

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Bromsgrove District Housing Trust 'A'	Demolition of rear single storey extensions to existing school building. Conversion of former Redgrove School building to form 11 no. residential units and erection of 8 no. affordable dwellings. Associated parking and access arrangements - Former Redgrove School site, Shaw Lane, Stoke Prior, Bromsgrove	RES	B/2007/1291 17.04.2008

RECOMMENDATION: that, subject to the satisfactory views of Worcestershire Highways and the Conservation Officer following the receipt of amended plans, and the receipt of satisfactory amended plans relating to amenity distances, permission be **GRANTED**.

Consultations

WH	<p>Consulted - views received 13.02.2008:</p> <ul style="list-style-type: none"> I have looked at the application and whilst I am generally happy with the arrangement I have a problem with the spaces adjacent to unit 11. With the category of road these cars must enter and exit in a forward gear, this means that these spaces are not acceptable. Also the parking provision is 2 spaced over the max which I am not worried about, but there could be problems relating to space allocation. Having communal parking off Corbett Drive is fine, but on Shaw Lane we need to ensure that this only serves 5 dwelling maximum. I suggest that the spaces are marked out per unit to overcome the concern and to prevent excessive car ownership. Can you please ask the applicant to revise their detail of the parking arrangement adjacent to plot 11 as this is a potential recommendation for refusal for myself.
ENG	<p>Consulted - views received 29.01.2008:</p> <ul style="list-style-type: none"> No objection subject to Conditions
Planning Policy	<p>Consulted - views received 06.02.2008:</p> <ul style="list-style-type: none"> The site is located within a residential area as defined by the Bromsgrove District Local Plan (BDLP) and therefore policies S7 New Dwellings Outside the Green Belt, S14 Range of Housing Types and Tenures and S15 Affordable Housing in Urban Areas apply. The site also partially lies within the Worcester and Birmingham Canal Conservation Area and therefore policy 35A of the BDLP applies together with provisions made in PPG15 Planning and the Historic Environment. Policies DS13 Sustainable Development and ES11 Energy Efficiency of Buildings are also applicable. The District currently has a moratorium on housing in order to maintain the housing distribution policy of the RSS. Guidance that was contained within SPG10 is of relevance, as in this instance, the proposal is for affordable housing, which is one of the exceptions to this policy.

- SPG1 'Residential Design Guide' is also applicable to this application. In particular section 9 Private Communal and Amenity Space recommends that it is usual to have a minimum garden depth of 10.5 metres for family dwellings with 3 bedrooms, with an absolute minimum area of 70 sq. metres for dwellings with 6 habitable rooms. The scheme appears to only partially comply in this respect.
- I note that 19 units are proposed and 37 car parking spaces. Policy TR8 off-street parking of the BDLP is of relevance and the Highway Engineers comments will be applicable in relation to this issue, together with new access arrangements to the site.

Planning Policy: Consulted - views received 06.02.2008:

Open Space

- With regards to Outdoor Play Space, provisions contained within policies RAT5 and RAT6 of the BDLP and SPG11 apply to this application. In summary, the scheme comprises 4 x 2 bedroom units, 13 x 3 bedroom units and 2 x 4 bedroom units generating a play space requirement of 1,795 sq. metres. I note that there is approximately 436 sq. metres of proposed open space provision on site, leaving a shortfall of 1,359 sq. metres. If this deficit is to be met off-site, then a commuted sum approximating to £304,371 should be negotiated. I also understand that there is a local play area approximately 100 metres to the north of the site.

Tree Officer

Consulted - views received 28.02.2008:

- The proposed scheme requires the removal of several trees including some identified as worthy of retention in the submitted tree survey. I am of the opinion, however, that this is acceptable provided that (i) sufficient replacement planting is carried out to mitigate for the loss of the trees and the environmental impact of the development, and (ii) that appropriate measures are applied to protect those trees being retained during the course of the development.
- No objection subject to the following condition.

NEO

Consulted - views received 25.01.2008:

- No consideration has been given to the ecological value of the site, and surveys have not been carried out. PPS9 states that planning decisions should be based upon "up-to-date information about environmental characteristics of an area", and should "aim to maintain, and enhance, restore or add to biodiversity interests".
- The site is within 2 km of several SSSI and SWS. Of particular note is the Worcestershire and Birmingham Canal SWS which is directly opposite the site, approximately 15 metres away. Upton Warren SSSI and SWS is approximately 0.5 km away, derelict land near Stoke Works SWS is approximately 0.7 km away, the River Salwarpe SWS is approximately 1 km away, and Pipershill Common SSSI and SWS and Hanbury Hall Park SWS are within 2 km. Consideration must be given to any potential impacts that development of the site may have on these statutory and non-statutory nature conservation sites, in order to meet with relevant wildlife legislation and planning guidance.

- Due to the age and nature of the existing buildings they are considered to offer potential roosting opportunities for bats. The presence of some damaged slates and decaying timbers, as stated in the Structural Report, may offer access to the roof void. Bats and their roosts are protected in EU law under the Habitats Directive 1992 and in UK law under the Conservation Regulations 1994 and the Wildlife and Countryside Act 1981. As such they are a material planning consideration. PPS9 states that Local Planning Authorities should "ensure appropriate weight is attached to protected species". For these reasons a preliminary assessment of the potential for bats in the existing buildings should be carried out prior to permission being granted. This survey should be carried out by a suitably qualified professional and at an appropriate time of year. If bats are found to be using the site or the buildings are found to offer roosting potential then planning conditions may have to be imposed.
- The site may offer potential for other species in addition to those specifically specified here.
- With no information about the ecological interests of the site it is impossible to make an informed decision as to whether the application meets with the requirements of PPS9, and with relevant wildlife legislation.

CO

Consulted - views received 26.01.2008:

- I have no objection to these proposals in principle. Also, no objection to the proposed demolition of the rear single-storey modern extensions. The only issue I am concerned about is the arrangement of the roof windows or skylights, which can have a visual impact on the Conservation Area. My observations are as follows:
 - With regard to the proposed front elevation:
 - All skylights should be of equal size;
 - Also, the top skylights to both sides of the 'turret' should align vertically with the skylights and windows below them. I have looked at the plans and this alignment seems feasible;
 - Finally, the location of a single skylight to the top right hand side of this elevation appears rather random. Why is Unit 1 arranged differently on plan from Units 2, 3, etc.? If they shared the same arrangement, this 'random' skylight to top floor would not be necessary, and there could be a skylight on the level below instead.
 - With regard to the proposed rear elevation:
 - All skylights should be of equal size and vertically aligned with those below. The exception being those skylights immediately adjacent to the sides of the 'transept' wing.
 - With regard to proposed side elevations:
 - Here, as well, skylights should acknowledge the existence of the windows below, hence they should be vertically aligned with those windows below.

Strategic
Housing
Manager

Consulted 06.03.2008: views awaited.

- EHO Consulted - views received 11.02.2008:
- No objection in principle.
 - However suggest that all windows and doors on rear facades on units 12 to 19 inclusive (overlooking the railway line) shall be specified to achieve a weighted sound reduction index of at least 38 dB. The required ventilation on these facades shall be provided by acoustic ventilators which also meet this specification.
- EHO Consulted - views received 31.01.2008:
- Contaminated Land
- No objection subject to Conditions.
- CBCO Consulted - views received 29.01.2008:
- No objection.
- Network Rail Consulted - views received 01.02.2008:
- No objection subject to Conditions.
- BW Consulted - views received 25.01.2008:
- No objection subject to Condition relating to suitable drainage system that prevents water from entering the navigation.
- Stoke PC Consulted 21.01.2008: views awaited.
- Publicity 5 letters sent 22.01.2008 (expire 12.02.2008).
4 site notices posted 22.02.2008 (expire 14.03.2008).
1 press notice published 01.02.2008 (expires 22.02.2008).
- 2 responses received:
- Concern over access to the site during construction and following completion.
 - Concern over additional traffic - Shaw Lane already experiences high traffic volume and this is compounded by the parking on the canalside of Shaw Lane. This makes it dangerous for pedestrians.
 - The size of the development will cause further traffic and parking issues.
 - Concern over intended ownership structure of the units.

The site and its surroundings

The site is located on the western side of Shaw Lane and relates to the former Redgrove School site. The building is a Victorian brick and tile building built in the latter part of the nineteenth century by John Corbett of the Stoke Prior Salt Works. The main school building and the attached headmaster's house are built using the dark red brick prevalent in the locality, with feature blue-black bricks and half round black tiles on the exterior walls. The roofs are steeply pitched with timber trusses and slate covering. The interior of the building has been partitioned into classrooms at a later date. A low brick wall runs to the boundary with Shaw Lane, with a higher brick wall on the return facing Corbett Drive. A hardstanding play area is located to the rear. A number of unsympathetic single storey brick extensions have been attached to the building to the rear. These provide for toilets and other service areas. The building is currently vacant. A Virgin mainline railway runs along the western boundary of the site. This boundary is treated with a combination of close-boarded timber fencing and wire-mesh. The site is located in the Worcester to Birmingham Canal Conservation Area and a designed residential area.

Proposal

This application relates to a full application for the conversion of the existing building and the erection of new build dwellings.

The vacant school building and attached Headmaster's house is proposed to be converted into 11 affordable residential units, with a mix of 2, 3 and 4 bedrooms. The housing mix is based on the Housing Needs Survey compiled by Bromsgrove District Council, the Rural Enabling Officer's recommendations and the waiting list maintained by Bromsgrove District Housing Trust.

The school building will be divided along the centre lines of the existing timber trusses and external buttresses into 9 no. 3-storey dwellings, with the upper storeys built into the roof space with new conservation roof windows. The Headmaster's house is two-storey.

The existing single storey extensions to the rear will be removed to bring the building back to its original form. Original features like the blue front doors, brick-arched windows, eaves, buttresses and diamond-paned iron windows will be preserved and retained.

The scheme also includes the erection of 8 no. affordable new build dwellings on the land to the rear of the existing building, with a mix of two and three bedrooms. All the new dwellings are two-storey with ginnel alleyways for access to the rear gardens. The rear doors and windows will be acoustically enhanced as per the recommendations of the Acoustic Consultant in order to minimise the impact of the noise from the railway line.

Each of the dwellings will have their own private garden, together with a proposed garden shed and secure cycle storage space.

It is proposed to construct the new dwellings using a red and blue-black brick to match the existing building and the same cream through colour render. The roof covering will be grey interlocking concrete tiles. Where the single storey extensions are to be removed to the rear of the school building, the rear wall will also be finished with a cream through colour render.

Access for the majority of the development is off Corbett Drive onto a new spine road running down the centre of the site. 25 no. car-parking spaces will be located off the central spine road. A further 8 no. spaces are provided at the front of the school building where there is an existing grasscrete parking area. 4 no. car-parking spaces will be located adjacent to the Headmaster's house off Shaw Lane.

The majority of the trees on the site are to be retained, including the mature oak in the south-west corner of the site. The 0.45 metre high brick wall to the eastern boundary of the site facing Shaw Lane will be retained. The 1.6 metre high brick wall along the northern boundary adjacent Corbett Drive will also be retained. A light screen of small trees and shrubs will be planted along this boundary for privacy. A new 3 metre high close-boarded fence is proposed to be constructed along the western boundary adjacent the railway track. There will also be a screen of planting along this fence to further reduce the noise pollution from the railway. The existing 1.8 metre high close-boarded fence along the southern boundary will be retained as existing. The rear gardens of the

new build dwellings will be separated with 1.2 metre high timber fences. The gardens to the dwellings in the conversion will be separated with 0.60 metre high timber fencing.

A noise assessment and Design and Access Statement are available in the planning file should Members wish to view them.

Relevant Policies

WMSS QE1, QE2, QE3, CF2, CF3, CF6
WCSP CTC.1, CTC.19, CTC.20, D.5, D.16, SD.2, SD.3, SD.4, SD.5, T.1
BDLP DS3, DS13, S7, S15, S28, S35a, C4, C17, C27, TR1, TR11
Others PPS1, PPS3, PPS9, PPG13, PPG15, PPG17, Circular 06/98, Circular 06/05, SPG1, SPG4, SPG11

Relevant Planning History

B/2007/1291 Demolition of rear single storey extensions to existing school building
(Conservation Area Consent): Approved 07.03.2008
B/2002/0930 Single mobile classroom: No objection 11.09.2002

Notes

The site is within an established residential area and therefore residential development is acceptable in principle. The application site consists of a former school building and associated hardstanding areas and therefore, in my opinion, the site falls within the definition of previously developed land as set out in PPS3. Advice in this Government guidance states that priority should be given to the redevelopment of previously developed sites in preference to greenfield sites.

Given this context, it is felt that residential development of this site would, on the face of it, be acceptable in principle. I consider the main issues to consider in connection with this particular application relate to whether the proposed development accords with the criteria set out in policy S7 and, if not, whether any disadvantages to the scheme are so substantial to justify refusing permission, despite the policy support for residential development on such sites. This process of consideration includes the location of the site in the designated Worcester to Birmingham Canal Conservation Area and the comments from consultees and third parties arising from the consultation exercise.

Density

Paragraph 47 of PPS3 states that 30 dwellings per hectare (dph) net should be used as a national indicative minimum to guide policy development and decision-making, until local density policies are in place. The current proposals equate to 46.3 dwellings per hectare. The density is principally higher due to the conversion works to provide 11 dwellings. As such, I consider the scheme accords with the guidance for the density of residential development set out in PPS3.

Form and Layout

The area is predominantly characterised by two-storey modern medium-sized semi-detached and terraced dwellings. The new dwellings would be seen against the backdrop of the former school building fronting Shaw Lane and the dwellings adjacent to the railway line on Corbett Drive. As such, I consider the two-storey form of the new dwellings would not be out of keeping in this location and would sit comfortably with the established form and character of existing development in this location. The CO has raised no objection to the form and layout of this aspect of the scheme.

I consider the conversion scheme has been sensitively approached and this aspect of the scheme will enable a new use for the vacant building. Members will note the views of the CO in relation to rooflight insertions. The applicant's agent has responded to these views and intends to submit revised elevational drawings accommodating these views. I will update Members at the meeting of the Committee on this issue.

Play Space Provision

The application falls within the threshold for affordable housing as detailed in policy RAT5 and RAT6 of the Bromsgrove District Local Plan. Members will note the views of the Open Space Officer. An existing equipped play area is located approximately 100 metres to the north of the site on land off Shaw Lane.

The applicant's agent has pointed out that account must be made of the communal recreation / amenity space that is to be provided specifically for residents of the development (some 1,795 square metres). The applicant's agent is also of the view that this is a unique opportunity to re-use an existing building that, in all other respects, has now outlived its original purpose, and is no longer considered financially viable to operate as a local school building. The applicant's agent is of the view that it is not possible to meet the standards that would, ordinarily, be expected if the application consisted entirely of purpose-built new build residential dwellings. Finally, the applicant's agent points out that BDHT is a non-profit making organisation and this scheme is a further opportunity to provide commitment to the Council's objective of affordable housing in the District.

Given these site-specific circumstances and the presence of the existing equipped play area within reasonable walking distance of the site, I consider the scheme to be acceptable in its current form. As such, I therefore do not consider it appropriate to request additional on-site play space provision or a financial contribution for off-site provision in this instance.

Housing Oversupply Issues and Affordable Housing Provision

Although this application falls under the threshold for affordable housing as detailed in policy S15 of the Bromsgrove District Local Plan, the applicant is proposing to dedicate all the proposed dwellings as affordable units.

I note that the proposed housing mix is based on the Housing Needs Survey compiled by Bromsgrove District Council, the Rural Enabling Officer's recommendations and the waiting list maintained by Bromsgrove District Housing Trust.

I am of the view that the proposed development qualifies as affordable housing to be managed by the largest provider of social housing in this District (BDHT) and accords with the Council's strategic housing objectives and first priority. The Council will therefore retain nomination rights to the occupiers of the units. Given the involvement of the Council (through BDHT), there is not considered a need to address this issue through any form of additional legal mechanism. However, I consider it pertinent to impose a suitable condition to properly address and control this issue in order to ensure the dwellings remain as affordable units in perpetuity. The views of the Strategic Housing Manager are awaited on this issue.

On this basis, I am of the view that the proposal should not be refused on housing oversupply.

Loss of Trees and Hedgerows

The proposed scheme requires the removal of several trees including some identified as worthy of retention in the submitted tree survey. The Tree Officer is of the view that this is acceptable provided that sufficient replacement planting is carried out to mitigate for the loss of the trees and the environmental impact of the development; and secondly, that appropriate measures are applied to protect those trees being retained during the course of the development.

Ecological and Biodiversity Issues

The Habitats Regulations implements the requirements of the Habitats Directive for species listed in Annex 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.

Members will note the views of the Natural Environment Officer with particular reference to the presence of bats. The applicant's agent has suggested that a bat survey is not conducted prior to any planning consent being granted due to funding issues. Members will be aware that bats and their roosts are protected in EU law under the Habitats Directive 1992 and in UK law under the Conservation Regulations 1994 and the Wildlife and Countryside Act 1981. Other protective legislation is therefore in force. On this basis, I suggest that a suitably worded Condition is imposed to ensure that a bat survey is carried out prior to the commencement of any works on site should Members be mindful to grant planning consent.

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 effects. The Guidelines suggest 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. It is usual to have a minimum garden depth of 10.5 metres for family

dwellings with 3 bedrooms, with an absolute minimum area of 70 square metres for dwellings with 6 habitable rooms. This area, the rear garden space, should not be used for the provision of a garage or car hardstanding. A proportionally greater garden area will be required for dwellings with a greater number of habitable rooms commensurate with the scale of the intended dwelling and appropriate to the character / form of other plots in the vicinity. While variations will be considered, the garden area proposed must be considered appropriate to the house type and character of the area.

Having reviewed the submitted drawings, I raised concern with the applicant's agent that Plots 12 - 16 (inclusive) and Plots 5 and 6 do not comply with the minimum garden depth advocated by SPG1. I am also concerned over the apparent lack of compliance for amenity space, with a number of plots falling short of the 70 square metres detailed above.

The applicant's agent has responded to these concerns. Following negotiations, a revised site layout is to be submitted addressing the concerns in relation to the new build plots 12 - 16 (inclusive). I will update Members at the meeting of the Committee on this issue.

In relation to the conversion aspect of the scheme, the applicant's agent is of the view that the conversion nature of the scheme has provided difficulty is permitting the whole scheme to stack up financially. With regard to Units 5 and 6, the agent notes that the tenants who chose these dwellings will be gaining internal space at the expense of private outdoor amenity space. This requirement is dictated by the layout of the existing buildings.

Given a holistic view of the development, I am of the view that the shortfall in garden distances serving Plots 5 and 6 are not so detrimental to warrant a refusal of the application on this issue alone.

The development has been sufficiently designed to be able to not adversely affect the existing amenities of the adjoining occupiers in Shaw Lane, Coriander Close and Corbett Drive. I therefore consider the scheme to comply with criteria (e) of policy S7 of the Bromsgrove District Local Plan and the guidance within SPG1.

Members will note the views of the EHO in relation to noise issues. These are reflective of the Acoustic Report accompanying the application. In order to ensure quality of amenity for the new occupiers, I consider it pertinent to impose a suitable Condition to ensure noise attenuation measures are incorporated into the design of the new build dwellings.

The Development can be Properly Serviced

The Drainage Engineer has raised no objection to the scheme.

Traffic and Highway Implications

The scheme proposes 37 no. car-parking spaces to serve the development. Worcestershire Highways (WH) have raised objection to the scheme in relation to the orientation of parking provision. These views have been put to the applicant's agent and I

am currently awaiting a response. I will update Members at the meeting of the Committee on this issue.

Conclusions

I note that the application would in principle be acceptable in that it proposes residential development in an area designated for residential use. The site falls within the definition of a previously developed site and, as such, its development would be in general accordance with government objectives set out in PPS3. However, it is noted that Government guidance does not automatically allow the development of urban sites and issues such as layout and effect upon character and residential amenity are all material factors that may result in a residential scheme in an urban area being unacceptable. The scheme involves the re-use of an existing building that is integral to the development of Stoke Prior and this will ensure its survival.

Subject to the satisfactory views of Worcestershire Highways and the Conservation Officer following the receipt of amended plans and the receipt of satisfactory amended plans relating to amenity spacing, I find the scheme to be acceptable.

RECOMMENDATION: that subject to the satisfactory views of Worcestershire Highways and the Conservation Officer following the receipt of amended plans and the receipt of satisfactory amended plans relating to amenity, permission be **GRANTED**.

1. Time limit.
2. The development hereby permitted is for affordable housing only. Prior to the commencement of development a scheme for the provision of affordable housing will be agreed with the Local Housing Authority and submitted to the Local Planning Authority. The scheme will include arrangements to control occupancy and ensure that the development initially meets and continues to meet local affordable housing needs in accordance with priorities set by the Local Housing Authority.
3. The areas annotated *children's play area* and *communal garden* on the approved site plan shall be provided as communal public open space prior to the occupation of any of the dwellinghouses. The area shall be retained as a communal public open space recreation area in perpetuity and not be used for any other purpose unless otherwise agreed in writing by the Local Planning Authority.
4. Notwithstanding the provisions of Class A-H (inclusive), Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as revoked or amended), no enlargement, improvement or other alteration shall take place to the approved dwellinghouses without the prior written consent of the Local Planning Authority.
5. Details of the form, colour and finish of the materials to be used externally on the walls and roofs including doors and windows, door frames and window frames as well as rainwater goods shall be subject to the approval, in writing, of the Local Planning Authority before any work on the site commences.
6. There is no Public Surface Water Sewer available and no surface water will be allowed to discharge to the foul water sewer. The disposal of storm water shall be by means approved by the Local Planning Authority. The approved system shall be operational before building works commence.

7. Full details of the following matters shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced:
 - (a) acoustic glazing to the rear elevations of Units 12 - 19 (inclusive);
 - (b) a soundproof mechanically assisted ventilation system.The development shall then be implemented and thereafter maintained in accordance with those details unless previously agreed in writing by the Local Planning Authority.
8. C10
9. C13
10. C14
11. C15
12. C16
13. C17
14. C18
15. C19
16. Prior to the commencement of any works on site, including site clearance or demolition, the applicant shall submit details of a scheme of protection for the retained trees on the site during development to the approval of the Local Planning Authority. The approved scheme shall then be implemented to the satisfaction of the Local Planning Authority prior to the commencement of any works.
17. Prior to the commencement of development hereby permitted, an ecological method statement, including a full bat survey of the existing buildings, shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall clarify how the management of the site will be tailored to benefit the species present and how it will provide benefit in addition to any legally required mitigation.
18. Prior to the commencement of works hereby permitted, full details of the shed / bicycle sheds shall be submitted to and approved in writing by the Local Planning Authority.

Reasons

2. To ensure the proposed dwellings are provided at an affordable level and to meet local housing need in accordance with policy S15 of the Bromsgrove District Local Plan.
3. To ensure the proposed development is served by open play space in accordance with policies RAT5 and RAT6 of the Bromsgrove District Local Plan.
4. To protect the character and appearance of the Conservation Area in accordance with policy S35a of the Bromsgrove District Local Plan and policies CTC.19 and CTC.20 of the Worcestershire County Structure Plan.
5. In order to secure the satisfactory appearance of the development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.
6. To ensure the provision of adequate storm water drainage in accordance with policy ES1 of the Bromsgrove District Local Plan 2004.
7. To ensure that the noise emitted from the adjacent railway line is within acceptable levels in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan and policies SD.2 of the Worcestershire County Structure Plan.

16. In order to secure the satisfactory appearance of the development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.
17. To ensure sufficient mitigation measures to address the presence of protected species on site in accordance with policies CTC.12 and CTC.13 of the Worcestershire County Structure Plan and policies C10a and C11 of the Bromsgrove District Local Plan.
18. In order to secure the satisfactory appearance of the development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.

Notes

The granting of planning consent does not supersede the applicant's responsibilities for biodiversity under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006.

If bats are identified within the site, the applicant is reminded that a licence from DEFRA will be required to undertake the removal of any buildings or trees containing bat roosts and a detailed mitigation strategy will be required to be submitted to Natural England.

It is suggested that the disposal of stormwater is to be via soakaways. If the ground is not suitable and alternative is an attenuated discharge to a piped watercourse, either direct or via an existing private sewer.

The disposal of foul sewage shall be by means to the mains located within the highway. This can be achieved by utilising the existing connection once it has been proved to be in sound condition.

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

This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, it is recommended that a 1.8 metre high trespass resistant fence be erected parallel to, but separate from, the railway fence.

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

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of

these proposed works to the railway boundary, the developer should contact Keith Buckland at Network Rail on opewestern@networkrail.co.uk before works begin.

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land, the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

In the interests of safety, all new trees to be planted near Network Rail's land should be located at a distance of not less than their mature height from the boundary fence. Details of planting schemes should be submitted to this office for prior approval.

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned so that, in the event of failure, it will not fall on to Network Rail land.

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

WMSS	QE1, QE2, QE3, CF2, CF3, CF6
WCSP	CTC.1, CTC.19, CTC.20, D.5, D.16, SD.2, SD.3, SD.4, SD.5, T.1
BDLP	DS3, DS13, S7, S15, S28, S35a, C4, C17, C27, TR1, TR11
Others	PPS1, PPS3, PPS9, PPG13, PPG15, PPG17, Circular 06/98, Circular 06/05, SPG1, SPG4, SPG11

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