

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
CALA HOMES "A"	Submission of Reserved Matters to 11/0343 (internal access, appearance, layout, scale and landscaping) for the erection of 80 residential units Land at Church Road, Catshill	ADR TPO LBS	12/0066 17.05.12
	<p>As amended by: Affordable Housing Layout: received 03.04.12 House Type Elevations and Floor Plans received: 03.04.12 Proposed Street Scenes received: 03.04.12 Update Topographical Survey: received 03.04.12 Proposed Site Layout received: 05.04.12</p> <p>As augmented by: Site Sections: received 03.04.12 Measured Works Schedule Softworks Only: received 05.04.12 Hoggin Path Detail: received 05.04.12 Detailed Soft Layout Proposals for Plots: received 25.04.12 Detailed Hard and Soft Layout Proposal for Play Area: received 25.04.12 Detailed Hard and Soft Layout Proposals for POS: received 10.05.12 Construction Details Knee Rail: received 05.04.12 Report for Trees, Landscape and Biodiversity Protection: received 05.04.12 Combined Biodiversity and Landscape Management Plan: received 11.05.12 Supplementary Design Statement: received 20.04.12 Sketch views received 24.05.12 Supplementary Evaluation of the Design and Appearance of the New Dwellings document received 23.05.12</p>		

RECOMMENDATION: that **RESERVED MATTERS** be **APPROVED**

Consultations

WH

Consulted – views received 12.04.12:

- No objection subject to Conditions relating to:
- Cycle parking

- Engineering details and specification of the proposed roads and highway drains
 - Road completion deadline
 - Welcome pack
- HA Consulted – views received 20.03.12:
- No objection subject to Condition relating to:
 - The design and construction of the noise bund
- Drainage Engineer Consulted – views received 27.04.12:
- No objection, in principle, with the layout of the site
 - Support the Environment Agency's conditions regarding elevated flood levels, and the pre-development approval of the foul and surface drainage, flood storage areas and both brook crossings by the Local Planning Authority. We would like to see, in particular, full plans of Sustainable Drainage.
 - We would also like to see calculations and models showing development will not result in increased flood risk downstream. This is particularly important as our records indicate there have been a number of flooding incidents to the highway and properties immediately downstream.
 - We would like to ensure that the access routes (at the brook crossing points) are above flood level to ensure safe entry and exit to the dwellings.
- Severn Trent Water Views received 16.03.12:
- No objection subject to Conditions relating to:
 - Surface and foul sewage
- EA Consulted – views received 26.04.12:
- In general, the proposed layout plan appears to be in accordance with the details agreed at the outline application stage.
 - However, it should be noted that we recommended a number of conditions were attached to the outline permission in securing further detailed information on: the management and treatment of the watercourse and its associated floodplain through the site; the proposed watercourse crossings, raised access roads and flood storage areas; a surface water drainage scheme; and the setting of finished floor levels for the proposed development, in accordance with the Flood Risk Assessment (FRA), FRA Addendum Report (dated August 2011) and Ecological Appraisal Report (dated April 2011, Rev D).
 - We note that your Council attached our recommended conditions to the outline planning permission as condition no. 8, 18, 23, 34 and 36. The applicant should note that further detailed information will be required to address these conditions, which are considered to be ongoing at this time.
 - Notwithstanding the above, items of information have been submitted and discussions undertaken in relation to these conditions, linked to the reserved matters consultation.
 - Condition no. 34 of the outline permission requires the detail of a surface water drainage scheme to be submitted for approval.

The surface water drainage scheme must be in accordance with the details of the FRA/FRA Addendum, submitted as part of the outline planning application, in providing sufficient on site attenuation to meet the discharge rate calculated at that stage.

WRS: Noise

Consulted – views received 12.03.12:

- No objection

WRS:

Air Quality

Consulted – views received 12.03.12:

- No objection

Urban Designer

Consulted – views received 05.03.12:

- In summary, although I have not seen the damage done to the landscape by the recent clearance, the site deserves a design approach which responds positively to its quality, in order to produce a development of real distinction.
- This is possible in the proposed scheme, but there is not enough evidence submitted that we can rely upon to ensure that it will be delivered.
- The process which is being followed is somewhat back to front, in that the submitted scheme requires significant modification in order to be at a standard of quality which I believe should be expected by the Council.
- I hope that it is possible to achieve this

Additional views received 19.04.12:

- The design of the apartment building has not improved
- There has been one significant positive change: the L-shaped plan form has been flipped, so that the courtyard which previously faced north-west, now faces north-east, and addresses the end of the spine road, which terminates to the east of the building
- The building is, however, enclosed on three sides by retaining walls more than four metres high, and on the fourth side there is a similar four metre difference in level between the courtyard and the road
- This represents a failure to design a building that fits the topography
- Remain concern over the location of the apartment block given it places elderly residents at the points on the site furthest from local facilities and at the end of an uphill walk of considerable length
- Concern raised over the regimented and uniform set of 21 houses in four blocks to the eastern side of the site
- Location of the affordable houses are located together. The proposed concentration of affordable houses mitigates against social equity and the stark contrast in architectural character reinforces the inequity.
- The treatment of the landscape and its relationship to built form appears to be satisfactory

Planning Policy
Open Space

Consulted 27.02.12: views awaited

- Head of Leisure Services
Strategic Housing Manager
- Consulted – views received 13.04.12:
- No objection
- Consulted 27.02.12: views received 25.05.12:
- A registered provider Jephson Midlands has now been appointed to manage the affordable housing units on this site.
 - The original indication Strategic Housing gave for 8 retirement flats (4 x shared ownership and 4 x rent) was based on the understanding that this would be a separate block. This is not now the case. The application proposes a mixed block of 15 flats both 1 & 2 bed and a mix of retirement and general needs which is undesirable both from a management perspective and the saleability of the shared ownership units. The 'L' shaped layout makes it difficult to proceed with the current proposed mix.
 - Following a further meeting with Jephson Midlands on Monday 21 May, the Strategic Housing team has agreed to look at the mix and make some additional changes
 - This would make all the 2 bed apartments shared ownership with their own separate entrance in one of the 'L' shaped block and provide all the rental units in the other wing of the block. This hopefully would make the shared ownership units more attractive.
 - It would also give a slight increase (by 1 unit) in the rented units but most importantly increase the 1 bed rented units to 6. Due to the impact of welfare reform and the changes in Housing Benefits we are looking to provide smaller units for existing tenants to downsize into and this would assist us in meeting this emerging need for smaller units.
 - The loss of 1 shared ownership unit will be compensated for by the fact that all the shared ownership units are now 2 bed thus a higher value.
 - I have also agreed that the rented wing no longer needs a lift which should help the scheme stack up with the proposed changes. I have said that the shared ownership block needs to have the lift retained.
 - Any change to the Section 106 Agreement tenure mix can be dealt with via a Deed of Variation.
- WWT
- Consulted – views received 09.03.12:
- Would prefer to see the indicative environmental enhancements outlined on the overall plan.
 - This would allow WWT to confirm the proximity of the proposed houses to new wetland features and provide clarification as to the potential for light spill and other effects
- Additional views received 11.05.12:
- Following receipt of the revised Combined Biodiversity and Landscape Management Plan (dated 11 May 2012), the Trust is content with this document and raised no objection to the scheme
- Tree Officer
- Consulted – views received 27.04.12:
- Following receipt of these plans I am now satisfied that the

detailed scheme of landscaping proposed is sufficient to provide additional and enhanced habitat areas to mitigate the loss of existing woodland and scrub areas and meet the requirements of policies C10, C10A, C12 and C16.

- I am further satisfied that it is possible to implement both the development and the landscaping scheme while protecting existing retained trees, woodland and other important habitat areas.
- The submitted Tree Protection Plan TPP1 within the Tree Condition Survey document details the areas to be protected during the development and the specification for protective fencing and I am satisfied that these details meet the initial requirements. It is evident however, that this development & particularly the creation of the proposed wetland features will require some works to be carried out within the Root Protection Area (RPA) of retained trees and woodland. The proposed levels changes in the vicinity of these zones may also seriously affect drainage conditions resulting in either drying out or water logging of Root Protection Areas and thus the future survival of these trees.
- I am satisfied that, subject to conditions allowing careful consideration and control of levels within the 1 in 1000 year floodplain zone. and the RPA of retained trees and woodlands, the proposed scheme can be successfully implemented

Contaminated
Land Officer
Conservation
Officer

Consulted 27.02.12: views awaited

Consulted – views received 04.04.12:

- No objection
- Although part of the site falls within the setting of the Listed Building, I do not consider that the development as proposed will significantly impact on the Listed Building or its setting

WCC(CA)
West Mercia
Constabulary

Consulted 27.02.12 views awaited

Consulted – views received 05.04.12:

- The revised layout is an improvement on the original submission
- A number of rear gardens are adjacent to open land; it is therefore essential that the fencing around these gardens is of the highest quality and is at least 1.8 metres in height. Consideration should be given to topping the fence with trellis to make it harder to climb.
- I note on the revised plans that pedestrian walkways have been put between plots 7-12, 13-17, 18-21 and 23-27. The drawings indicate that a gate will be put at the top of these walkways near to the front building line. To be effective the gates must be kept locked, therefore I suggest that they be fitted with automatic closing devices and locks that automatically secure the gate when shut. Each resident that has use of the path will have to be provided with a key.
- I am a little bemused as to why gates have not been specified between plots 21-22 and 22-23. Any potential burglar operating

in the area will simply use the paths between these houses to gain access to the rear gardens. These paths need to be gated in the same way as those mentioned above.

Community Safety

Consulted – views received 19.03.12:

- Mature tree canopies should be raised above two metres to maintain visibility lines from footpaths
- Footpaths should be provided alongside all roads on the development on both sides
- The footpath that connects the development with Stourbridge Road should be at least 3 metres wide and as straight as possible
- Lack of surveillance to the open space to the rear of plots 49 – 60 and the side of plots 33 – 80. These should have enhanced security measures (high fencing with topping/defensive planting)
- Lack of defensible space to the apartments
- Gable end plots attract graffiti and loitering, particularly where there is no defensible space and little natural surveillance (plots 1,12, 21, 30, 33, 49, 69, 77 and 80)
- Garages are preferred to car-ports
- Car-parking should be located within the development boundary. The development has a number of communal car parking areas with allocated car parking spaces. Some spaces do not have good surveillance
- Recommendation of a number of security measures (window and door standards/security lighting/side access gate specification)
- Enhanced boundary treatment to existing perimeter boundaries

Climate Change Officer

Consulted 27.02.12: views awaited

Western Power Distribution

Consulted 27.02.12: views awaited

CPRE

Views received 14.03.12:

- Concerns over issues relating to:
- Public open space
- Interference with Badgers' setts

Catshill and North Marlbrook PC

Consulted – views received 13.03.12:

- Flooding: The s106 agreement states the dwellings must be a minimum height above the floodplain and they will therefore be an over-dominant feature to the north-east of the site; the Parish Council would prefer to see the heights reduced to be less of a dominant feature. There are concerns the culverting of Battlefield Brook to the north-east of the site may create flooding upstream and of the play area during periods of heavy rainfall; similar concerns apply to the access road.
- Street Lighting: The street lighting to the west of the site may cause a nuisance to the residents of Stourbridge Road whose back gardens will be lit up by the new lighting.
- Parking: The provision of parking spaces is inadequate, with minimal parking for properties and no visitor parking eg. at the

flats, 15 spaces are proposed for 15 flats and it is believed that double-depth parking in some of the areas will produce problems to residents. The insufficiencies of parking provision in the existing surrounding roads, eg. Chadcote Way, cause problems to residents and impede free flow of traffic so it would be wrong to repeat the same mistake on a new-build site.

- Appearance: The Parish Council is not in favour of 3-storey dwellings. The proposed street scenes are not aesthetically pleasing, particularly those of the affordable units at the north-east of the site.
- Traffic: There are concerns about the junction within the site where the upper and lower road separate – will rights of way be clearly signed, can visibility be improved taking into account the differing heights of the roads?

Publicity

Re-consulted 05.04.12 in relation to amended plans: views awaited

38 letters sent 27.02.12 (expire 19.03.12)

1 letter sent 05.03.12 (expires 26.03.12)

40 letters sent 05.04.12 in relation to amended plans (expire 19.04.12)

7 identical site notices posted 22.03.12 (expire 12.04.12)

1 press notice published 20.04.12 (expires 11.05.12)

1 letter received from the Catshill Marshes Action Group **objecting** to the scheme on the following principal grounds:

- Loss of privacy to dwellings on Stourbridge Road: the new road and dwellings should be built at least 4 metres below the existing level and should not have windows overlooking the existing gardens
- General concerns regarding overlooking
- Density is too great
- Lack of green space between buildings and to perimeter
- Lack of replacement planting measures
- Security concerns
- Loss of rear access to dwellings on eastern boundary

19 representations **objecting** to the scheme on the following principal grounds:

- Site is totally unsuitable for housing development
- More detached dwellings are unsuitable
- Proposed homes will not enhance the area
- Layout lacks design quality
- Revised plans do not overcome concerns previously expressed
- Affordable housing will be built cheaply and the appearance reflects this in its design. These units are crammed in
- Plots 1-6 and 28-33 are appropriate and give the appearance of space, design and privacy located in a natural setting
- The western side of the development has a good mix of styles and materials that will stop the development from becoming too uniform
- The apartment block is poorly designed and should be split into

2 or 3 blocks and built with similar materials to rest of the development

- No provision for children's play area on the western side of the development
- Church Road is narrow and already creates traffic problems
- Cars travel at great speeds coming off Stourbridge Road and the proposed access is just after a blind bend
- Planned road layout is unsuitable and potentially hazardous
- Exacerbate parking issues on Church Road, Chadcote Way, Bourne Avenue and Woodrow Close
- Cycle path at the top of the site is in a dangerous position
- Pedestrian safety will be compromised
- More homes mean more traffic and pollution to an already heavily congested area
- Request for additional parking measures for Christ Church, the Cemetery and the Spiritualist Church and adequate speed calming measures on Church Road
- Destruction of woodland and wildlife habitat
- Loss of biodiverse area of natural habitat will prevent the reduction of atmospheric carbon dioxide
- Flooding issues will be exacerbated: through pressure on the water table and the flooding created by blockage of the brook and the impact on the rainwater drainage in Church Road and its overflow into Marsh Way
- The garages on Bourne Avenue regularly flood
- Loss of existing access to rear of property
- Rear accesses to new dwellings are unacceptable
- Loss of light
- Overlooking and loss of privacy due to proximity of new dwellings to existing properties
- Proximity of new dwellings to the rear of properties in Woodrow Close, Bourne Avenue and Chadcote Way
- Concern over levels, with particular regard to the new dwellings facing the rear gardens of the existing dwellings on Stourbridge Road
- Security concerns (with particular regard to the rear gardens of existing properties fronting Stourbridge Road)
- Lack of provision for the safety of existing residents
- Light pollution
- Restrict street lighting to low level bollards and restrict security flood lighting on the new dwellings
- Lack of green space
- The removal of the existing vegetation and mature tree

specimens leaves an inability to have a robust landscaping scheme

- Include landscape buffers between existing and new dwellings
- Increased noise for existing residents

Members are encouraged to review all submitted documentation, including the third party letters summarised above. These are available to view online via the Council's Public Access system or within the planning application file.

The site and its surroundings

The application site consists of approximately 6.1 hectares on the north-western fringe of Catshill, approximately 650 metres to the principal facilities located in Catshill and 400 metres northwest of the central area of Catshill. The site is located approximately 3.1 kilometres north of Bromsgrove.

The site is vacant and has recently been cleared of the majority of low lying scrub vegetation and a number of tree specimens. The site is open in character and is roughly linear in shape. The southern boundary of the site is bounded by Church Road, with the eastern boundary abutting the established residential dwellings located on Marsh Way/Chadcote way/Bourne Avenue/Woodrow Close/Mayfield Close. The western boundary is bounded by the rear gardens of dwellings located on the B4091 Stourbridge Road. The northern boundary runs parallel with the M5 motorway.

The site comprises of steeply sloping land to the west with more level land adjacent to the watercourse, Battlefield Brook, which flows through the site. The site levels vary from some 126.02 AOD to some 122.0 AOD within the watercourse area to the east, with this eastern aspect of the site having similar ground levels to the residential areas in Bourne Avenue and Marsh Way. To the west, the site rises significantly from some 125.0 AOD to some 141.0 AOD. The existing dwellings on Stourbridge Road are elevated further above the western area of the site.

Christ Church (Grade II) is located adjacent the south-western boundary. An electricity sub-station is located on the southern site frontage, enclosed within a compound of metal fencing and low level landscaping. From here, the site has a network of overhead cables.

Battlefield Brook runs through the central/eastern area of the site, which is low lying, wet and marshy. The Brook enters the site from the north, via a culverted section underneath the M5 motorway and moves southwards via a shallow channel. A section of Church Road is elevated as a bridge structure which allows the watercourse to continue further south. The development site lies within Flood Zones 1, 2 and 3 of Battlefield Brook. Existing foul and storm sewers are present along the eastern edge of the site with no-build easements.

There are currently two vehicular accesses serving the site. One is located off Church Road, via a dropped kerb and the other is located in the northern corner of the site located off Stourbridge Road. This is currently gated.

The site is designated as an ADR (Area of Development Restraint) under the Bromsgrove District Local Plan and the Draft Core Strategy 2 (retitled "Development Site").

Since the approval of the outline planning application, the site is now subject to a blanket Tree Preservation Order. This is with particular regard to the mature trees located along the valley of the Battlefield Brook.

Proposals

This is an application for the approval of reserved matters following the granting of outline planning permission 11/0343 for the erection of up to 80 residential units.

The application seeks approval of internal access, appearance, layout, scale and landscaping Reserved Matters for the erection of 80 residential units. The layout of the scheme broadly follows the Masterplan submitted as part of the outline application under 11/0343.

In summary, the development consists of:

- Construction of 80 no. residential units, comprising 65 no. 2, 3 and 4 bedroom houses and 15 no. 1 and 2 bedroom apartments set in a singular L-shaped block
- Provision of a total of 159 no. car spaces comprising 22 no. garages, 23 no. carports and 114 no. open spaces
- Provision of communal bin and cycle store with capacity for 15 no. bicycles to serve the apartment block
- Provision of garden sheds capable of storing cycles to the affordable housing units
- Construction of new spine road with access from Church Road and two cul-de-sacs
- Provision of public open space including children's play area and pedestrian links to Stourbridge Road

The site has three distinct areas:

- (a) The dwellings set along the spine road and western cul-de-sac
- (b) The 'horseshoe' of dwellings to the east
- (c) The apartment block to the north-east boundary

Members will recall that access was determined at the outline stage with vehicular and pedestrian access obtained off Church Road to the south. A dedicated walking/cycling access formed by the existing track to the northern boundary leading off the service road on Stourbridge Road has also been approved as part of the outline consent.

The development will provide a mix of dwelling types and sizes, with the net residential density on the developable area of the site equating to 36 dwellings per hectare. The proposed mix below indicates an emphasis on 2, 3 and 4 bed units.

Property Type	No. of bedrooms	No. of units	Proportion of mix
House	4 bed	25	31%

	3 bed	19	24%
	2 bed	21	26%
Apartment	1 bed	6	8%
	2 bed	9	11%
Total		80	100%

The mix of house types comprises detached, semi-detached and terraced dwellings, with one block of one and two bed apartments. All dwellings are two-storey in height. The apartment block is three-storey in height. Car parking will be provided on site within the curtilage of a plot, on a private driveway, or within small groups relating to a small group of dwellings.

Thirty two affordable units are provided, which equates to a provision of 40% affordable housing made within the site. This is consistent with Policy S15 of the adopted Local Plan.

This mix of affordable homes is as follows:

Proposed Mix	Rent	Intermediate
1 Bed Apartment	3	3
2 Bed Apartment	5	4
2 Bed House	6	1
3 Bed House	8	2
	22	10

An area of public open space of 3.81 hectares is provided on site. This encompasses the existing tree-planted valley adjoining Battlefield Brook running north to south through the site and a substantial area of open land in the north-west corner of the site. New footpaths and re-grading will permit access to areas of steep topography towards the western boundary. A more formal area of public open space is proposed to be set out with formal landscaping and an equipped children's play area adjacent to the horseshoe of new housing to the north-east of the site.

Relevant Policies

WMSS	UR3, UR4, RR1, RR3, RR4, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7
WCSP	SD.2, SD.4, SD.5, CTC.1, CTC.5, CTC.6,.CTC.8, CTC.9, CTC.14, CTC.15, D.6, D.43, T.1, T.3, T.9
BDLP	BROM5E, BROM28, DS3, DS8, DS11, DS13, S7, S14, S15, C4, C5, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, TR1, TR8, TR11, TR13, ES1, ES2, ES4, ES6, ES7, ES11, ES14A
Draft CS 2	CP2, CP3, CP4B, CP6, CP7, CP14, CP17, CP19, CP20, CP21, CP22, CP23
Others	NPPF, 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

Relevant Planning History

11/0343 Outline application for up to 80 residential units, including 12 retirement flats and associated communal facilities, access, parking, amenity space and associated work
Approved: 13 January 2012

Notes

The principle of the proposed development (up to 80 units) has been established through the granting of outline permission 11/0343. Therefore, the issues for consideration by Members are limited to matters of the internal vehicular access, layout, scale, appearance and landscaping.

For reference:

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

I have therefore attached very little weight to objections raised by residents with regards to the release of this site for housing provision, surface water drainage, the issue of vehicular access into the site from Church Road and wildlife issues, as the principle of development has already been established by the outline permission.

The main issues to consider in the determination of this application therefore are whether the siting and design of the proposed dwellings, as well as means of access, are acceptable when assessed against BDLP Policy S7 and the NPPF.

For the reference of Members, Policy S7 of the BDLP sets out a number of criteria against which residential proposals should be considered. This Policy is in general conformity with the thrust of the NPPF.

General Principles

The Design Statement accompanying the application sets out the main objectives of the scheme:

- The arrangement of the access, spine road and cul-de-sac following the contours along the western side of the valley with a linear arrangement of two-storey houses
- A further cul-de-sac crossing the Brook, with an area of public open space enclosed on three sides by houses, with the third side open to the valley
- The construction of two crossing points over Battlefield Brook
- A grain and architectural vocabulary taking reference from adjoining residential development but with a semi-rural character appropriate to the valley setting
- The siting of an apartment block and parking court at the head of the spine road at the north-western end of the site, recessed into the slope
- The creation of an area of open space in the north western corner of the site with a network of public footpaths and landscape enhancement
- The creation of a planted bund adjacent to the M5 Motorway to act as a visual and acoustic barrier
- The retention of identified trees and enhancement of the valley
- Retaining and enhancing the ecological features of the site which include badger setts, existing wildlife habitats, shrubs and trees. Retain and enhance Battlefield Brook and ensure that it is an inclusive feature of the development

Form and Layout

Members will note the scheme proposes a total of 80 residential units, equating to a density of 36 dwellings per hectare (based on the developable area of the application site). Members will be aware that the adopted Local Plan no longer includes a policy requiring residential development to meet a minimum density, nor does the NPPF contain minimum density figure requirements. Notwithstanding this, I am of the view that the density of 36 dwellings per hectare achieves an efficient use of land and will result in a development that respects its surroundings whilst providing for a range and choice of dwellings.

The development contains a mix of unit types, ranging from one and two bedroom apartments to two, three and four bedroom houses. All housing units are two-storey in appearance. The apartment block to the northern boundary is three-storey. The proposal includes a mix of detached, semi-detached and terraced units, in addition to the one and two bedroom units contained within the apartment block.

The topography of the site, Battlefield Brook and the surrounding flood zones strictly prescribe the path of the road structure to which the dwellings relate. The lower density grain of detached and semi-detached houses to the west of the site are arranged to follow the topography, with the slab levels gradually stepped up the slope along the spine road from the southern frontage towards the northern boundary. The looser grain of dwellings in this location would enable parking spaces to be located to the side of houses, avoiding frontage parking. Higher density dwellings to the east of the site are set in a more formal arrangement and the existing topography allows more consistent slab levels. The consolidated blocks of mainly semi-detached and terraced housing in this area is reflective of the scale and grain of adjoining residential development to the east. Parking would generally be in open spaces to the front of dwellings with garages to the larger detached units overlooking Battlefield Brook. The affordable housing elements of the development are located to the north-east corner and within the apartment block to the north-west boundary.

Members will recall the views of the Urban Designer in relation to the Masterplan presented as part of the outline planning application under 11/0343. In this response, the UD deemed the north-facing location of the retirement block, with the enclosed space turned away from the road and its full exposure to the noise of the motorway, in addition to its physical location at the most distant from local facilities in an uphill location, to be misguided. The UD has repeated these concerns in his latest response to the design merits of the scheme.

The applicant has responded to the points raised by the UD. With respect to the positioning of the apartment block, I accept it is located to the northern part of the site. This location provides a greater landscape setting than that afforded to individual dwellings, with the northern area of the site providing the optimum location by virtue of open land towards the M5 and the proposed public open space to steeply graded land to the rear of houses on Stourbridge Road. The extent of the floodplain at the southern end of the site and the road gradients present clear constraints to locating this building closer to Church Road.

The L-shaped footprint would be maintained, but the building is now proposed to be re-orientated to better address the end of the spine road, reduce the encroachment into the steep bank to the west, and to have less of an impact on the adjoining house plots and views from the north across the M5 Motorway. The apartments are orientated to face away from the most severe gradient and the ground is sculpted elsewhere in order to provide a more attractive outlook from habitable rooms. The footprint has been reduced and the building more compact in form to that shown on the original Masterplan. In order to achieve this reduction in massing, the accommodation has been consolidated into a three-storey building with hipped roofs (rather than the 1, 2 and 2.5 storey block proposed in the Masterplan). The ground floor slab level would be slightly higher to further reduce the area of excavation and provide level access to the front of the building. The building would be surrounded by higher ground and substantially hidden by the slope in views from the north, south and west. Whilst partially set into the severe gradients of the site, levels adjoining the apartment block have been designed to ensure that accessibility of the apartments is acceptable.

Although I note the view of the CSO, the front of the apartment block will have defensible space given the provision of parking which will be marked out and surfaced to be clearly separate from the open spaces surrounding it. As a consequence of the topography, there will be a retaining wall that sits beyond the north, south and western elevations and as such there will be a clear definition between circulation and open spaces that are semi-private and associated with the apartments, and the public accessible open spaces beyond.

The proposed dwellings to the west would be predominantly finished in red facing brickwork with selected use of render to enhance key elevations. Roofs to houses would be pitched and finished in either red or grey tiles with boxed or corbelled eaves. Houses along the central access road would have a mixture of gabled roofs and projecting gabled bays. The car ports would have pitched roofs. The more regular pattern of houses to the east would define the rectangular area of open space which they enclose and be predominately grouped in terraces. The elevations are designed with gabled roofs to provide focal points within the street scene. The choice of materials would be from a similar range to the houses to the west. Windows and door openings would generally have arched brick soldier courses or stone heads with stone sills. Windows would be

PVC casements with dividing glazing bars. Front doors would be 'cottage style' timber finish with vertical boarding with matching garage doors where applicable. The apartment block would be in a mixture of red and brown facing brickwork. The main elevations would be punctuated by balconies at upper levels and the ground floor apartments would have external terraces.

I note the views of the UD with respect to the provision and location of the affordable housing units to the north-east aspect of the site. This contains roughly similar numbers of mixed tenure affordable and market dwellings. This part of the site is more appropriate for smaller family dwellings than other parts of the site and has the benefit of an area of fairly level public open space containing a play area, remote from the sloping areas of the site and the brook. A sewer easement is required to run north/south and which cuts through the courtyard and line of the northern and southern terraces. This provides a further constraint to the site.

The scheme includes natural surveillance where necessary (parking areas, pedestrian routes and public open space). The applicant has reduced the number of car-ports. in line with the comments of the CSO. Whilst I note the specific comments of the CSO in relation to plot 69 and plot 80, Members will be aware of the need to balance urban design matters and crime prevention measures and as such I am satisfied with the orientation and boundary treatments of these two plots in these circumstances. I am of the view the proposed design and layout of the site adequately provides sufficient space within the gardens of the plots for bin stores, bin collection and cycle parking.

I am of the view that the design principles are generally sound in that the proposed development would provide a sustainable, attractive, safe and convenient place to live. I raise no issue on the external finish to the dwellings. As such this approach accords with the principles of design set out in the NPPF.

Landscaping and Public Open Space

The site has recently been cleared and this has led to the loss of scrub and some tree cover. In terms of the legality of the start on site, the definition of commencement of the development specifically excludes site clearance, amongst other things, in the Section 106 Agreement attached to the outline planning permission. On this basis the developer has not implemented the outline planning consent.

I have paid regard to the Combined Biodiversity and Landscape Management Plan submitted in response to the requirements of Condition 18 on outline planning consent 11/0343. This sets out the habitat protection, creation and management approaches for the site. This document has been the subject of extensive discussions with Worcestershire Wildlife Trust and the Council's Tree Officer. The content of this document has now been agreed by all parties.

All retained trees are now protected by a Tree Preservation Order. The Order was imposed following site clearance was undertaken.

The application site broadly consists of three distinct areas.

(a) Forming a corridor running north-south through the centre of the site is a low-lying floodplain zone through which runs a section of the Battlefield Brook. At the north and

south ends of this corridor, the Brook has a single channel with central tree cover. In the central section of the site, the Brook has broken its banks within recent years to form three separate channels, and has formed extensive area of reedbed and wetland habitat of breadth corresponding approximately with the line of the 1 in 100 year floodplain

- (b) On the western side of the central corridor, the land rises gently up to the rear of houses on Stourbridge Road
- (c) To the north-east of the central wetland corridor, another small area of land rises towards Bourne Avenue.

The largest landscape feature, forming a central unifying band of managed open space, would be along Battlefield Brook and encompassing the flood compensation plain. The western edge of this aspect of the site is defined by the spine road set between approximately 1 and 2 metres higher than the valley floor, with an embankment providing the transition in levels and affording views over the green corridor from the houses to the west. Due to this topography, it will be possible for occupiers of the dwellings on plots 49 to 60 to observe the open space the rear boundary treatment, in addition to having a degree of passive surveillance up across the open space to the west.

Retained tree and shrub planting is to be incorporated into the development, in addition to replacement planting measures. Watercourse enhancement works will create new areas of marsh and reed bed habitats adjacent to the new channel.

The central green corridor extends toward the proposed dwellings to the east and the more formal open land within the 'horseshoe' of houses includes an equipped children's play area overlooked by the surrounding dwellings. The landscaped corridor would continue to the north where levels would be re-graded to form a new landscaped bund towards the motorway. The proposed development has been situated to avoid offset zones surrounding the existing badger setts identified in the ecology report. A substantial area of public open space is located between the rear boundary of houses to the central access road and the western site boundary where topography is at its most extreme. The new apartment block would be cut into the eastern bank of this area and footpaths would provide access to the higher land and link with the existing gated entrance to the site from Stourbridge Road.

Following extensive discussions and a review and subsequent revision of the Combined Biodiversity and Landscape Management Plan, Worcestershire Wildlife Trust has raised no objection to the scheme. The Tree Officer has raised no objection to the scheme. I therefore raise no issue on landscaping and tree matters.

No objection has been raised by the Environment Agency or Drainage Engineer in relation to flooding and drainage matters.

Harm to Amenities of Neighbouring Properties

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. Where three and four storey housing is proposed with main living rooms above ground floor level (such as flats and maisonettes), a minimum separation of 27.5 metres is required to achieve both privacy and adequate visual separation.

I note the views arising from the consultation process with regard to this issue and with particular reference to a resultant loss of privacy for the occupiers of those dwellings in Stourbridge Road. The proposed site layout plan details a new road running parallel to the western boundary together with a landscape verge to create separation to the rear boundaries of the existing dwellings in Stourbridge Road. This road is designed to serve a group of houses to achieve an active frontage in front of public open space and to create enclosure around this space to counter-balance the rear elevation of houses along the spine road. The topography of the site will result in these new houses being situated lower than existing houses on Stourbridge Road having a separation distance of some 50 metres. This is detailed on the site sectional drawings accompanying the application.

I am satisfied that the majority of the scheme has been designed to comply with the guidance in SPG1. This includes the dwellings to the eastern boundary located to the rear boundaries of properties located in Bourne Avenue and Woodrow Close. The relationship between the proposed and existing dwellings is such so as to avoid any significant harm to residential amenity and complies with the separation distances set out in SPG1. This includes the interface between the proposed and existing dwellings on Stourbridge Road to the west and the proposed and existing dwellings on Bourne Avenue to the east. The applicant has responded to the concerns raised by third parties in relation to the retention of access to the rear of a number of properties on Bourne Avenue. This has now been incorporated into the layout scheme.

For the reference of Members, a suitable Condition has been imposed on the outline consent in relation to noise mitigation from the adjacent motorway, including the formation of a raised bund to the northern boundary, boundary barrier treatments and noise attenuating glazing and ventilation specifications.

I would also advise Members that there is an hours of construction condition attached to the outline permission, which will help reduce concerns raised by nearby residential properties with regards to the potential nuisance generated by the construction of the site.

Traffic and Access

Members will recall that the vehicular access into the site from Church Road has been agreed as part of the outline permission. Therefore, I would reiterate that the internal road layout, parking/turning and surfacing are the only matters required for consideration in this application before Members.

I note the views of the CSO in relation to access and footpath issues. Footpaths are provided along all stretches of road and are located to coincide with the location of houses (ie. where there is single sided development only, the footpath occurs on the side where houses are sited). Where it is possible to do so, footpaths are provided on both sides of the road. However due to the need to retain the floodplain area and as a consequence of topographical issues it has not been possible to provide a footpath on

both sides of the main spine road, nor the western road adjacent to the Stourbridge Road properties. I am of the view that safe and convenient pedestrian access has been achieved given the acknowledged constraints of the site.

As a result of the views of the CSO, the footpath leading into the site from Stourbridge Road has been increased to 3 metres in width. Due to topography and the need to achieve appropriate gradient it is not possible for this path to be straightened, but in any event given that this path is at a significantly higher level than the properties on the site this presents opportunities for passive surveillance from the rear of plots 51 to 60 and plot 80. Furthermore, the secondary informal path to the north and west of the apartments will similarly be overlooked from the front of the apartments where the path passes the parking area and from the rear of the apartments where the path runs parallel with the M5 to the northern boundary.

WH has raised no objection to the scheme on the internal road system (including the suitability of visibility splays, design and function) subject to the imposition of suitable Conditions relating to engineering details and specification of the new road and highway drains, a deadline for the completion of highway works, the submission of a welcome pack travel plan and cycle parking provision.

Other Matters

Impact on the Setting of the Grade II Listed Building (Christ Church)

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.

The Conservation Officer has raised no objection to the scheme on this issue.

Sustainable Design and Construction

The construction methods chosen would be responsible and energy efficient to meet the requirements of current Building Regulations. Dwellings will be constructed to achieve Code for Sustainable Homes Level 3, incorporating appropriate insulating materials, energy-efficient means of heating, low energy light fittings, A-rated appliances, and would include the installation of water metres and low water consumption sanitary fittings.

A sustainable surface water drainage system will be taken into account the existing watercourses flowing through the site and the associated flood risk.

As such I consider regard has been paid in the submission to matters of climate change mitigation and adaptation measures. I am therefore of the view that the proposal complies with Local Plan Policy DS13 and the aims of the NPPF.

Village Green Issues

Worcestershire County Council informed the District Council on 23 May 2012 that it is in receipt of an application to register the land as a Town and Village Green under the Commons Act 2006.

The County Council must now publish Form 45 as required by the Commons Act 2006 and Commons (Registration of Town or Village Green) (Interim Arrangements) (England) Regulation 2007. Any person wishing to object to the registration of the land as a town or village green must send a statement of the facts upon which the objection is based to Worcestershire County Council on or before 6 July 2012.

For the reference of Members, under section 15 of the Commons Act 2006, land can be now registered as a green if it has been used by local people for recreation 'as of right' (*i.e.* without permission, force or secrecy) for at least 20 years.

The greens registration system works entirely independently of the planning system. Although the Village Green application has been lodged with the County Council, it does not prevent the District Council from determining the Reserved Matters application.

Conclusions

Although I note the views of third parties, the principle of development has been established through the granting of outline planning permission 11/0343. The proposed layout follows the broad principles set out in the Masterplan presented to Members at the outline stage.

I am of the view that the proposed development would represent an appropriate form of residential development, which reflects the character and appearance of the area. I am therefore of the view that the detailed design of the site is acceptable on such grounds. The scheme will provide a suitable relationship between buildings and streets, an acceptable pattern of development and would be appropriate in terms of its form, scale, appearance and materials. The retention of the wetland feature and the open brook course are particularly of merit. This habitat will be properly controlled and managed through the parameters set out in the now agreed Combined Biodiversity and Landscape Management Plan in response to the requirements of Condition 18 attached to the outline planning consent 11/0343.

The proposed internal highway details ensure that there would be a safe movement of vehicles through the site and that there is adequate parking/turning provision to serve the plots. The proposed landscaping of the site is considered appropriate for this scheme and retains the important existing natural features of the site in its design with sufficient boundary treatments to the existing adjoining residential properties and future occupiers of the plots. I am content the scheme will not lead to adverse neighbour amenity issue given the careful design and siting of the new dwellings. No issues have been raised by consultees in relation to flooding and drainage matters.

I therefore find no reason to refuse permission and I am thus minded to approve the submitted Reserved Matters.

RECOMMENDATION: that **RESERVED MATTERS** be **APPROVED**

- (1) The approval must be read in conjunction with outline planning permission 11/0343 and the conditions attached thereto

Reason: The outline permission and the approval of Reserved Matters must be considered together

- (2) Prior to the first occupation of any two bedroom dwelling hereby approved, secure parking for 2 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

- (3) Prior to the first occupation of any three or four dwelling hereby approved, secure parking for 4 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

- (4) Development shall not be occupied until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

- (5) All roadworks shall be completed within a period of two years or other period agreed in writing from the commencement of work on the site, or within six calendar months of the substantial completion of 75% of the building(s) (no of dwellings) hereby approved if this is sooner. This will entail the making good of surfacing, grassing and landscaping in accordance with a specification submitted to and approved in writing by the Local Planning Authority. (Nothing in this condition shall conflict with any phasing scheme, in which respect it will be interpreted as applying to the particular phase being implemented).

Reason: In the interests of highway safety and convenience and a well co-ordinated development.

- (6) The development hereby permitted shall not be occupied until the applicant has submitted to and have approved in writing a welcome that promotes sustainable forms of access to the site with the Local Planning Authority.

Reason: To reduce vehicle movements and promote sustainable access

- (7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no openings or windows shall be provided at second floor level or within the roofslope to the rear elevations to Plots 13 to 27 (inclusive).

Reason: To protect the amenities of adjacent occupiers in accordance with Policies S7 and DS13 of the Bromsgrove District Local Plan 2004 and Policy SD.2 of the Worcestershire County Structure Plan 2001

Notes

HN7: Section 38 Agreement Details

HN8: It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

HN9: No Drainage to Discharge to Highway

HN12: Protection of Visibility Splays

HN24: Temporary Direction Signs to Housing Developments

All doors that are used to enter the residential units should meet PAS24 standards

All ground floor windows should meet British Standard 7950:1997 and be certified to the appropriate material standards

Low energy consumption lighting (greater than 40 lumens per circuit watt) should be used to provide uniformed illumination within the development

External dusk until dawn security lighting should be used to the rear of Plots 1-33 (inclusive), 49, 61 and 80

Bulk head lighting providing illumination around the apartment block should be considered

Side access gates to dwellings should be robust and lockable

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

WMSS	UR3, UR4, RR1, RR3, RR4, CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9, T1, T2, T3, T4, T5, T7
WCSP	SD.2, SD.4, SD.5, CTC.1, CTC.5, CTC.6, CTC.8, CTC.9, CTC.14, CTC.15, D.6, D.43, T.1, T.3, T.9
BDLP	BROM5E, BROM28, DS3, DS8, DS11, DS13, S7, S14, S15, C4, C5, C12, C16, C17, C36, C37, C38, C39, RAT5, RAT6, TR1, TR8, TR11, TR13, ES1, ES2, ES4, ES6, ES7, ES11, ES14A
Draft CS 2	CP2, CP3, CP4B, CP6, CP7, CP14, CP17, CP19, CP20, CP21, CP22, CP23
Others	NPPF, 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