

| Name of Applicant | Proposal  | Expiry Date | Plan Ref.    |
|-------------------|---|-------------|--------------|
| Mongoose Ltd      | Erection of New Industrial Units for B2 (General Industrial) and B8 (Storage and Distribution) uses<br><br>Land Adjacent Corbett Business Park, Shaw Lane, Stoke Prior, Worcestershire, B60 4EA | 17.04.2018  | 18/00041/FUL |

**This application is being reported to members because it is a major application for which officers do not have delegated powers to determine.**

**RECOMMENDATION:** That planning permission be Granted.

### **Consultations**

**Natural England** Consulted 30.05.2018

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.

**Arboricultural Officer** Consulted 30.05.2018

No objections to this proposed application, in relation to any tree related issues.

**Economic Development And Regeneration** Consulted 06.03.2018 and 30.05.2018

The facility will enable the continued growth of an established Bromsgrove business and will ensure that their future remains within the area. There is a shortage of commercial space within the area to meet business needs and, given the compliance with policy and the economic benefits that will be brought as a result of the application, it is wholeheartedly support by NWedR.

**Dodderhill Parish Council** Consulted 06.03.2018 and 30.05.2018

Object to application due to concern over HGV access. It is felt that the rail bridge on Stoke Road / Shaw Lane restricts access for taller vehicles and this already causes difficulty for a number of HGV drivers who, unable to progress under the bridge, find themselves unable to turn around. Alternative routes that avoid the low bridge are also not ideal for larger vehicles. It was also felt that the transport issues would be exacerbated by the increasing levels of traffic generated by the proposed 202 houses on the nearby Polymer Latex site.

**Health And Safety Executive** Consulted 21.02.2018

Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

**Wychavon District Council** Consulted 08.02.2018 and 30.05.2018

We have reviewed the submitted details and do not wish to raise any matters concerning the impact of this proposal. We would suggest that the application is determined in the usual manner, accordance with your adopted development plan policies.

**Canal And River Trust** Consulted 08.02.2018 and 30.05.2018

The main issues relevant to the Trust as statutory consultee on this application are:

- a) Impact on the character and appearance of the waterway corridor.
- b) Impact on the biodiversity of the waterway corridor.

On the basis of on the information available our advice is that suitably worded conditions are necessary to address these matters.

**Stoke Parish Council** Consulted 08.02.2018 and 30.05.2018

The Parish Council has serious concerns about the continuing industrial development of Stoke Prior. At the end of the day Stoke Prior is a small village which is being overtaken by this type of development. In addition this will only further increase the volume of light and heavy traffic travelling along Shaw Lane which is becoming a major issue for local residents. This is an issue which appears to be totally ignored by highways officers and planning officers. The village will already have to deal with the increased traffic caused by the new housing development. The increased traffic will make the Shaw lane area even more dangerous for pedestrians and negate the idea that parents will be able to walk their children from the new houses to school because the roads will be unsafe. There is also the issue of air pollution caused by the number of heavy vehicles using the industrial estates in the parish. Enough is enough!

**Conservation Officer** Consulted 08.02.2018 and 30.05.2018

No objections to the proposed subject. The proposed colours are fine and would be sympathetic to the conservation area. I'm happy to see that a planting screen has been added to the proposal as this will help to lessen the visual impact of the new units as viewed from the Worcester and Birmingham Canal, however full details of landscaping and any boundary treatments should be conditioned.

**Drainage Engineers** Consulted 08.02.2018 and 30.05.2018

I am happy with the proposed drainage layout and the discharge values provided. I therefore no longer believe the condition I had requested in my initial response is required.

**WRS - Contaminated Land** Consulted 08.02.2018 and 30.05.2018

WRS recommend that the a condition relating to the Reporting of Unexpected Contamination and Gas Protection Measures are attached to any planning permission granted.

**WRS - Noise** Consulted 08.02.2018 and 30.05.2018

No Objection raised subject to a condition requiring a noise assessment to be submitted in order to demonstrate that noise from / associated with the new industrial units will not adversely impact on any nearby sensitive receptors.

In order to minimise any nuisance during the construction phase the applicant should refer their contractor to the WRS Demolition and Construction guidance (attached) and ensure its recommendations are complied with.

**WRS - Air Quality** Consulted 06.03.2018 and 30.05.2018

WRS do not recommend an air quality assessment is required for a development of this type and size and concur with the comments of Mr Thomas of Air Quality Assessments

Ltd below. However, as discussed, the National Planning Policy Framework requires the cumulative impacts on air quality from individual sites in local areas should be considered and therefore WRS previous recommendations (14th March 2018) for standard mitigation measures for a site of this type and size remain unchanged.

**Worcester Regulatory Services- Light Pollution** Consulted 30.05.2018

No Comments Received To Date.

**Network Rail** Consulted 19.02.2018 and 30.05.2018

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent

**Worcestershire Wildlife Trust** Consulted 18.05.2018

Subject to conditions (CEMP and Habitat enhance/ management plan) we do not wish to object to the proposed development and we believe that you now have sufficient ecological information to be able to progress the application in line with the law and guidance.

**Highways - Bromsgrove** Consulted 08.02.2018 and 30.05.2018

No objection subject to conditions relating to:

- Travel plan,
- Parking provision,
- Electrical vehicle charging point,
- Cycle parking,
- Conformity with submitted details,
- Turning area parking

**Publicity**

19 neighbour notification letters sent out on 08.02.2018 expired 01.03.2018

11 Amendment neighbour notification letters sent out on 30.05.2018 expired 20.06.2018

1 site notice dated 16/02/2018, expired 09/03/2018

1 Press notice dated 16/02/2018, expired 02/03/2018

A total of 7 objections have been received. Reasons for objection included:

- Highway Safety
- Suitability of roads for HGVs
- Transport issues exacerbated by the increasing levels of traffic generated by the proposed houses on the nearby Polymer Latex site
- Safety of children crossing Shaw Lane
- Insufficient Parking within site leads to vehicles parking on surrounding roads
- Insufficient infrastructure in area
- Noise from HGVs accessing site and parking within highway
- Noise from factories
- Congestion on road

- Unsustainable location
- Overdevelopment as adequate warehousing is available on the Business Park on the Hanbury Road
- Mud on road
- Light pollution from headlights
- air pollution

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
 BDP3 Future Housing and Employment Growth  
 BDP13 New Employment Development  
 BDP14 Designated Employment  
 BDP16 Sustainable Transport  
 BDP19 High Quality Design  
 BDP20 Managing the Historic Environment  
 BDP21 Natural Environment  
 BDP22 Climate Change  
 BDP23 Water Management

#### **Others**

NPPF National Planning Policy Framework (July 2018)  
 NPPG National Planning Practice Guidance

### **Relevant Planning History**

|             |   |         |            |
|-------------|---|---------|------------|
| 14/0018     | Certificate of Lawfulness for proposed use: Extension to industrial unit  | Granted | 06/05/2014 |
| B2007/1123  | Raise ground levels of part of existing land to form a development platform and form raised bund area for landscaped tree planting. | Granted | 06/02/2008 |
| B/2006/0574 | Raise ground levels of part of existing land to form a development platform and form raised bund area for landscaped tree planting. | Refused | 14.08.2006 |
| B2005/0717  | Erection of additional Storage Accommodation.   | Granted | 09/02/2006 |
| B/2005/0716 | Deletion of condition 04 attached to B/2003/0531 to permit unrestricted operational hours   | Granted | 09/02/2006 |
| B/2003/0688 | Two-Storey Officer Building   | Granted | 15/07/2003 |

## Plan reference

|              |  |              |            |
|--------------|--|--------------|------------|
| B/2003/0531  | Change of Use to B1, B2 & B8 use.  | Granted      | 16/06/2003 |
| B/2001/0815  | Erection of Temporary warehouse for a period of three years.;  | Granted      | 01/10/2001 |
| B/1995/0933  | Extension to gatehouse and proposed pallet store   | Granted      | 02/01/1996 |
| B/1993/0280  | To use the site for controlled land filling purposes   | No Objection | 21/06/1993 |
| B/18396/1989 | Erection of two storey extensions to form accommodation for elderly relative,  | Granted      | 27/10/1989 |
| B/15168/1987 | Erection of single storey warehouse, relocation of temporary offices, provision of additional car parking and associated external works (including water collection pits). | Granted      | 22/06/1987 |
| B/9916/1982  | Construction of warehouse on site of old Salt Works, Shaw Lane, Stoke Prior.   | Granted      | 13/09/1982 |
| B/8076/1980  | The tipping of inert solid waste material (waste rubber hydrocarbon with iron salts) in a natural depression   | Granted      | 27/10/1980 |

## **Assessment of Proposal**

The application site relates to an area of land measuring some 5.7 hectares. Part of the site is already developed and contains an office building, warehouse buildings, car parking, hard surfaced yard areas and access tracks. The northern part of the site which is currently fenced off from the business park is undeveloped. The site is currently known as Corbett Business Park.

The Birmingham and Worcester Canal runs along the southern boundary of the site. The canal is a designated Conservation area. Planning permission has been granted for housing on the opposite side of the canal from the site. There are also a number of residential dwelling houses immediately opposite the existing access to the site. Immediately to the north of the site lies the railway. The site is designated as an employment area in Bromsgrove District Plan adopted 2017.

The proposal is for the construction of a new industrial building and associated parking in the development part of the site, to the north east of the existing industrial buildings. The building would form two units, the use of which would be either storage and distribution (B8) uses or General Industrial (B2) uses. Whilst the application is for a standalone building, it is understood that space is required for an adjacent occupier, who have expressed an interest in the provision of additional space.

## **Employment use and Principle of development**

Policy BDP14 sets out that designated employment areas *'are expected to make a significant contribution towards creating jobs across Bromsgrove and meeting the employment targets identified in Policy BDP3.'* Policy BDP14.1 states that *'The regeneration of the District will continue through maintaining and promoting existing employment provision in sustainable, accessible and appropriate locations (as identified on the Policies Map).'*

Corbett Business Park is an existing industrial park situated on land designated for employment purposes. The use of the site for B1, B2 and B8 uses has also been established under planning permission granted under planning application reference: B/2003/0531. As such the principle of industrial development on this site is considered to be acceptable.

In addition, North Worcestershire Economic development and Regeneration have set out that the proposal would help Bromsgrove to achieve some of the economic priorities that were adopted in April 2017, which include: driving economic growth; supporting businesses to start and grow; and driving up and retaining skills locally.

The proposal would also enable the continued growth of an established Bromsgrove business and would ensure that their future remains within the area.

## **Character and Appearance and Heritage**

The proposed building would be a large structure situated at the end of the existing line of industrial buildings that currently form Corbett Business Park. However given the previous development and industrial heritage that surrounds this stretch of the Worcester and Birmingham Canal Conservation Area, the Councils Conservation Officer does not consider that the proposal would have a detrimental impact on the character, appearance or significance of the Worcester and Birmingham Canal Conservation Area.

## **Highways**

Concerns have been raised by the residents and by the Parish Councils with regards to the impact the proposal would have on the highway safety in the area. The concerns they have raised include: the suitability of the roads in the area to take extra traffic; suitability of roads for HGV traffic; lack of parking on the site causing cars to park in road; and, the cumulative impact of this proposal and the development of the former Polymer Latex site.

The site is located off Shaw Lane which has vehicle height restrictions in the vicinity. The road is subject to a 30mph speed limit. The proposed development is to be accessed via the existing vehicular access which serves Corbett Business Park. Within the site the existing access road would serve the proposed development.

The proposal includes the provision of 49 car parking spaces which include 4 disabled car parking bays, plus 16 cycle parking space. Worcestershire County Council Highways consider that this level of parking is an over provision for the proposed B2/ B8 use building. They do however note that these additional spaces would hopefully be able to alleviate the parking issues that have been raised from residents and the Parish Councils.

Worcestershire county Councils Highways have undertaken a robust assessment of the proposal, and based on the analysis of the information submitted with the application and the consultation responses received from third parties, they do not consider that the proposal would have a serve impact on highways safety in the area. As such they have raised no objection.

Worcestershire County Council Highways have however recommended that several conditions should be appended to any permission that is given. One of these conditions is for a travel plan to be submitted that promotes sustainable forms of access to the development site, in order to reduce vehicle movements and promote sustainable access.

## **Ecology**

Worcestershire Wildlife Trust have confirmed that they do not believe that there are any overriding ecological constraints to development on this site and as such they do not wish to object to the application. However, their position is contingent on the council being able to append conditions covering the following matters to any permission that is granted:

- Construction Environmental Management Plan
- Lighting strategy
- Drainage strategy
- Landscaping and habitat management plan

## **Drainage**

North Worcestershire Water Management (NWWM) have confirmed that the site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding. In addition, they do not hold any reports of flooding on or directly adjacent to the site.

The applicant has provided a drainage layout for the proposal, which NWWM have confirmed that they are happy with.

## **Amenity of neighbouring occupiers**

The NPPF does require the cumulative impacts on air quality from individual sites in local areas to be considered. Therefore although Worcestershire Regulatory Services (WRS) have not raised any objection to the proposal in regards to air pollution, they have suggested that their standard recommendations for a development of this size are put in place to mitigate against the cumulative impact on local air quality from all development.

A noise assessment was requested to be submitted with the application. Worcestershire Regulatory Services (WRS) have assessed this and have confirmed that it appears satisfactory. As such they have not raised any objection to the proposal in terms of noise. This is subject to a condition that the mitigation recommendations set out in the noise assessment being adhered to.

To further protect the amenities of the occupiers of the current and future dwelling house near to the site, it is considered necessary to restrict the industrial processes that take place on the site, to inside the building. This would be in line with a condition that was appended to planning permission that was granted for the whole site under planning application Reference: B/2003/0531.

The proposal is to use the existing access into the site off Shaw Lane, which is situated opposite residential dwelling houses. Concerns have been raised by residents regarding the increase in noise and light from additional HGVs accessing the site and parking within the highway. Given the context of the site, the current use of the site and the views of WRS it is not considered that the additional HGV traffic to the site would have an adverse impact on the amenities of the nearby residents. However, in line with previous planning permission that was granted for this site under planning application reference: B/2005/0232 it is considered necessary to control the hours of deliveries and dispatches to and from the site.

WRS have not commented on the proposal in terms of light pollution, but due to the housing development that is approved on the former Polymer Latex site and the sensitive ecological nature of the site it is recommended that a lighting strategy should be conditioned as part of any permission that is granted to protect the amenity of the residents and dark corridors.

In order to minimise any nuisance during the construction phase WRS have recommended that the applicant should refer their contractor to the WRS Demolition and Construction guidance and ensure its recommendations are complied with.

## **Conclusion**

Overall it is considered that the proposed development for the new industrial units within Corbett Business Park accords with the policies in the Bromsgrove District Plan and the NPPF and is therefore acceptable.

**RECOMMENDATION:** That planning permission be Granted.

## **Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawing No. 1804/P01 Rev. C Location Plan

Drawing No. 1804/P11 Rev. A Site Plan

Drawing No. 1804/P12 Rev. B- Proposed Ground Floor and Site Plan



Drawing No. 1804/P15 rev. C- North West Elevation, South East Elevation and South West Elevation  
Drawing No. 1804/P16 Rev. B- North Elevation and Typical Section  
Drainage Strategy Dated 21/06/2018 produced by Ridge and Partners LLP  
(Project No. 5006621)

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. The development hereby permitted shall be carried out using the following materials:

Roof- Colour coated HP 200 Plastisol coated steel profiled insulated roof cladding to steel portal frame Colour Merlin Grey and 1000x2000 GRP safety translucent sheet double skin roof lights Colour - Clear translucent

Walls- Facing brick plinth to cladding Colour - Blue Facing brick; and, Colour coated HP 200 Plastisol coated steel profiled insulated wall cladding to steel portal frame sheet set vertically Colour- Merlin Grey

Flashing and trims- Powder coated contrasting colour coated cover flashings and trims Colour - blue 18.C.39

Windows and Doors (Labelled 06 on Drawing Number 1804/P15 Rev. C)- Standard section UPVC windows and doors

Doors (Labelled No. 08 on Drawing Number 1804/P15 Rev. C) -Standard solid core timber doors and frames Door protected with painted galvanised sheet Colour- Blue 18.C.39

Roller shutter doors-Powder coated galvanised steel manually operated sectional overhead door Colour - Colour coated HP 200 Master fine- Ocean Blue 18.C.39

Reason: To make sure that the development relates to the area in which it is being built and protects the character and appearance of the canal conservation area.

4. The noise mitigation recommendations set out in the Noise Survey Ref. NS222 dated 11/07/2018 produced by Blue Acoustics which include: that all HGVs should use the northern service road to enter and exit the site where possible and the roller shutter doors located within the building should remain closed except for ingress and egress, shall be fully adhered to in perpetuity.

Reason: To protect the amenities of the sensitive receptors in close proximity of the site.

5. No deliveries or dispatches shall take place on the site outside the hours of 0700-1830 hours Monday to Friday and 0800- 1300 hours on Saturdays and there shall be no deliveries or dispatches taking place from the site whatsoever on Sundays and Bank Holidays.

Reason: To protect the amenities of the sensitive receptors in close proximity of the site.

6. No industrial process shall take place outside any of the buildings on the site.

Reason: To protect the amenities of the sensitive receptors in close proximity of the site.

7. No development shall take place (including any demolition, ground works or site clearance) until a Construction Environmental Management Plan (CEMP) for the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: This is a pre commencement condition to ensure that the development does not harm protected species, or their habitats in accordance with the NPPF.

8. A landscape and habitat management plan shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the first use of the development hereby approved. This plan shall provide ecological enhancement in line with the recommendations made in the Middlemarch Ecological survey report No. RT-MME-127755RevA dated June 2018.

The landscape and habitat management plan shall be carried out as approved and shall be implemented for a period of ten years unless otherwise approved in writing by the Local Planning Authority.

Reason: To enhance biodiversity and habitats of protected species in accordance with the NPPF.

9. Prior to the first occupation of the development hereby approved, details of a landscaping scheme including a planting schedule, showing details of retained and new landscape planting have been submitted to and approved in writing by the Local Planning Authority.

Such approved planting shall be completed prior to the first occupation of the development or such other time as is agreed as part of the details to be submitted. The planting schedule shall include all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated, new planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

All such planting shall be maintained to encourage its establishment for a minimum of five years following contractual practical completion of the development. Any trees or significant areas of planting which are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that the external character and appearance of the development is satisfactory.

10. Gas protection measures complying with Characteristic Situation 2 as set out in BS8485:2015 and CIRIA C665 as a minimum requirement must be incorporated within the foundations of the proposed structure(s). Following installation of these measures, and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the risk to buildings and their occupants from potential landfill or ground gases are adequately addressed.

11. The Development hereby approved shall not be brought into use until the applicant has submitted a travel plan in writing to the Local Planning Authority that promotes sustainable forms of access to the development site and this has been approved in writing by the Local Planning Authority. This plan will thereafter be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator and thereafter implemented as updated.

Reason: To reduce vehicle movements and promote sustainable access.

12. The Development hereby permitted shall not be first occupied until 2 electric vehicle charging points have been installed in two of the proposed parking spaces. Thereafter these charging points shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities and in the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

13. Prior to the first occupation of the development hereby approved details of the installation of Ultra-Low NOx boilers with maximum NOx Emissions of less than 40 mg/kWh shall be submitted to and approved by the local planning authority. The

approved boilers shall then be implemented prior to the first occupation of the development and shall thereafter be permanently retained.

Reason: In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site.

14. Prior to the first occupation of the development hereby approved an external lighting strategy to protect and maintain any dark corridors around the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall thereafter be implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To comply with the NPPF as the lighting at waterside developments should be designed to minimise the problems of glare, show consideration for bats and unnecessary light pollution should be avoided by ensuring that the level of luminance is appropriate for the location, is sustainable and efficient, and protect the integrity of the waterway infrastructure.

15. The Development hereby approved shall not be brought into use until the parking spaces numbered 1-50 and turning facilities as shown on drawing 1804/ P12 B have been provided. These areas shall thereafter be retained for these purpose.

Reason: To ensure conformity with submitted details and in the interests of highway safety.

16. The Development hereby permitted shall not first occupied until the secure cycle parking for 8 cycles as shown on drawing No. has been provided. Thereafter the cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards and to facilitate the use of sustainable transport modes, and in the interests of the living conditions of occupiers of nearby properties and future occupiers of the site

17. 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 in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared and approved in writing by the Local Planning Authority in advance of the scheme commencing.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to development commencing other than that required to be carried out as part of an approved scheme of remediation.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be

carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

### **Informatives**

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 2) In order to minimise any nuisance during the construction phase the applicant should refer their contractor to the WRS Demolition and Construction guidance (<http://www.worcsregservices.gov.uk/pollution/planning-and-pollution.aspx>) and ensure its recommendations are complied with.
- 2) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

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