

Name of Applicant	Proposal	Plan Ref.
IM Properties (Logistics) Ltd_	Demolition of existing petrol filling station and works to provide new access to the retail park and extended car park, replacement of existing unit facades and roofs, provision of additional mezzanine floorspace (A1 Retail and ancillary space), and associated development. Land At Bromsgrove Retail Park, Birmingham Road, Bromsgrove, Worcestershire,	16/0449

RECOMMENDATION: That planning permission be Granted

Consultations

Parks & Green Space Development Officer Martin Lewis

The site is directly adjacent to the Spadesbourne Brook Local Wildlife Site and as such interacts with an important ecological corridor which forms a vital green spine through Bromsgrove. The daytime bat survey makes reference to this site and to the requirements of paragraph 125 of the NPPF with regard to the impact of light pollution on bats through the careful use of lighting in critical areas only and at a low level with minimum of spillage. I have reviewed the submitted lighting design drawings etc. and it would appear that this designed without reference to this survey, or to the impacts that lighting will have upon the LWS adjacent as the volume of light spillage that potentially affects the area would appear to be not inconsiderable.

Ideally, lighting of the following types (in the absence of superior alternatives) should be specified:

- Narrow Spectrum Lights with no UV content
- Low pressure sodium and warm white LED
- Directional down lights - illuminating below the horizontal plane which avoid light trespass into the environment.

Any proposed landscape, car park or external building lighting needs to be either PIR activated (as appropriate) or timed to minimise potential disturbance of potential forage or roosting sites and routes.

I would endorse the conclusions of the bat survey, specifically Chapter 6 - R2.

Worcester Regulatory Services- Air Quality

Based on the information provided within the above reports regarding number of additional car parking spaces and additional vehicle movements of 200 AADT, WRS concur with the conclusions of the report that a detailed air quality assessment is not required to support the above application.

Highways Department- Worcestershire County Council

Whilst this application increases the retail floor space it is accepted that there is not a straight forward pro rata increase in trip generation as there is already an existing retail offer. Additionally the site has the lawful use of the petrol filling station which is to be removed as whilst this hasn't operated in recent years the site could clearly be use as one without the need for further permission. The loss of the trip generation from the petrol station off sets the addition retail trips and consequently there is a net benefit to the highway network as a result of the proposals.

Given the sites location it is likely that many trips will be linked trips with other trips in the town centre, but it is still a requirement to provide a travel plan and that adequate measures are provided to encourage non car trips. There is a shortfall of some elements of infrastructure, therefore a condition is recommended to address this.

The access design requires additional details to be added but it deemed suitable for the determination of the planning. A condition is recommended to ensure that the detailed design is forth coming. It is however recognized that visibility is restricted due to the presence of on street parking to the north of the proposed access does to rely on these spaces being removed. I would therefore bring to the applicants attention that the progression of a traffic regulation order may be needed depending on comments in the future road safety audit and if that is the case the applicant will have to cover the costs associated with the administration of that order.

Recommends that any permission which the District Planning Authority may wish to give include conditions which provide:-

- 1 Electric Vehicle Parking space
- Secure parking for 24 bicycles
- Secure parking for 12 motorcycles
- Engineering details of access and implementation before first occupation
- Travel Plan before first occupation

Worcester Regulatory Services- Contaminated Land

The proposed scheme avoids the full redevelopment of the main site (excluding the petrol filling station area), without intrusive ground works. Whilst a hotspot of benzo (a) pyrene has been identified on the main site and there is the possibility of other contamination being present, investigations carried out so far has not identified an unacceptable risk given the current use and the presence of hard standing covering throughout. Therefore whilst the main site remains undisturbed no further investigation of this area is considered necessary.

The main risk remains with the former petrol station, which is in the process of undergoing groundwater monitoring to update the risk assessment and if appropriate, present a remediation strategy.

Therefore the proposal to focus further investigation on the former petrol station area is considered acceptable. A condition is recommended applied to the application should

permission be granted to ensure outstanding contaminated land issues are appropriately addressed.

Worcester Regulatory Services- Light Pollution

External Lighting: The external lighting strategy looks satisfactory and the submitted Lux plan indicates there would be minimal light spill to adjacent areas.

Landscape & Tree Officer Consulted 17.05.2016

- I would have no objections to the proposed development under following conditions:
- All trees to be retained within the proposed development are afforded relevant protection in accordance with BS5837:2012 throughout any ground or construction works on site.
- An Arboricultural Method Statement is provided for the council's consideration and agreement.
- Any resurfacing works which encroach into the RPA of any of the trees is constructed on Cell Web No Dig Construction in conjunction with a permeable road surface.
- Trees T2, T5, T6, T9, T10, T13, T14 and G3 are retained and incorporated into the proposed development.
- Construction work of the proposed wall and metal railings along the Birmingham road which encroach into the RPA of T1, T9 & T10 are constructed on pile and beam foundations and are manually dug by hand.

Community Safety Team

No objections to this application.

The service yard and associated parking areas need to be secure to mitigate the risk of crime.

North Worcestershire Water Management

The site falls mainly within flood zone 1 however it does lie very close to, and partially within, flood zones 2 and 3. According to the updated map for surface water flooding, the site may be susceptible to flooding during storm events. We do not hold any reports of flooding on the site itself, however we do hold reports of flooding in the wider vicinity.

Since the site is bordered by the Spadesbourne Brook, a local wildlife site at this location, particular care must be taken during the construction phase of the works. Records indicate the potential presence of water voles and kingfishers along the brook; any increase in pollution or unnecessary disturbance may negatively impact upon these species along with the water quality of the Spadesbourne Brook.

As this site is classed as a major development, there is generally an expectation for above ground SuDS to be incorporated into the drainage scheme. Since there is to be no increase in impermeable area and there is likely to be significant contamination beneath the site, I am satisfied with the existing drainage networks being utilised, however I would expect to see some betterment across the site as a whole. This could be in the form of carefully designed landscaped areas (subject to approval from experts in contamination migration potential) or attenuation tanks on the drainage network beneath the new car parking area.

The new car parking area and access road will need to be suitably drained, and all water connected into a mains sewer (subject to consent from Severn Trent Water Ltd). There must be no disposal of any surface water via infiltration or to the watercourse unless a full remediation scheme is carried out on site to remove the risk of polluting the water environment.

Should you be minded to grant permission for this development, I suggest the following condition is attached to your decision notice to ensure protection of the water environment:

Development shall not commence until a method statement for the protection of the adjacent brook from pollution during the course of construction has been submitted to and approved in writing by the local planning authority. The statement shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. Development shall be carried out in accordance with the approved details.

Additional comments 19-07-2016 The betterment shown on drawing 15-6503-SK005 Rev P1 Drainage Attenuation Proposals is acceptable.

Conservation Officer

I have no conservation objections in principle to the proposed scheme. I would, however like to see more detailed drawings in respect of the landscaping and especially the boundary treatment to Birmingham Road. This could be conditioned but to be approved by the LPA prior to the commencement of works on site.

Natural England

No objection

Environment Agency

Flood Risk: The site appears to be primarily located in Flood Zone 1, based on our indicative Flood Map for Planning, where such development is appropriate in accordance with the NPPF. Parts of the site, including a portion of Unit 5, are located within Flood Zone 3 (1% annual probability of fluvial risk) based on our indicative Flood Map for Planning. We note that the application proposes to re-clad and sub-divide the existing units to similar 'less vulnerable' (Table 2 of the Planning Practice Guidance refers) uses. We would not make any bespoke comments based on the scale and nature of the proposal in this location. However, we would draw your attention to our FRA Guidance Note 3 (attached) for your consideration. This includes advice on safe development and flood risk management etc for less vulnerable development.

West Mercia Constabulary

No objections to this application. The service yard and staff parking areas need to be secured in order to mitigate the risk of thieves.

Worcestershire County Council Strategic Planning (Waste)

Provision should be made on site for the storage of non-recyclable and recyclable waste including dedicated external storage for recyclable waste.

North Worcestershire Economic Development and Regeneration

There are a number of clear economic benefits of this proposal, which also need to be factored in to the decision making process. These include:

- The redevelopment of this site, which sits at an important gateway to the town, will provide an improved 'entrance' to Bromsgrove and will make a feature of this important plot, especially with the removal of the currently boarded up former Petrol Station that is unsightly and detracts from the character and appearance of the area;
- The proposed development will provide a further sign of confidence within the local market and will result in vast improvements being made to the design and appearance of the site. It is considered that the site will be another important development, building on other recent permissions in close vicinity and it highlights that Bromsgrove is 'Open for Business';
- The applicants identify that the proposals would result in an increase of circa 4,000sqm of retail floorspace and the creation of an additional 46 car parking spaces. The increase in retail space will potentially improve the retail offer within the town and the additional car parking spaces are to be welcomed. It is also considered that the proposed increase in floorspace and uplift in offer will provide further jobs at the site, which is to be welcomed;
- It is considered that there are opportunities for linked trips from this site to the town centre and the proposed design plans for that possibility with a clear pedestrian access route provided to the south of the site. These linked trips would have a potential added benefit to the retailers in the town centre. However, it is considered that to better connect these two sites a contribution should be sought towards improving the public realm between the two areas.

In addition to the above, it is also worth noting that the proposals are considered to be in line with the adopted Economic Priorities for Bromsgrove, especially Priority 3, which is to *"Create a more vibrant Bromsgrove Town Centre by enhancing the current retail and leisure offer"*. It is clear that this proposal would help to achieve this key priority that Bromsgrove District Council have recently adopted and it is considered that this should be an important factor in the determination of this application.

Whilst it is unclear which retailers are being targeted by the owners, what is clear is that the proposals currently tabled will appeal to a wider range of occupiers than the current retail park does. It is also likely that the nature of the eventual end-users of this scheme would be well known high street retailers.

Overall, NWEDR are very supportive of sustainable economic growth within the North Worcestershire area. This proposal will dramatically improve the aesthetics of the site and the proposals are likely to attract a new type of retailer into Bromsgrove town. Overall, the proposal is fully supported by NWEDR and it is hoped that it will receive a positive recommendation.

Publicity

212 neighbour letters were sent on 17/05/2016 (expired 07/06/2016)

Site notices were posted on the site frontage dated 19/05/2016 (expiring 10/06/2016)

Press notice published 27/05/2016 (expired 10/06/2016)

1 letter of support was received and is summarised as follows –

- This development would greatly enhance the site.
- The creation of smaller, more modern shop units could attract high quality retailers to the town centre.

Relevant Policies

Bromsgrove District Local Plan 2004 (BDLP):

BROM11	Town Centre Zone
BROM12	Primary and Secondary Shopping Areas
BROM14	Development in Secondary Shopping Area
BROM18	Improvements to Shopping Environment
BROM22	Improved Facilities to the Shopping Environment
C5	Submission of Landscape Schemes
C10A	Development Affecting Other Wildlife Sites
C17	Retention of Existing Trees
DS3	Main Locations for Growth
DS11	Planning Obligations
DS13	Sustainable Development
E4	Extension to Existing Commercial Uses
ES1	Protection of Natural Watercourse Systems
ES2	Restrictions on Development Where Risk of Flooding
ES4	Groundwater Protection
ES7	Sites Suspected of Contamination
ES11	Energy Efficiency in Buildings
ES14	Development Near Pollution Sources
S20	Main Shopping Location
S29	Access for the Disabled
S39	Alterations to Listed Buildings
TR1	The Road Hierarchy
TR8	Off-Street Parking Requirements
TR10	Car Parking Provision for Disabled Motorists
TR11	Access and Off-Street Parking

Bromsgrove District Plan Proposed Submission

BDP1	Sustainable Development Principles
BDP6	Infrastructure Contributions
BDP16	Sustainable Transport
BDP17	Town Centre Regeneration
BDP19	High Quality Design
BDP20	Managing the Historic Environment
BDP21	Natural Environment
BDP22	Climate Change

Others:

NPPF National Planning Policy Framework

Relevant Planning History

13/0261	Variation of condition 2 to 09/0365 (redevelopment of site to provide a new supermarket (Class A1) and retail units (Class A1-A3) with associated car parking access, highway, landscaping and other works) to allow the minor material amendment consisting of (i) reconfiguration of car park and service yard (ii) reconfiguration of the roof to replace kalwall top hat glazing with high level glazing and (iii) part replacement of brickwork with a cladding solution	Approved	30.10.2013
13/0262	Non-material amendment to planning approval 09/0365 (redevelopment of site to provide a new supermarket (Class A1) and retail units (Class A1-A3) with associated car parking access, highway, landscaping and other works) to allow minor alterations to the canopy structure to the front elevation	Approved	25.07.2013
09/0365	Redevelopment of site to provide a new supermarket (Class A1) and retail units (Class A1-A3) with associated car parking access, highway, landscaping and other works. As amended and augmented by further information detailed on decision notice.	Approved	17.01.2012
B/15153/1987	Retail development with allied car parking and service area (Outline). (As amended by plans received 17.6.87).	Approved	22.06.1987

Assessment of Proposal

1.0 The site and its surroundings

- 1.1 The site measures 1.7 hectares and currently accommodates three large scale retail units, associated areas of surface level car parking and a petrol filling station, equating to 5,406 square metres of existing retail floor space. Unit 1 is currently occupied by The Co-Operative, whilst Units 2 and 3 are vacant. The petrol filling station has ceased to trade and is fenced off from the remainder of the site by a wooden temporary hoarding. The existing three main retail units are set back from Birmingham Road, positioned on the eastern and southern boundaries of the site.
- 1.2 A large area of surface level parking is provided in front of the retail units and extending up to the Birmingham Road, There is space for 198 cars (170 customer parking spaces and 28 staff parking spaces). Vehicular access/egress to the site is provided by an all movements junction in the north eastern corner of the site directly from Birmingham Road, with a separate egress only at the southern end of the site. Service vehicles for the retail units share the customer access, with the retail units serviced at the rear. Within the site, the service yards to the retail units extend right up to the Spadesbourne Brook bank to the rear of the store which is retained by a concrete revetment.
- 1.3 Fronting Birmingham Road, adjacent to the petrol station at 48 -52 Birmingham Road, are a pair of listed buildings dating from the early 19th century. These are excluded from the application site, although the site includes land fronting Birmingham Road either side of these buildings. 50-52 Birmingham Road is in office use and is accessed from the rear rather than the principal front entrance. 48 Birmingham Road has also undergone total internal modernisation and been converted from residential to office use.
- 1.4 The southern and east boundaries of the site are marked by the Spadesbourne Brook, with the site screened from views from the south and east by mature vegetation that occupies the banks of the Brook. Beyond this is residential development along School Drive and Oakhurst Drive.
- 1.5 In the vicinity of the application site, Birmingham Road is characterised by secondary frontage retail units. Development within the vicinity of the site along Birmingham Road does not have a prevailing architectural style, with buildings of varying styles and age. To the north-east, private gardens bound the site with tall, brick walls and, further to the east there is a dense screen of conifers. To the south west, a dense leylandii hedge prevents views between the site and the business premises beyond. On the far side of the brook the ground is relatively well wooded.
- 1.6 On land immediately opposite the site, planning permission has recently been granted (ref: 15/0834) for the development of a food store.

2.0 Proposal

2.1 Full planning permission is sought for the following works:

- Demolition of the existing petrol station;
- Access works: Replace the existing exit only with a new all movement priority junction. The existing southern access and petrol filling station access would be closed off. The existing northern site access would be retained;
- External works to unit façades (existing buildings to be stripped back, with only the substructure, frame and slab being retained) new store fronts with continuous seamless glazing lighting both ground and mezzanine (1st floor) levels;
- Additional mezzanine floor space (including retail floor space);
- Works to the car park: resurfacing, reconfiguring and extending the car park (into the area presently occupied by the petrol filling station) to provide a total of 251 parking spaces, 9 of which would be disabled parking bays. 12 spaces would be provided for cyclists and 8 spaces are proposed for motorcyclists. Three covered trolley bays are proposed. The car park would be interspersed with new tree planting, and retain some of the existing trees.
- Low boundary wall and railings to site frontage.

3.0 Main Issues

- 3.1 The main issues to consider are layout, scale and external appearance; residential amenity; highway safety; setting of listed buildings; flood risk and drainage; landscaping, protected species; land contamination and whether the development as a whole is sustainable.

Principle of Development

- 3.2 The site is presently within retail use and lies within the Town Centre Zone in the adopted Local Plan and secondary shopping frontage. The site is also identified for retailing in the emerging Bromsgrove District Plan under Policy BDP17. The proposal seeks to retain A1 retail use and is accordingly acceptable in principle.

Layout, Scale and External Appearance

- 3.3 The proposed development would utilise the existing steel frame and floor slabs of the buildings, but would result in a development no greater in height or massing than the existing structures. The proposal includes an increase in floor space through the addition of mezzanine floors within the buildings.
- 3.4 The general layout site would remain as existing, with the building envelopes incorporating new double-height fully glazed frontages using capless curtain walling, combined with brickwork pier casings, using buff facing brick, and high

quality colour-coated standing seam cladding in anthracite grey. A condition is recommended to deal with external materials.

- 3.5 Retailers signage would be in the form of letters applied between ground and first floor mezzanine levels rather than conventional fascia boards, but would be subject to separate control under the Advertisement Regulations.
- 3.6 The existing site contains a number of individual trees, primarily forward of the retail units and some of which are retained in the scheme. The proposed development would result in the loss of 7 trees presently situated in the car park. The belt of trees adjacent to Spadesbourne Brook to the rear of the site would be retained.

Residential Amenity

- 3.7 The siting, height and massing of the resultant development would not be materially increased. Furthermore, the principle coniferous screening to north, and south western boundaries is retained, along with the belt of trees bordering Spadesbourne Brook. Accordingly, your officers consider that there would be no significant change in terms of the impact of the buildings upon residential amenity. The use of the units remains the same. A condition requiring details of external lighting (including lighting to the rear of the units and service yard is recommended.
- 3.8 A review of the planning history indicates that there are no restrictions on the operation of the existing units, other than the normal restrictions governing permitted development which apply irrespective of any planning conditions imposed on earlier permissions. As the proposal would not constitute a new use, it is not considered appropriate or necessary to introduce restrictions open opening hours / delivery times etc.

Town Centre Regeneration

- 3.9 Emerging Local Plan Policy BDP17.14 TC7 Birmingham Retail Park was drafted following the submission of an application by Sainsbury's to comprehensively redevelop the site with a store which addressed the site frontage. Having secured planning permission, Sainsbury's decided not to pursue the development and have subsequently sold the site. The new proposal does not involve the complete demolition of the buildings. Whilst this proposal does not offer the opportunity to restore frontage development to which the emerging policy aspires, does provide significant visual enhancement through treatment of the facades of those buildings, removal of the petrol filling station and re-landscaping of the car park.

Setting of Listed Buildings

- 3.10 48 - 52 Birmingham Road, are a pair of listed buildings dating from the early 19th century. These are excluded from the application site, although the site includes land fronting Birmingham Road either side of these buildings, and maintains access to parking spaces to the rear via the existing resurfaced car park. Policy S39 of the Bromsgrove District Local Plan 2004 requires that careful attention will

be paid to any proposal affecting the setting of a listed building. Your officers consider that the proposal would not result in harm to the setting of these heritage assets, and indeed the removal of the petrol filling station and addition of new wall and railings to the frontage presents an opportunity to enhance their setting, an outcome consistent with the guidance at paragraph 137 of the NPPF.

Highway Safety, Traffic and Air Quality

- 3.11 The Highway Authority have raised no objection to the scheme in principle and have recommended a series of conditions which your officers are recommending be imposed in a modified form. The Highway Authority do not consider that any off-site junction improvements are required as a result of this proposal. Consideration of the impact of the proposal in terms of vehicle movements needs to be weighed against the removal of the petrol filling station and its associated traffic flow. The Highway Authority response to the application confirms the position that "the loss of the trip generation from the petrol station off sets the addition retail trips and consequently there is a net benefit to the highway network as a result of the proposals". Your officers concur with this view.
- 3.12 Neither the recent proposal for a food store on the opposite side of Birmingham Road, nor the Waitrose scheme on the other side of the town had a requirement for electric car charging points. The request by Worcestershire Regulatory Services for 10% of car parking spaces to include electric charging points is noted, but crucially, members will be aware that no objections on air quality grounds have been made. Notwithstanding this the plan details the provision of cabling for such charging points to facilitate their installation in the future.

Flood Risk and Drainage

- 3.13 Surface water from the existing car park presently drains into a combined public foul and surface water sewer under the Birmingham Road. The petrol filling station, which was largely covered by impermeable surfaces draining to this sewer is proposed to be replaced by a hardstanding draining to the same combined sewer. The outfall to the sewer runs through the site of the former petrol filling station and there is an opportunity for betterment in terms of reducing the rate of water flow into the combined sewer by introducing some capacity for storm water storage within the site during significant rainfall events. Reducing the rate at which storm water enters a combined sewer would significantly reduce the risk of flooding and pollution during a significant rainfall event. A condition is recommended to address this issue.

Landscaping

- 3.14 The proposed development would result in the loss of 7 trees. Notable amongst these are one tree on the site frontage - a cherry; and two Scots Pine trees situated at the rear of the petrol filling station. The demolition of the filling station, regrading of levels for the extended car park and reconfiguration of the parking spaces preclude the retention of the scots pines. They are not considered to form prominent trees in the street scene. The cherry tree on the site frontage would be lost in order to create the ramped pedestrian access from the footway on the

Birmingham Road linking to the new pedestrian route into the site. This tree is situated in close proximity to another which is to be retained. In your officer's opinion, when balanced against the significant enhancement to the area which would result from the refurbishment of the site, and mindful that the application creates the opportunity to secure the planting of approximately 20 new trees throughout the car park; the loss of these trees and limited harm to visual amenity resulting from that loss, is considered acceptable on this occasion.

Land Contamination

- 3.15 The site contains a former petrol filling station and it will be necessary to undertake a programme of remediation which will entail removing the tanks. A condition is recommended by Worcestershire Regulatory Services is proposed to address this issue.

Protected Species

- 3.16 Subject to a condition which secures lighting which does not cause disturbance to bats using the wooded brook as a foraging route and the surface water from the parking area continuing to be discharged to a public sewer, your officers consider that the proposal would have no significant adverse impact upon protected species or their habitat.

4.0 Sustainability

- 4.1 There are three dimensions to sustainable development: economic, social and environmental.
- Economically, the proposed development would attract new retail expenditure to the Town and will have a positive effect on the trading vitality and viability of Bromsgrove Town centre as a retail location.
 - Socially, the development would help support a strong, vibrant and healthy community by creating a high quality built environment with accessible local services.
 - Environmentally, the proposal would make more efficient use of brownfield land and buildings through use of mezzanine floor space, and creates an opportunity for betterment in terms of mitigating the risk of surface water flooding through reducing the rate of discharge to the public sewer.

5.0 Conclusion

- 5.1 The application proposal would provide a significant opportunity to enhance the appearance of this prominent site, and as a consequence enhance the setting of the listed buildings on the site frontage. The proposal makes efficient use of brownfield land in a Town Centre location and is in general accordance with relevant national and local plan policy.

- 5.2 The new retail units will provided the opportunity for new retailers to locate within Bromsgrove by providing modern well configured premises currently lacking in the centre. This should increase the diversity of the retail offer within the Town.
- 5.3 The proposal would not give rise to any adverse highway conditions and there would be no increased likelihood of flooding as a result of the development. It is considered that any adverse impacts arising from the loss of tree cover and on the issues of highway capacity, ecology, residential amenity, noise, lighting and air quality would be adequately mitigated.
- 5.4 Your officers are therefore minded to recommend that planning permission be GRANTED.

RECOMMENDATION: That planning permission be Granted

Conditions:

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

Plans

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

Drawing Numbers:

15230-2001 REV D PROPOSED SITE PLAN
15230-2004 REV B PROPOSED FLOOR PLANS UNITS 3, 4 AND 5
15230-2005 REV B PROPOSED FLOOR PLANS UNITS 1 AND 2
15230-2007 REV A PROPOSED GA ELEVATIONS UNITS 3, 4 & 5
15230-2009 REV A PROPOSED GA ELEVATIONS UNITS 1 & 2
15230-2011 Site Location Plan
15-6503-SK005 Rev P1 Drainage Attenuation Proposals

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

External Materials

- 3) Before development commences on the retail units, details and samples of the facing materials and glazing to be used externally on the elevations and roofs of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the written manufacturers trade descriptions and proposed colour finish. The development shall be carried out in accordance with the approved details.

Reason: To protect the visual amenity of the area in accordance with policies DS13 and E4 of the Bromsgrove District Local Plan January 2004.

Hard Landscaping

- 4) Before development commences on any new areas of hardstanding, samples and trade descriptions of the materials to be used in the areas of hardstanding within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed in accordance with the approved details before the refurbished units are first occupied.

Reason: To ensure that the new materials are in keeping with the surroundings in accordance with policies DS13 and E4 of the Bromsgrove District Local Plan January 2004.

Soft Landscaping

- 5) With the exception of demolition and site clearance, before any other development commences, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a plan detailing the disposition of planting, cross referenced to a schedule listing the species, size and number of plants proposed. The approved scheme shall be carried out concurrently with the development and completed prior to the first occupation of the development.

If within a period of five years from the date of the planting of any tree/shrub/hedge planted pursuant to this condition (including any replacement), is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/shrub/hedge of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written approval to any variation.

Reason: To ensure the environment of the development is improved and enhanced in accordance with policies DS13, E4 and C5 of the Bromsgrove District Local Plan January 2004.

Boundary Treatment

- 6) Before installation of any means of enclosure details of the means of enclosure to be erected shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a plan (at a minimum scale of 1:500) detailing the position of all proposed means of enclosure and annotated or accompanied by a schedule specifying the type, height, composition and appearance of the means of enclosure throughout the site. The approved means of enclosure shall be erected before the development is first brought into use and thereafter retained in that form, notwithstanding the provisions of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification)

Reason: In the interests of visual amenity in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

New wall /Railings to Site Frontage

- 7) The details submitted pursuant to condition 6 shall include details of the height, materials and colour of the wall and railings to the site frontage (north western boundary) in addition to a specification for its construction in accordance with BS5837;2012. These details shall include an elevation and section drawing at a minimum scale of 1:10. The wall and railings shall be completed in accordance with the approved details before the units are re-occupied.

Reason: To enhance the appearance of the site, in the interests of visual amenity, to safeguard the setting of the adjacent listed buildings and to ensure that any foundations for the wall are constructed in a way which minimizes adverse impacts upon trees to be retained in accordance with policies DS13, E4, S39 and C17 of the Bromsgrove District Local Plan January 2004.

Trolley Bays

- 8) Before installation of the proposed trolley bays, details of the proposed trolley bays shall be submitted to and approved in writing by the Local Planning Authority. These details shall include plan and elevation drawings at a minimum scale of 1:10 of the trolley bays annotated or accompanied by a schedule specifying the materials to be used in their construction and their external colour finish. The trolley bays shall be erected in accordance with the approved details and thereafter retained in that form, notwithstanding the provisions of Schedule 2, Part 7 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification).

Reason: In the interests of visual amenity, in accordance with policies DS13 and E4 of the Bromsgrove District Local Plan January 2004.

External Lighting

- 9) Notwithstanding the details shown in the Planning External Lighting Strategy Rev A, Prior to their installation, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Notwithstanding the provisions of Schedule 2, Part 7 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external illumination of the development.

Reason: To safeguard residential amenity and avoid disturbance to protected species in accordance with policies E4 and C10A of the Bromsgrove District Local Plan January 2004.

HIGHWAYS

Access

- 10) The new access onto the Birmingham Road shall be provided before the retail units are reoccupied, those occupiers commence trading, and the associated car park is brought back into use by customers.

Reason: To ensure the safe and free flow of traffic onto the Highway in accordance with policies E4 and TR11 of the Bromsgrove District Local Plan January 2004.

Travel Plan

- 11) Prior to occupation of the units, a travel plan that promotes sustainable forms of access to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented before the refurbished units are first brought into use.

Reason: To reduce vehicle movements and promote sustainable access in accordance with policies E4 and TR13 of the Bromsgrove District Local Plan January 2004.

Cycle Parking

- 12) Before the site is brought back into use, secure parking for 12 cycles shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be retained for the parking of cycles only for the lifetime of the development.

Reason: In order to ensure that facilities are provided to facilitate travel by other modes than the private car in accordance with policy E4 of the Bromsgrove District Local Plan January 2004 and the National Planning Policy Framework.

Motorcycle Parking

- 13) Before the site is brought back into use, secure parking for 8 motorcycles shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be retained for the parking of motorcycles only for the lifetime of the development.

Reason: In order to ensure that facilities are provided for the parking of motorcycles in accordance with policy E4 of the Bromsgrove District Local Plan January 2004 and the National Planning Policy Framework.

Remediation of contamination

- 14) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

i. Previous reports submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

ii. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

iii. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

iv. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

v. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies ES4, ES7 and ES14 of the Bromsgrove District Local Plan January 2004.

Tree Protection

- 15) Before any materials or machinery are brought on to the site or any development, demolition, installation of services or site clearance works of any kind are commenced, protective fencing shall be erected as illustrated by BS 5837:2012 on a line concurrent with the tree protection distances given in BS 5837:2012 and in accordance with details to be submitted to and approved in writing by the local planning authority. The protective fencing shall be retained in accordance with the approved details until all development, the subject of this permission, has been completed. No activities on the land within the fenced areas shall be permitted

including excavation, changing of levels or disturbance in any way from the passage or storage of vehicles and machinery, unless such activity is given the specific prior written approval of the local planning authority.

Reason: In order to protect the trees which form an important part of the visual amenity of the area in accordance with policies DS13 and C17 of the Bromsgrove District Local Plan January 2004.

Construction near retained trees

- 16) Before development commences, a specification for the construction of hard surfaces within the root protection areas of trees to be retained on site, in accordance with BS 5837:2012 shall be prepared by arboriculturist and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved specification.

Reason: To ensure that any foundations for the wall are constructed in a way which minimizes adverse impacts upon trees to be retained in accordance with policy C17 of the Bromsgrove District Local Plan January 2004.

Construction / Demolition Method Statement

- 17) No development shall take place until a construction method statement to include a phasing programme for the development of the site; methods for accessing the site and provisions for construction traffic access; wheel washing facilities; details of secure hoarding and construction fencing; and associated parking areas and storage of materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of neighbouring residential occupiers in accordance with policies DS13 and E4 of the Bromsgrove District Local Plan January 2004.

Hours of working during demolition/construction

- 18) Site demolition or construction works in association with the development hereby approved shall only be undertaken between the hours of 08.00 hours and 18.00 hours Monday to Friday and 08.00 hours and 13.00 hours on Saturdays and at no time on Sundays and Bank or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of neighbouring residential occupiers in accordance with policies DS13 and E4 of the Bromsgrove District Local Plan January 2004.

Disposal of Surface Water

- 19) Before development commences, details of the means of disposal of surface water from the buildings and all hardsurfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall incorporate measures to reduce the rate of surface water entering any public foul sewer in accordance with the details on drawing 15-6503-SK005 Rev P1.

Reason: To mitigate the risk of localised flooding and pollution in accordance with policies E4, ES1, ES2 and DS13 of the Bromsgrove District Local Plan January 2004.

Protection of Watercourse

- 22) Development shall not commence until a method statement for the protection of the adjacent brook from pollution during the course of construction has been submitted to and approved in writing by the local planning authority. The statement shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. Development shall be carried out in accordance with the approved details.

Reason: To mitigate the risk of pollution in accordance with policies ES1 and DS13 of the Bromsgrove District Local Plan January 2004.

Scope of Permission

- 23) The existing steel frame, substructure, and slab of the buildings shall be retained and incorporated into the development.

Reason: The application has been considered on the basis that it does not entail the complete demolition and redevelopment of the site or any rebuilding or major repair other than as set out in the approved plans and the details of the application. The complete demolition of the buildings would conflict with Criterion B and D of policy BDP17.14 TC7 of the emerging Bromsgrove Local Plan.

Informatives

- 1) No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.
- 2) The applicants attention is drawn to the requirement that, in all cases where an agreement under Section 278 of the Highways Act 1980 is entered into, the street lighting will be designed by the developer of the site in accordance with the design brief agreed with the Highway Authority and their design shall include any necessary amendments to the existing system. The design brief should be discussed with the Highway Authority prior to the commencement of the design.
- 3) Where conditions require the submission of material samples for approval, please complete the relevant form entitled 'Application for approval of details reserved by condition' and arrange a meeting with the case officer to view the samples.

Case Officer: Mr Simon Jones Tel: 01527 548211
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