability has become an increasingly important consideration in the determination of planning applications. Viability is inherently linked to the ability to satisfy planning policy, and to deliver regeneration objectives and economic development. The significance of viability has increased during the current period of economic downturn when the delivery of new development has been threatened and the requirement for applicants to comply with planning obligations and policy requirements has been maintained.

Scheme viability is a material consideration in deciding appropriate level of contributions for planning obligations. The application in this instance has been accompanied by a Delivery and Viability Report. The consideration of financial viability in determining this application is particularly important in the context of seeking to meet planning policy (including the parameters of the LAAP) and negotiating Section 106 contributions

(including affordable housing), to ensure the proposed development remains attractive and deliverable. An inconsistent approach to policy applications and Section 106 negotiations can increase development risk and uncertainty, which can deter development coming forward.

In the context of achieving sustainable development, the National Planning Policy Framework refers to ensuring viability and deliverability in paragraph 173-177. Paragraph 173 of the NPPF states:

173. Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The implementation of the AAP will be dependant upon a number of factors and the viability of any planning application proposal at the time it is submitted is one such factor which will have a substantial impact upon what may be considered fair and reasonable for the Longbridge regeneration development to support in terms of obligations. At the heart of the AAP is the focus on delivery. In preparing the AAP, particularly in the challenging economic market conditions, the document includes flexibility in order to ensure regeneration is not delayed or inhibited by market conditions. This approach was fully endorsed by the AAP Examination Inspector in her report and the AAP amended to include paragraphs 4.25 and 4.26 (and others references) in order to address viability challenges, stating the approach to be adopted in addressing viability at the planning application stage:

“It is recognised that market conditions are subject to change and that can impact upon the viability of development. If at any time planning applications are submitted, it can be shown through an open appraisal, that a scheme may be unviable if the LAAP’s policies have to be applied in full; then the Local Authorities will enter into detailed negotiations with the applicants to determine what may be acceptable to enable the scheme to proceed.

In such cases, the planning obligations that have not delivered full tariff levels set out in table 3 [of the LAAP] will include mechanisms to allow the scale of obligations to be increased if it can be demonstrated that market conditions improve at the time the development is implemented. eg. through linking the tariff payments to phases of development.”

This is further explained in Paragraph 4.5 which states that where viability is an issue in terms of difficult market conditions:

“A flexible approach to any negotiations at planning application stage will be required to ensure viability and that the delivery of an acceptable scheme on the ground is not constrained or delayed.”

The LAAP recognises that market conditions are subject to change and that these can impact on the viability of development. If it can be shown through a development appraisal, that not all of the LAAP’s policies can be applied in full, then the Local Authority will enter into negotiations to determine what is appropriate to enable the scheme to proceed”.

The imposition of the LIT in circumstances where the development is unviable if included, is equally subject to the provisions of paragraph 4.25 and 4.26 of the LAAP as stated above, and is negotiable in order to enable the development to proceed. There are no provision in the LAAP which state that a minimum level of LIT must be imposed and therefore the absence of LIT payment is not in itself contrary to the provisions of the LAAP.

In the original appraisal submitted in November 2010, the preferred mix of affordable housing at 35% and contributions to LIT equating to £16,500 per dwelling produced a negative return. As such the redevelopment would not come forward.

The second appraisal produced within the same submission in November 2010, excluded affordable housing and LIT but did deliver an onsite community use facility, substantial enhancement off-site highway infrastructure (including improvements to Groveley Lane) and the provision of on-site public open space together with the opening-up of the River Arrow. This appraisal was deemed viable without any further contributions towards Section 106.

Since the November 2010 viability submission, the applicant has produced both site-wide proposals for the Longbridge East and for a first phase of housing with Persimmon Homes Limited, their Joint Venture partner. These changes included revising the mix of house types and sizes, increasing the size of the community use facility, reducing the area of the proposed Arrow Park and removing the commercial use from the site wide proposals. These changes have improved the viability.

Since the beginning of 2011, the applicant has extensively discussed the evolving site wide and Phase One proposals. These discussions have involved the sharing of master plans and layouts and providing an overview of improvements to the scheme and the resultant viability improvements. A Delivery and Viability Report was submitted by the applicant to the District Council in September 2011. This document has been independently scrutinised and negotiations with the Local Planning Authority have sought to ensure that the scale of obligations, including the level of affordable housing, still ensure a viable development fall squarely with the approach suggested within the NPPF.

The Longbridge site offers a premium development opportunity. Sales values will reflect the Green Belt setting but also the accessibility that the location offers. The development period for the entire site will take many years (Phase 1 is likely to take 7 years. The entire development may take in the region of 15 years to complete at expected take-up rates). However, Members will be aware that the housing market remains weak. The Longbridge East proposals will need to meet the costs associated with significant

infrastructure expenditure, particularly in the early years. This is a usual consequence of regeneration schemes of this scale and complexity. Front loaded costs of this type hamper viability.

The Phase 1 proposals are clear in terms of detailed dwelling proposals but the remainder of the proposals remain uncertain in relation to form and content (Members will be aware this application relates to an application for outline planning permission and is therefore testing matters of principle). It is likely that the housing mix and details for Phases 2 and 3 will change in the future. There is therefore considerable uncertainty over the timing and content of the development on Longbridge East after Phase 1.

In light of the uncertainty of future economic conditions, I suggest that Members consider a mechanism whereby the viability appraisal is reassessed on an "open book" basis prior to the approval of Reserved Matters for the subsequent phases and during development of these phases. This would enable the viability to be reassessed in the light of market trends and the affordable housing component to be reviewed in the light of market conditions and expectations on an equitable basis. Under this approach were market trends to change, the LPA would be able to derive additional affordable housing benefits if the market improved, together with a re-evaluation of compliance with LIT requirements. The Council's fees and costs of the initial and subsequent reviews would be borne by the applicant.

Members will note the views of the Strategic Planning Manager. It is clear that the viability work accompanying the application has reflected the difficulties of meeting the overall requirements of the AAP. The improved offer of additional affordable housing and LIT funding in my view makes a difference to the acceptability of the scheme without which would have been unacceptable. The review mechanism for development viability over the lifetime of the development and any uplift captured in additional planning gain as required by the AAP further weigh in favour of the application.

There is the ability to commence development on Longbridge East which is welcomed. This approach would allow the first phase of development to proceed and deliver new housing and the new park. The viability of subsequent phases will be re-appraised using the approved base cost information to establish if enhanced Section 106 contributions/affordable housing numbers and LIT contributions could be made if market conditions improve. This should provide Members with some comfort on the future of the site.

Main Issues

The main issue in determining the application is whether the site should be released for development, in the context of relevant Development Plan policies, and other material considerations such as changes in national policy (including the National Planning Policy Framework), the Draft Core Strategy 2 and housing supply.

Other issues to be considered include:

- Sustainability issues
- Design, form and layout
- Density
- Whether the type, tenure and form of accommodation proposed is suitable

- The affect on residential amenity
- Landscaping and tree issues
- Traffic and highway implications
- Open space and play space (with direct reference to the creation of Arrow Park)
- Ground conditions, flood risk and drainage issues
- Ecological and biodiversity Issues
- Noise
- Air quality
- Archaeological issues
- Impact on the setting of Listed Buildings
- Crime prevention
- Climate change
- Educational and services infrastructure
- Construction matters
- Planning Obligation

Housing Supply

In terms of policy for new housing, the NPPF seeks to significantly boost the supply of housing and reiterates the principles of the policy it replaced (PPS3), in that it calls for there to be an identified and annually updated five year housing land supply. It advises that where a Local Planning Authority cannot demonstrate a five year supply of land for housing, its policies for housing should be considered out of date. The development at Longbridge East will go in some way to meeting local housing needs and contribute to the supply of housing in the District.

Paragraph 47 of the NPPF determines that Local Planning Authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for housing in the housing market area, as far as is consistent with the policies as set out in the NPPF. This includes identifying key sites which are critical to the delivery of the housing strategy over the plan period.

Paragraph 49 of the NPPF also determines that the “presumption in favour” of sustainable development should be the context for consideration of housing applications.

I would refer Members to the appeal decision at the ADR site at Brook Crescent, Hagley (APP/P1805/A/10/2136206) (application reference 10/0378) whereby the Inspector placed weight on the absence of a five year supply of housing and the ability of the proposal to meet some of the urgent housing need of the District. As such I am of the view there is an undisputed need for housing and the housing supply situation is in crisis. This stance was taken by the Inspector in the recent appeal decision for Norton Lane, Wythall (APP/P1805/A/11/2150938) (application reference 10/0931). For context, amongst other scheme Members accepted this position in resolving to approve the residential development for 80 dwellings on the Church Road Catshill ADR in October 2011 (application reference 11/0343) and the residential development for 88 dwellings on the Barnt Green White Land in January 2012 (application reference 11/0741). This proposal should again begin to address the identified shortfall in housing supply.

Sustainability Issues

Longbridge East is currently served by four bus routes within 250 metres of the site access (August 2011):

- 47 – Cofton Hackett to Birmingham (six buses an hour)
- 145 – Cotteridge to Bromsgrove (one bus every two hours in off-peak)
- 204 – Bromsgrove to Halesowen (one AM and one PM peak service); and
- 625 – Cofton Hackett to Rubery Great Park (one bus an hour in off-peak)

These services provide links to employment, education and retail/leisure land uses, with additional services available across the wider Longbridge development including interchange opportunities at Longbridge Railway Station, from service 47 (within an adequate interchange distance of 500 metres). The existing network and bus stops (Groveley Lane) provides good levels of access to the closest parts of phase one of the development (within 250 metres of bus stop), and most have satisfactory access

Longbridge Railway Station is located on Longbridge Lane, approximately two kilometers from Longbridge East. Rail services that stop at Longbridge Railway Station are the Cross-City services (London Midland) from Redditch to Lichfield via Birmingham New Street. Services to and from Birmingham New Street achieve a frequency of six trains per hour during daytime and peak periods on weekdays. Services to and from Redditch achieve a half-hourly frequency. Pedestrian access to the station is via Longbridge Lane, a demand-responsive pedestrian crossing is located immediately outside the station entrance. The station is also within cycling distance via the advisory and local cycle routes along Thurlestone Road, with cycle parking provided at the station. Bus service 47 calls at Longbridge (500m walk) and Kings Norton (direct interchange) railway stations.

There are good walking and cycling links within the vicinity of Longbridge East, as well as the wider Longbridge area; provided by a combination of signed and surfaced on- and off-road routes. National Cycle Network Route 5 is within two kilometres of the site. Birmingham Greenway and the North Worcestershire Path are both located within 200 metres of Longbridge East. Local footpaths surrounding Longbridge East are of a good standard, providing links to local bus stops, Cofton Park, the wider Longbridge area and the north Worcestershire countryside. The nearest shops are located at the junction of Groveley Lane and Parsonage Drive. They include a newsagent, post office, electrical store and takeaways. The provision serves only the immediate neighbourhood. **A range of new facilities including a new supermarket are to be developed as part of the wider Longbridge regeneration proposals.**

A Residential Travel Plan Agreement (TPA) has been produced, outlining the sustainable travel options available to residents of Longbridge East and the obligations for the provision of sustainable transport infrastructure. Worcestershire Highways has raised no objection to the content of this document.

As such I am of the view that the site is in a sustainable location and I raise no concern on this issue. The scheme would thus comply with the key sustainability aims of national policy aims detailed in the NPPF. Policies SD.4, SD.8 and T.1 of the WCSP and Policy DS13 of the BDLP support this approach.

Design, Form and Layout

It is a core planning principle of the NPPF that development is of a good design and reflects the amenity of existing and future occupants of land and buildings (paragraph 17). Good design is also a requirement of paragraph 56-68 of the NPPF. I therefore consider that Policy S7 of the BDLP and the advice contained in SPG1 is consistent with the NPPF and thus carry weight in the determination of this application.

Policy CTC.1 of the WCSP sets out a general requirement that the Local Planning Authority in considering development proposals should take every opportunity to safeguard, restore or enhance, as appropriate, the landscape character of the area in which they are proposed. Proposals for development and associated land use change or land management must demonstrate that they are informed by, and sympathetic to, the landscape character of the area in which they are proposed to take place. Policy SD.5 states that development proposals should help to sustain and improve the balance of housing, employment, community and social facilities in settlements, and should maximise the use of existing infrastructure and self-containment and the building of communities.

Policy DS13 of the BDLP requires development to protect the Plan area's essential character and main environmental assets, including the open and undeveloped nature of the countryside and the Green Belt. Policy C4 states that development will not be permitted where it would have a materially detrimental effect on the landscape.

Local Plan Policy S7 states that proposals involving development of new dwellings outside the Green Belt will be considered favourably providing that they meet the following criteria:

- the proposal does not lead to development at a density inappropriate for the site;
- the form and layout of the development is appropriate to the area;
- the proposal minimises the loss of mature hedges, trees and landscaping;
- the proposal does not adversely affect the existing amenities of adjoining occupiers;
- the proposal does not involve a loss of open space, allotments or other amenity areas which it is desirable to maintain;
- the development can be appropriately serviced;
- the proposal would not have unacceptable traffic implications or perpetuate a traffic hazard;
- it conforms with other relevant policies of the Plan.

SPG1 states that residential layouts should make a positive contribution to the local environment and respect the character of the surrounding area. Paragraph 5.10 sets out a series of design objectives including adequate daylight and sunlight, adequate privacy and outlook for new and existing dwellings, and provision of private and shared amenity space.

Members will be aware that the application is submitted in outline, with internal access, layout, scale, appearance and landscaping reserved for subsequent approval. In this respect, the finished design of the development is not set at this outline stage. The application does contain an indicative site layout plan with an accompanying Design and Access Statement that provides information on design principles, architectural style, materials and how the development would integrate within the character of the

surrounding locality. This runs parallel with the parameters of the Longbridge Area Action Plan.

The Masterplan details three distinct character areas:

- (a) Urban Quarter
- (b) Cofton Hackett Character (Phase One)
- (c) Garden Suburb

(a) Urban Quarter

This character area extends from the main entrance off Groveley Lane to the northern boundary. Existing industrial development is located north of Groveley Lane and to the east of the railway to the east and Cofton Park is located to the west. Design references for this higher density area are drawn from Longbridge Town Centre and central Birmingham.

Features:

- Built form: Mix of apartments, townhouses and terraces. Vertical emphasis should be created by a rhythmical repetition of elements. Predominant use of narrow frontages and consistency in height along streets should be encouraged. Perimeter blocks, using more continuous built form with fewer gaps, provides a tight urban grain. Parking will be accommodated within communal parking courtyards at the rear of the buildings where it is not provided within curtilage.
- Building height range: Up to 4 storeys high.
- Boundary Treatments suggested: Metal railings for boundary treatments.
- Density range: 30 to 80 dwellings per hectare.
- Materials: Simple use of a limited palette of local materials.

(b) Cofton Hackett Character (Phase One)

This character area lies immediately adjacent to Cofton Hackett neighbourhood and design references for its appearance and massing are drawn from the existing built form across Cofton Hackett. Generally, lower densities and a more vernacular architecture is used to integrate the site with its immediate context.

Features:

- Built form: Mix of short terraces, semi-detached and detached dwellings.
- A limited number of flats should be used. Use of gabled frontages is encouraged for key corners and gateways.
- Building height range: From 2 to 3 storeys high. Raised eaves heights to create a better sense of enclosure along main streets.
- Boundary treatments suggested: metal railings for boundary treatments along the main corridors, possibly hedges for dwellings fronting open spaces and low planting for minor roads. Tree planting in front gardens along the primary street.
- Density range: 30 to 45 dwellings per hectare.
- Materials: Simple use of a limited palette of local materials. Predominant use of red brick with red/brown pan tiles for the roof.

(c) Garden Suburb

This character area extends from the proposed Arrow Park to the existing green area at the south end of the site. There are no residential areas adjoining this part of the site, therefore references have been explored beyond the site's immediate context. Sensitive design is required to blend the area into the green context and the design of a semi rural architectural response both in density and massing. Design references for this lower density area are drawn upon the garden village built form of Bournville Estate in Birmingham, as the closest exemplar case of urban planning in the vicinity.

Features:

- Built form: Predominant use of semi-detached and detached housing. Use of blocks of flats is limited and if used, located along the main corridors.
- Building height range: Up to 3 storeys high.
- Boundary Treatments Suggested: Hedges and low informal planting.
- Additional tree planting in front gardens along the main route.
- Density range: 30 to 40 dwellings per hectare.
- Materials: Simple use of a limited palette of local materials with predominant use of red brick.

The site is clearly visible from Groveley Lane and the existing residential properties located on the western boundary from Parsonage Drive/Oakfield Drive/The Grove, in addition to the wider Green Belt landscape to the east beyond the railway line. Oblique views would be obtained from Cofton Church Lane to the south.

The strongest architectural influence relates to the neighbouring housing area located in Parsonage Drive. This typifies the twentieth century suburban densities at approximately 20-30 dwellings per hectare. Built between the 1930's and 1950's, Cofton Hackett is a low density residential area with a typical building height of 2-storeys. The housing is typically provided in semi-detached or detached, bay fronted dwellings set within large plots with driveways or garages. A few short terraces are found. Along Groveley Lane and fronting Cofton Park, housing is generally detached and located within a landscape setting. Mature tree planting within verges along the street contributes to the green character and aspect. Recurring architectural elements along Groveley Lane frontage are the use of wide frontages, gables and the use of white render.

I accept the site is visually prominent in a wider sense, given the views afforded by the expanse of the site boundary fronting Groveley Lane, the additional site entrance off Parsonage Drive and the available views of the site from those utilising the railway line that runs to the eastern boundary and the public right of way that touches the western boundary. Views from Parsonage Drive and The Grove would be, for the most part, masked by a combination of the existing houses, mature vegetation and the topographical features of the site. Views of the site from Cofton Church Lane would be largely screened from the existing landscaped buffer to the southern boundary. The development would only result in the loss of an open site due to the recent demolition of the former industrial buildings. I am thus of the view that the impact of the development on the landscape and visual character would low and there would no material loss of any attractive landscape. Furthermore, the re-development of the site is advocated by the parameters of the LAAP.

As such the site would fit into the context of the surrounding urban landscape and provide a sensitive extension to the existing urban area of Cofton Hackett. Furthermore, I am of the view that the containment of the development benefits from the strong boundaries and physical features that enclose the site, with particular reference to the existing established residential development to the western boundary and the eastern boundary formed by the defined railway line and associated cutting. The western and southern boundary contains screening of varying amounts and this would remain following development of the site, with enhancement created by additional planting. This would serve to further filter views both of and toward the site, to the benefit of both existing and future residents. As such I am of the view that the proposals can be accommodated without detriment to the Green Belt setting (with particular regard to the southern aspect of the site) in compliance with the NPPF.

A community facility will be provided on part of Phase 2 to the northern aspect of the site. This will provide a communal focus for both existing Cofton Hackett residents and the residents of the new development. Members will note the views of Cofton Hackett Parish Council welcoming this aspect of the scheme.

Members will note the views of the Urban Designer. These comments do not present me with any concerns to warrant refusing the application on design, layout or setting out grounds.

Density

In the AAP, development at East Works is predominantly addressed by Policy H2. There are also a number of supporting policies which set the overall framework for development at Longbridge and which also need to be considered. In simple terms the application conforms with the overall requirements of Policy H2. The land is allocated for predominantly residential land (minimum 700 units) with other associated uses such as nursing/care homes, neighbourhood centre and open space. The submitted application allows for the policy objectives to be met. One of the key elements of the residential development at Longbridge East works relates to the range of units and densities to be provided across the site. The AAP requires that an overall density of 40-50 dwellings per hectare is achieved and that the northern end of the site is developed at higher densities which in turn allows for the southern section of the site to be developed at lower densities, where the impact of new development on the surrounding rural areas is likely to be greater if high density development is allowed.

The average density of the maximum amount of development is 40 dwellings per hectare (up to 725 dwellings are proposed within the site, the net developable area being approximately 17.96 hectares). The average density of the development with the maximum amount of 725 dwellings proposed, is in line with the requirements set out within the LAAP. Variations in density are likely to exist between different character areas within the site as follows:

Higher density: up to 80 dwellings per hectare (Urban Quarter)

Compact built form with more continuous frontage. Includes apartments, terraces and semi-detached units. Potential C2 accommodation would most likely be provided in this part of the site.

Medium density: up to 45 dwellings per hectare (Cofton Hackett Character)

Looser grain encouraging on plot planting to reflect surrounding character along Groveley Lane. Includes short terraces, semi-detached and detached units. Low number of apartments.

Lower density: up to 40 dwellings per hectare (Garden Suburb)

Large plots to the edges with tighter grain along the central corridor. Includes detached and semi-detached to the edges, Short terraces, low number of apartments in central locations.

Whilst density thresholds are not apparent in the NPPF, there is still a requirement to make the most efficient use of land. Given the mix of house and plot types/sizes (including larger housing), I am reasonably comfortable that this will deliver the correct a right range of homes in this location. Additionally, the proposed mechanism to review densities on subsequent phases for the entire site via the Section 106 Agreement provides an opportunity to visit this issue in latter developments. Weighing all these factors, I subsequently raise no concern over the density proposed.

Type of Accommodation

Paragraph 50 of the NPPF determines that developments should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. This includes a mix of open market housing and the provision of affordable housing with the potential to also provide elderly care accommodation which will support these specific housing and care needs. Paragraph 50 goes on to state that LPA's should set policies for meeting affordable housing needs but that these policies should be sufficiently flexible to take account of changing market conditions.

Members will note that the site contains an anticipated mix of dwelling types, with an emphasis on smaller house types of 2 and 3 bed dwellings. The development also contains a proportion of 4 bed dwellings and FOG units. The proposed mix is reasonably acceptable.

An element of affordable housing will be provided. For the reference of Members, the LAAP has a target of 35% affordable housing (LAAP proposal H2 paragraph 3.106). I accept that this target is inspirational and is not meant to be a minimum or absolute figure. This point was acknowledged by the Inspector who presided over the LAAP Inquiry:

“The Council's have proposed changes to emphasise that site specific characteristics and market conditions may effect the exact number of affordable houses that can be provided on each site. Negotiation not just the 35% target will determine the outcome” (Paragraph 3.48 of the Inspector's Report).

The LAAP recognises that market conditions are subject to change and that these can impact on the viability of development. It states at Paragraph 4.25 that, if it can be shown through a development appraisal, that not all of the LAAP's policies can be applied in full, then the Local Authority will enter into negotiations to determine what is appropriate to enable the scheme to proceed (as detailed in the Viability Section of this report).

The applicant will be tasked with completing a detailed review of scheme viability for subsequent phases. This will be scrutinised by the District Council and taken into account in negotiations on the level of affordable housing provision. This requirement will be filtered into the Section 106 Agreement to accompany this application. Members will note the views of Birmingham City Council on this issue.

The Strategic Housing Manager has raised no objection to the scheme given the proposed review mechanism to further assess affordable housing provision for future phases at the Reserved Matters stage.

Impact on the Amenity of Adjacent Occupiers

SPG1 sets out design guidance for residential development including separation distances to existing dwellings so as to avoid detriment to residential amenity due to overlooking, overshadowing and overbearing affects. The Guidelines suggests that new development with main windows overlooking existing private spaces should be set back by a distance of 5 metres per storey from the site boundary where it adjoins a private garden area. A minimum separation of 21 metres is required to achieve a degree of privacy within conventional two-storey dwellings.

I note the views arising from the consultation process with regard to overlooking issues, with particular reference to a resultant loss of privacy for the occupiers of those dwellings in Parsonage Drive. For the reference of Members, re-profiling works are proposed adjacent the rear boundaries of properties fronting Parsonage Drive in order to provide suitable access points and gradients across the site. The existing rear garden fences to the properties of Parsonage Drive will be retained and a new 1.8m high timber close boarded fence erected to the site side with all existing trees within the rear gardens of the properties to Parsonage Drive being retained. A retaining structure has been proposed within the site to allow a 2m wide landscaped zone adjacent to the new fence-line along the Parsonage Drive boundary to soften the boundary and provide a landscape buffer zone. Additional specimen tree planting comprising species such as Silver Birch, Ash and Alder has been proposed to the rear gardens to this boundary to coincide with gaps in the existing trees to the rear gardens of the Parsonage Drive properties to enhance the buffer between the properties. The re-profiled topography will result in the new houses being situated lower than existing houses on Parsonage Drive.

I am thus satisfied that the majority of the scheme has been designed to comply with the guidance in SPG1. This includes the interface between the proposed and existing dwellings on Parsonage Drive and The Grove to the west. Boundary treatments and re-profiling works to the rear of the dwellings in Parsonage Drive will also serve to maintain and enhance privacy levels.

I would also advise Members that I intend to impose an hours of construction condition, which will help reduce concerns raised by nearby residential properties with regards to the potential nuisance generated by the construction of the site

Landscaping and Tree Issues

The landscape strategy responds to the objectives set out in the Longbridge AAP proposals for the site:

- Policy OS2b: Opening of the River Arrow with the necessary flood storage measures
- Policy OS4b: Creation of a new neighbourhood park next to the River Arrow
- Policy OS16 and Policy OS17: Preservation of the Green Belt and landscape buffer

The landscape framework main components are:

- Re-modelling of the site to re-create its natural land form. All boundaries will be sensitively handled with practical and desirable vegetation retained. New planting will be provided to reinforce boundaries as appropriate.
- The River Arrow running underneath the site will be re-opened for much of its length. It will run through the main open space, the Arrow Park. The river will provide the main focus within this open space with a new alignment.
- The Arrow Park will provide recreational opportunities for children with the inclusion of play equipment.
- The area of woodland that includes a small pond in the west of the site, connected to the Cofton Reservoir, is retained and would be connected to the site's new open spaces. The Arrow Park is a continuation of this existing space into the site. A new footpath across this area connects to the new Arrow Park and the North Worcestershire Way.
- The eastern boundary will be screened with an acoustic barrier.
- The entrance to the site from Groveley Lane will be marked by a square enclosed by built form. The square will provide potential for traffic calming and prioritise pedestrian movement through the provision of shared surfaces for vehicles and pedestrian.

The Tree Officer has raised no objection to the scheme, subject to the imposition of suitable Conditions. I raise no objection to the soft and hard landscaping measures.

Traffic and Highway Implications

The NPPF sets out the objectives of promoting sustainable transport choices for people, promoting accessibility choices to destinations by public transport and walking and cycling as well as reducing the need to travel by car. These objectives are supported by policies in the WMRSS and Structure plan policies. The Bromsgrove District Local Plan sets out the need for applicants to incorporate safe access and egress and provide sufficient off street parking (TR11), incorporate traffic calming (TR6) and promote the use of variety of transport means (TR13).

It is proposed that the existing access from Groveley Lane at the northern end of the site is re-positioned to the north and is used as the main vehicular access into the site. This entrance will be a priority junction and will provide a formal crossing point for pedestrians and cyclists to access Cofton Park. It is proposed that Groveley Lane is provided with central refuges and toucan style crossing to ensure that linkages between the site and Cofton Park are improved. A smaller, self contained access from Parsonage Drive will serve a maximum of 50 dwellings and provide emergency access into the southern part of the site. There will be no general access for private cars to the main development on the site from the Parsonage Drive access.

The design of the principal access will facilitate bus access into the application site to serve Longbridge East and the road hierarchy allows for a circular bus route within the development, entering and leaving the site from Groveley Lane only. Bus stops will be strategically located to ensure that all homes in Longbridge East will be within 400 metres of a bus stop.

No third party comments have been received in relation to highway matters. Cofton Hackett Parish Council is particularly in favour of the proposed traffic calming around the new entrance to the site and also the submission for consideration of further traffic calming on Groveley Lane from Parsonage Drive towards the Oak Tree island. Whilst I note the views from third parties in relation to pedestrian access to Cofton Church Lane, the incorporation of both north-south and east-west cycle and pedestrian linkages across the application site, connecting to Cofton Church Lane as well as other footpaths in the immediate surrounding area, is an integral aspect of the scheme. This connectivity is advocated by the LAAP.

Members will note that a full Transport Assessment has accompanied the application. Members will note this document demonstrates that there will be no adverse impact on highway capacity as a result of the development traffic and the scheme will have a negligible impact on the operations of the junctions in the locality, including Groveley Lane and Parsonage Drive. The proposed improvements to Groveley Lane will be beneficial, both for vehicular traffic and for improved linkages to the facilities and functions located on Cofton Park.

Given the consideration of all highway related matters, including the views from Worcestershire Highways, I am of the view that there would not be any material harm to the safety or free flow of traffic on Groveley Lane and that there would be capacity within the existing network to cope with the development proposal, including Parsonage Drive. Despite third party comments, the connection afforded by the Arrow Park to the wider locality for walking and cycling opportunities (including Cofton Church Lane), would promote sustainable transport choices for future residents. This would also enable greater permeability.

Members will note Worcestershire Highways has consequently raised no objection to the scheme subject to the imposition of Conditions. As such Members are thus reminded that there is no technical objection to the scheme on the grounds of adverse impacts on highway network grounds.

The site benefits from good public transport opportunities, with a number of alternative modes of transport available to future occupiers of the development.

Open Space and Play Space: Arrow Park

The course of the River Arrow is proposed to be re-opened through Arrow Park to create an attractive water course feature providing both recreational and ecological benefits, reminiscent of the original River Arrow source. The profile of the river has been carefully designed to maximise safe access and egress points, with flows fully contained within the banks. The bed of the open channel includes a sequence of pools and riffles, achieved through the inclusion of a cascading rock profiles. The new park will provide recreational facilities for residents whilst also enhancing and supporting biodiversity through the

provision of native and wildlife attracting tree and shrub planting. The recreational focus of the park is to the north, with a wildlife focus to the south. The park will provide a semi-natural habitat and wildlife corridor linking east to west between the two areas of housing. To the north of the river the focus is on recreational activity with a children's play facility following a naturalised play theme. To the south of the river the focus is on wildlife habitat creation. A new area of woodland planting located outside the application site (equating to 4695 square metres) is also proposed to the western boundary, to the south of the existing woodland provision. The formation of this feature can be secured through Condition.

The street furniture within and adjacent to the Arrow Park will focus on timber products including timber litter bins, birds mouth timber knee rails, timber bollards, timber wayfinding and signage posts, timber cycle storage, timber play area features, timber interpretation signs and the timber footbridge crossing the re-opened culvert. There will be opportunities to explore the use of historical reference points such as emblems, insignias and interpretation panels (subject to copyright approval) to reflect the heritage of Longbridge and the Longbridge East Works. The Arrow Park footbridge will be constructed in timber with a hi-grip finish to the surface.

Supplementary Planning Guidance Note 11 (SPG11) which uses a standard formula for the calculation of contributions and is used as a starting point for negotiation. SPG11 relates to the assessment of the need to make contributions towards the maintenance of on-site open space and commuted payments in lieu of on-site provision. Such monies are thus made available for the capital expenditure towards the quantitative and qualitative improvement of areas of open space which residents of the development could then make use of.

The proposed Arrow Park provides 1.15 hectares of on-site public open space. This falls short of the on-site requirement set out in SP11. The following issues are thus important for Members to consider in light of this shortfall:

- (a) There is a significant benefit arising from the scheme since the open space will be publically accessible both to residents of the application site and the wider community
- (b) The nature of the open space is derived from a consideration of the site opportunities and constraints, most notably the de-culverting of the River Arrow, flood risk and drainage and ecology
- (c) The traffic calming proposals to Groveley Lane contains a toucan crossing which will facilitate a safe pedestrian crossing to Cofton Park to the north-west of the site. Cofton Park provides a range of recreational facilities, including three full-size football pitches and three senior cricket ovals with some changing facilities.
- (d) The NPPF makes clear that the development industry should be on the front-foot in promoting growth and investment including that arising from housing development, and that barriers should not be placed in the way of proposals which are in accordance with up to date Development Plans. The NPPF also makes clear that Councils should adopt a flexible approach to Section 106 contributions in order not to stymie development. The issue of viability is also contained in the Ministerial Statement: Planning for Growth.

- (e) The applications needs be viewed in the context of a deliverable housing scheme in order to assist in making good the Council's 3.5 year deficit in the supply of deliverable sites compared with the minimum five year requirement.

Management to deliver the long-term protection and maximise the wildlife and amenity benefits of habitats within the application site will be implemented as a Landscape Management Plan and Maintenance Schedule for the proposed Arrow Park. This will be undertaken via the formation of a management company. This will be secured by Condition to ensure full management and maintenance continues for the life of the development.

Given the above points (with particular regard to viability issues and the growth agenda and the proximity of Cofton Park to the application site), I consider the shortfall in on-site open space to be justified in this instance. I thus raise no objection on this issue. The views of the Head of Leisure Services are noted.

Ground Conditions, Flood Risk and Drainage Issues

Members will note the Contaminated Land Officer has raised no objection to the scheme, subject to the imposition of suitable Conditions.

Policy ES2 of the Bromsgrove District Local Plan states that proposals involving new development will not normally be permitted where there is a known risk of flooding, or where the Environment Agency indicates there are potential problems. A Flood Risk Assessment (FRA) and Drainage Strategy has accompanied the application.

The NPPF sets out a sequential approach to steer new development to areas with the lowest probability of flooding. This gives preference to sites within Flood Zone 1 (lowest risk), before Flood Zone 2 and finally Flood Zone 3a (high risk). Where development is proposed in Flood Zones 2 and 3, it must usually be demonstrated that there are no available sites at a lesser risk of flooding, in order to direct development to areas that are at the lowest risk.

The FRA indicates that the site is located in Flood Zone 1, which indicates that the site is at little or no risk of flooding with an estimated annual probability of river flooding of less than 1 in 1000 years (i.e. a less than 0.1% chance in any given year), and therefore has the lowest category of flood risk attributable. However, the River Arrow is culverted through the site and there is no floodplain associated with the watercourse in this location due to its small catchment size. The submitted FRA details hydraulic modelling works for the upper River Arrow to determine the flood risk to the site. The results show that the proposed development would be sited outside the current 1% (1 in 100 year) plus climate change floodplain.

The development proposals include measures to improve the River Arrow through the site, providing flood risk betterment and enhancing the river corridor, for biodiversity and water quality matters. The proposals include the removal of the old culverting and replacement with an open section of watercourse through the proposed River Arrow Park. It will not be possible to open up the entire watercourse through the site due to the topography. This will be replaced by a section of new culvert. The FRA confirms that the proposed channel works would not result in any out of bank flooding through the site

during the 1% plus climate change flood event and that any built development would be located outside the 0.1% flood extent within Flood Zone.

The development will not have any adverse flooding impact on the watercourse and surrounding environment. The proposed works will not increase the risk of flooding upstream or downstream of the site. I thus raise no objection on flooding grounds. In order to ensure that new dwellings are not affected by overland flow it is recommended that the finished floor levels of new houses should, wherever possible, be set 0.60m above surrounding finished ground levels. This can be secured via the imposition of a suitable Condition.

In relation to surface water run-off, it is noted that there will be a reduction in the impermeable area, providing betterment in surface water run-off rates post-development. This includes the partial opening of the River Arrow and the inclusion of landscaping areas throughout the site. Surface water will be have unrestricted discharge into the River Arrow to ensure flows are maintained for downstream receptors. British Waterways have requested this happens in order to provide sufficient flows to support the Bittell reservoirs downstream. Ground remediation works are ongoing to remove potential sources of contamination from the former car manufacturing plant. This will inevitably restrict the appropriateness of SUDS.

The public foul sewer will require diverting through the development. This has been agreed in principle with Severn Trent Water and will be subject to Section 185 of the Water Industry Act. The proposal is to discharge foul sewage by gravity into the public sewer at location MH 1801.

The Council's Drainage Engineer, the Environment Agency, Severn Trent Water and British Waterways have raised no objection to the scheme, subject to the imposition of suitably worded conditions.

Ecological and Biodiversity Issues

The Habitats Regulations implements the requirements of the Habitats Directive for species listed in Annexe IV of the Directive (European protected species). Stricter provisions than those contained in the Wildlife and Countryside Act 1981 apply for these species and regulation 3(4) of the Habitats Regulations places a duty on Local Planning Authorities, in the exercise of their functions, to have regard to the requirements of the Directive so far as they might be affected by those functions. All European protected species are also separately protected under the Wildlife and Countryside Act 1981.

The application site has been assessed through ecological survey work between 2005, 2006, 2007 and 2011 and background data searches in 2007 and 2011. There is one statutory conservation site within the zone of influence with the potential to be affected by the proposed development, namely Bittell Reservoirs SSSI which is of national ecological value. There are four non-statutory sites within the potential zone of influence of the proposed development: Cofton Plantation 'Cabbage Patch' SWS, Cofton Reservoir SWS and Bittell Reservoir (associated ponds) SWS (County Value) and a site of Borough value (Cofton Park SLINC).

The following habitats are recorded across the site:

- Hardstanding
- Woodland and scrub
- Individual trees
- Tall ruderal vegetation
- Semi-improved grassland
- Open water
- Swamp

Surveys found a low level of use of site as commuting habitat for common and soprano pipistrelle and noctule bat. Badgers have been identified as active within the site. Great crested newts and reptiles are not a constraint to the proposed development.

Overall, the ecological interest of the site has been assessed as being of between within the immediate zone of influence only and local value. The assemblage of protected species within and adjacent to the application site, such as bats, are assessed as being no greater than local value. Impacts considered include those relating to loss and fragmentation of habitats and disturbance, both during construction and operational phases. Construction will be controlled by means of the 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.

The site will ensure that biodiversity is maintained and enhanced, in particular through the retention of features that are of biodiversity value. Where features of biodiversity value are to be lost, these are to be mitigated for through new planting and enhancement of retained habitats. There will be significant positive impacts as a result of de-culverting part of the River Arrow and the landscaping of its associated green space. Natural England and Worcestershire Wildlife Trust have raised no objection to the scheme.

I am thus of the view that the outline application should meet with the requirements of the NPPF and the relevant Policies set out in the WCSP and the BDLP relating to biodiversity, subject to the imposition of suitable Conditions relating to the implementation of mitigation measures.

Noise Issues

Policy ES14A of the BDLP states that proposals for noise-sensitive developments (for example, housing) must be located away from existing sources of significant noise. Proposals potentially noisy developments must be located in areas where noise will not such an important consideration or where its impact can be minimised. The NPPF requires significant effects to be avoided and adverse effects to be mitigated or reduced, but no thresholds are defined in the NPPF or the Noise Policy Statement for England (NPSE). Members will be aware that the impact of noise is a material planning consideration and the impact of this issue can have a significant effect on environment and on the quality of life enjoyed.

The key dominant noise sources affecting the site include road and rail traffic. A detailed assessment of the site and its potential impact upon noise and vibration levels has accompanied the application. The assessment details that the site predominantly falls

into noise exposure categories A and B which are generally considered suitable for residential development. The report concludes that the site would be suitable for residential development, with the recommendation of noise mitigation measures to those properties adjacent the railway line to the eastern boundary. The presence of the proposed buildings themselves would further reduce noise across the site ensuring that the properties away from the perimeters are exposed to lower noise levels.

The mitigation measures include the installation of a 2 metre high noise barrier along the boundary of the site with the railway line (consisting of a landscaped bund or a solid fence constructed from solid sheet with no gaps between or around adjacent panels, or a combination of the two). The report also suggests the use of acoustic glazing and ventilation measures.

Subject to such mitigation measures to be secured through appropriate Conditions, I raise no concern on this issue. WRS has raised no objection to the scheme subject to the imposition of Conditions to ensure the mitigation measures are implemented.

Construction noise can be controlled through working hours restrictions covered in the Construction Environmental Management Plan accompanying the application.

Air Quality

Members will note the views of WRS. I thus raise no issue on this point. The Construction Environmental Management Plan will enable mitigation of any potential dust nuisance during construction phase. This can be secured through Condition.

Archaeological Issues

The views of the County Archaeologist are noted. The WCC(CA) has raised no objection to the scheme. No Conditions are requested.

Other Issues

Impact on the Setting of Listed Buildings (Cofton Church Lane)

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that regard is paid to the desirability of preserving the setting of Listed Buildings. Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 places an obligation on the LPA to pay special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Policies S39 and 35a of the BDLP and Policies CTC.19 and CTC.20 mirror this with a commitment to ensuring the protection of Listed Buildings and their settings and preserving or enhancing Conservation Areas.

There are no Listed Buildings or Conservation Areas within the application site boundary. There are no Conservation Areas within the wider locality, but the following five listed structures are located to the south of the site on Cofton Church Lane:

- St Michael's Church on Cofton Church Lane (Grade II*)
- Medieval cross in the churchyard of St Michael's Church (Grade II)
- Chest Tomb in the churchyard at St Michael's Church (Grade II)

Cofton Barns, Cofton Church Lane (Grade II)
Cofton Hall, Cofton Church Lane (Grade II*)

The developable area of the application site will be located approximately 150 metres from the closest Listed Building to the site (St Michael's Church). I accept that the development of the site will bring built urban form further south and it will be possible to view the rooflines of the new buildings in the southern part of the development, changing the horizon views. However, the real effects of this will be limited by trees and the topography of the site, in addition to the restriction on development towards the southern boundary given the Green Belt status of this aspect of the site. Furthermore, the proposed development will amount to a less dense and smaller-scale development than the previous uses on the site.

I thus raise no issue on Listed Building setting issues. Members will note the Conservation Officer and English Heritage have raised no objection to the outline scheme. Both consultees will be engaged in any subsequent Reserved Matters application dealing with siting matters if Members are minded to grant outline application.

Crime Prevention

Section 17 of the Crime and Disorder Act 1998 states that a LPA has a duty "*to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area*". Policy DS13 is a general policy relating to sustainable development. Amongst other things it sets out a requirement for all development to reflect the need to safeguard and improve the quality of life of residents by ensuring social progress which recognises the needs of everyone and by protecting the area's character and environmental assets, including the character of settlements.

The NPPF equates good design and the promotion of healthy communities to the creation of safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

The views of the Crime Risk Manager are noted. Members will be aware that the application is submitted in outline and contains an indicative site layout plan which is purely indicative at this stage for the purpose of considering this outline application. Any concerns raised by the CRM can thus be addressed through the Reserved Matters process. I thus would find it difficult to raise an objection with respect to the issues raised by the CRM at this outline stage.

Climate Change

Local Plan Policy DS13 states that the Council will take full account of the need for future development to be sustainable so that present demands do not compromise the ability of future generations to meet their own demands or enjoy a high quality environment.

The sustainability of these properties is well below that which the AAP had envisaged, with the development proposed being the minimum standards as required by Building Regulations, rather than the more aspirational targets as set out in the AAP. The AAP

also encourages homes to be built to Lifetime Homes Standards. This can be reviewed through the subsequent viability assessments linked to any Reserved Matters application.

Notwithstanding this, the following measures are detailed in the Design and Access Statement:

- The layout has been partly developed to facilitate air flows through the site so enabling cooling between and within buildings.
- Shading and vegetation has been incorporated around the site and along pedestrian routes.
- Buildings will adopt a natural ventilation strategy integrated with glazing and shading design.
- Glazing specification to use double-glazed systems with low-emissivity glass.
- In built ability to incorporate future renewable generation where appropriate, with particular focus on solar (PV and thermal hot water) technologies.
- To minimise water demand efficient sanitary fittings will be installed to all buildings.
- All gardens to include water butt to collect rainwater for irrigation and other external purposes. This will be directly connected to house downpipes and will offer up to 200 litres of rainwater storage per garden

Further strategies can be employed to deal with this issue, from layout and urban form (for example, optimising solar exposure through block orientation and architecture to promote good levels of natural daylight), building design and energy strategy (to include water drainage measures, construction and materials, waste and transport).

Although I note the current scheme falls short of the level set out in the AAP, I consider on balance that regard has been paid in the submission to matters of climate change mitigation and adaptation measures. Furthermore there is an opportunity to review these measures at the Reserved Matters stage. I am therefore of the view that the proposal complies with Local Plan Policy DS13 and the thrust of the NPPF.

Educational and Services Infrastructure

Members will note that Worcestershire County Council Education Services has commented that in recognition of the viability issues surrounding the redevelopment of the site, the only contribution sought relates to the replacement of temporary accommodation at Lickey Hills Primary School with a permanent extension. No other financial contributions are being requested. The County has confirmed this equates to a financial figure of £500,000.

The Education Service has confirmed that the extension to the school is not required until after the completion of Phase One. Notwithstanding this, the applicant has confirmed a willingness to make a financial commitment to provide this during the first phase (payable on occupation of the 100th dwelling) to enable the County to complete the works in good time to accommodate within the school the additional children who will live within the Longbridge East development in Phase 2 and beyond. It has been agreed in principle that the payment of £500,000 for the school improvements will be made as a Local Infrastructure Tariff payment (index linked). It is also agreed that the payment is to be spent within 5 years from the date of payment. If the payment is not used for Lickey Hills Primary School, the sum will be targeted for education within the County or for general

LIT purposes if no required subsequently for education. The sum and payment criteria will be secured through the Section 106 Agreement mechanism.

Other Matters

Construction Matters

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

Deliveries to the development site during the construction phase are also able to be controlled through a Construction Traffic Management Plan (CTMP). This could include the following:

- The prohibition of the movement of construction vehicles on the local highway network in the vicinity of the development site during the morning and evening peak hour periods
- Restricting construction vehicles to designated routes
- Restrictions of the hours of working on site

I intend to impose a suitable Condition to ensure the development accords with an agreed CEMP and CTMP.

Section 106 Agreement

Members will be aware that Section 106 obligations are legal agreements negotiated between Local Planning Authorities and developers in the context of a grant of planning permission. Such agreements are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.

Circular 05/05 has now been cancelled following the publication of the NPPF. Paragraph 173 of the Framework relates to “careful attention to viability”, and states “the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.” It goes on: “To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure

contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

Paragraphs 203 to 206 are all that remains of Circular 05/2005. Three of the five key policy tests remain: (Section 106 obligations must be: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development) but the 2008 CIL Regulations are now key. Critically, "Where obligations are being sought or revised, Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled." The issue of viability is also contained in the Ministerial Statement: Planning for Growth as detailed previously.

Following an accepted position of viability matters, Members will note the following agreed Heads of Terms breakdown of contributions for inclusion in the Section 106 Agreement:

- 16% affordable housing (equates to 36 dwellings): consisting of 50% affordable rent/ 50% shared ownership (18 affordable rented and 18 shared ownership) in a mix of 2, 3 and 4 bed houses with 18 to be built completed by the sale occupation of the 100th open market dwelling and the remainder by the sale occupation of the 193rd open market dwelling
- £500,000 specifically towards the replacement of temporary accommodation at Lickey Hills Primary School with a permanent extension, payable on occupation of the 100th dwelling, with such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education purposes.
- Construct and complete new public Park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.
- Viability reviews to be submitted with the submission of each future Reserved Matters application updating the current "Delivery and Viability Report" submitted with the application.
- Up to 35% affordable housing, subject to future viability assessment (consisting 30% affordable rent/70% shared ownership) subject to the future viability of the development.
- Up to £16,500 per dwelling to the Longbridge Infrastructure Tariff, subject to the future viability of the development
- A new Community Centre building of up to 450 square metres to form part of the northern Phase 2 of development
- The District Council's fees and costs of the initial and subsequent viability reviews to be borne by the applicant.

Members are reminded that the only committed LIT contribution at this stage relates to the £500,000 for predominantly education infrastructure provision detailed above. The Groveley Lane scheme of traffic calming will be provided via Condition, subject to Traffic Regulation Order being obtained and delivered through a Section 278 Agreement.

It is considered that the agreed level of contribution detailed above meets the three key policy tests set out in the NPPF.

There is the ability to commence development on Longbridge East and on-site improvements to the highway infrastructure and public realm. This approach would allow the first phase of the development to proceed and deliver new housing and the new park. The viability of subsequent phases will be re-appraised using the approved base cost information to establish if enhanced Section 106 contributions/affordable housing numbers could be made if market conditions improve. This review mechanism for subsequent phases will be secured in the Section 106 Agreement as detailed above.

The Section 106 Agreement is currently being drafted. I will update Members at your Committee on the progress of this document.

Conclusions

In planning policy terms, this site needs to be judged on its own merits and in line with existing policies and relevant material considerations. Whilst the mainstay of appraising the application relates to the LAAP and the NPPF, Local Plan Policies still form the Development Plan for the area, and any decision needs to be made in accordance with these policies unless material considerations indicate otherwise.

The issue of viability is also a material consideration in decision making. The weighting attached to viability issues needs to be balanced with the specific circumstances of the development site at Longbridge East, the underlying policy basis and all other relevant material planning considerations.

In planning policy terms, this site needs to be judged on its own merits and in line with existing policies and relevant material considerations. This includes the LAAP. Bromsgrove requires additional housing across the district to attempt to rebalance its housing market, and there is not currently a 5 year supply of housing land in Bromsgrove as required by national policy. In weighing up all the issues, including compliance with other adopted policies in the Local Plan and meeting the housing crisis the District is facing, the proposal should begin to address the serious shortfall in housing land supply. The proposal would additionally assist with the Council's task "*....to maintain a flexible and responsive supply of land for key sectors, including housing...*" as urged in the Ministerial Statement 'Planning for Growth'.

The NPPF retains the presumption in favour of sustainable development. The development of this site would comply with the key sustainability aims of the NPPF, thus contributing to housing in a sustainable location in addition to addressing (albeit in a limited way), the shortage of affordable housing in the District by supporting a an element of such dwellings.

Advice within the NPPF, the WCSP and BDLP makes it clear that the impact upon the character of the locality, as well as the relationship of proposed developments to the surrounding area to be legitimate material factors to take into account in the determination of planning proposals. Indeed, the NPPF advocates the rejection of poorly designed developments, including those that are clearly incompatible with their surroundings.

The partial de-culverting of the River Arrow, the proposed on-site public open space, the approach to high quality design advocated by the Design and Access Statement, the improvements to highway safety and new landscaping would be of local benefit which are factors that weigh in favour of the proposals. Fundamentally, the scheme forms part of the wider regeneration agenda for Longbridge and thus in turn would contribute to the wider vision and objectives for Longbridge established within the AAP.

I am content that the site is able to support the erection of up to 725 residential units in a well-designed manner, which will integrate well with surrounding development and the use of existing natural features. The scheme will provide a density considered to be appropriate in order to balance the need to make more efficient use of land with the acknowledged constraints of the site (with particular reference to topography, the watercourse and the adjacent railway). Furthermore, the scheme offers an opportunity for the provision of some on-site affordable housing units, together with elements of landscaping and ecological enhancement works that will reinforce such elements both within the site and to the boundaries of the development site (with particular regard to the Arrow Park). The site is sustainable and this factor weighs in favour of the application. Members will note WH have raised no objection to the scheme and furthermore I am not in receipt of any technical objections to the proposals. Having considered all material considerations, I am thus minded to approve planning permission.

What is clear from both the discussions and the financial modelling work which informed the discussions is that a fully AAP compliant scheme is unviable. I thus accept that the scheme falls short of some of the requirements of the AAP, with direct reference to the LIT and affordable housing provision. It is acknowledged that it may not be feasible for all developments to meet all of the requirements set out in national, regional and local planning policies and still be financially viable and therefore the balance of contributions that are being sought has been carefully considered. In this respect I am content that viability has been thoroughly assessed. The Section 106 Agreement will inherently permit the Local Planning Authority to review the viability of the scheme as the development of the site progresses in order to reassess the level of future contributions as a response to changing economic stability.

The applicant is in the process of submitting a legal agreement to deal with the Heads of Terms set out above. I am thus seeking delegated powers from Members to deal with this matter upon completion.

RECOMMENDATION:

(a) MINDED to APPROVE OUTLINE PLANNING PERMISSION

- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:
- (i) The securing of 36 affordable housing units (with a tenure mix of 50% affordable rent and 50% shared ownership) with 18 to be built completed by the occupation of the 100th open market dwelling and the remainder by the occupation of the 193rd market dwelling
 - (ii) A LIT contribution of £500,000 to improve education facilities at Lickey Hills Primary School to be made prior to the occupation of the 100th dwelling – with

- such sums to be used on education within the County if not used for Lickey Hills Primary School or for general Longbridge Infrastructure Tariff purposes if not required subsequently for education.
- (iii) Construct and complete the new public park including River Arrow works by completion of 200th dwelling and to be managed and maintained as a public park in perpetuity.
 - (iv) Viability reviews to be submitted at an agreed trigger point of either (a) upon the submission of each future Reserved Matters application or (b) the prior occupation of an agreed number of dwellings, with the viability review updating the current Delivery and Viability Report submitted with the current application.
 - (v) Up to 35% affordable housing with the tenure split to be determined, subject to the future viability of the development
 - (vi) Up to £16,500 per dwelling to the Longbridge Infrastructure Tariff (LIT), subject to the future viability of the development
 - (vii) A new Community Centre building of up to 450 square metres to form part of the northern Phase 2 of development
 - (viii) The District Council's fees and costs of the initial and subsequent viability reviews (index linked to RPI, plus expenses and VAT) to be borne by the applicant.

For the reference of Members I intend to impose suitable Conditions relating to:

- Submission of the outstanding Reserved Matters for approval (appearance, landscaping, layout, and scale)
- Commencement of development timescale
- Broad compliance with the parameters of the Masterplan and Design and Access Statement
- Compliance with approved drawings (with reference to access arrangements)
- Materials and external appearance finish
- Finished floor levels (set at least 600mm above the 1% AEP + CC flood level)
- External lighting
- Number and location of the affordable housing units to be provided.
- Soft and hard landscaping
- Footbridge design
- Landscape Management Plan
- Boundary treatments
- Details of the treatment and finishes to the Arrow Park
- Tree and Landscape Protection Plan
- Habitat Management Plan
- Details of bat and bird boxes
- Noise mitigation measures
- Construction Environmental Management Plan (CEMP)
- Construction Traffic Management Plan (CTMP)

Plan reference

- Contamination investigation and remediation programme as applicable
- Surface water drainage scheme
- Foul drainage disposal