

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr MICHAEL FLETCHER	Residential development comprising 14 units providing a mixture of 2-4 bed homes  Brine Pump Cottage, Weston Hall Road, Stoke Prior, Bromsgrove, Worcestershire B60 4AL	19.06.2018	18/00119/OUT

## RECOMMENDATION:

- (a) Minded to **APPROVE OUTLINE PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:
- (i) The provision of 5 affordable housing units
  - (ii) The provision of a financial contribution towards the play area and Open Space to the west of the development at Shaw Lane
  - (iii) A contribution of £50.98 per dwelling for the provision of wheelie bins

## Consultations

### **Stoke Parish Council**

Object to the proposal

1. Historical site, brine pumps should be retained
2. Larger family homes, there is a strong need for affordable homes in the area
3. Further strain on local roads
4. Further junction into Weston Hall Road

### **Worcestershire Archive and Archaeological Service**

No Comments

### **Waste Management**

A financial contribution towards the provision of bins is required.

### **Natural England**

No Comments

### **Housing Strategy**

Strategic Housing are happy to support this application and take note that there is a proposal for five units to be affordable housing. The application does not specify the tenure of these properties and we would wish them to be split as follows:

- 3 x 2BH = social rented
- 2 x 3BH = shared ownership

### **Highways - Bromsgrove**

No objections subject to conditions.

18/00119/OUT

1. Vehicular access
2. Residential Parking Provision
3. Electric vehicle charging points
4. Cycle parking
5. Vehicular visibility splays
6. Development shall not be brought into use until access, turning and parking facilities has been provided

WCC Transport Operations have indicated that there will be an impact from this development on Community Transport for those residents with limited mobility who are unable to access conventional bus services. They have requested a contribution of £1,500 for community transport.

#### **NWWM**

No objection to the proposed development subject to conditions regarding

1. Foul and surface water drainage

#### **WRS - Contaminated Land**

No objection subject to a tiered investigation condition.

#### **WRS - Noise**

No objection

#### **WRS - Air Quality** Consulted 15.05.2018

No objection subject to conditions

1. Secure Cycle Parking
2. Electric Vehicle Charging
3. Low Emission Boilers

#### **Arboricultural Officer** Consulted 15.05.2018

No objection subject to a condition

1. Retention of two existing trees

#### **Canal and River Trust**

The Canal and River Trust have commented on the impact on the heritage, character and amenity of the waterway, impact on natural environment and landscape of the waterway, Impact on Structural Integrity of the Waterway and Public Access to the Waterway. They have no objections subject to conditions.

1. Details of proposed layout, appearance, materials, sections, boundary treatments including wall the protection of the existing boundary wall and repairs
2. Proposed Landscaping and Lighting
3. Details of any proposed accesses to the towpath to be constructed

#### **Conservation Officer**

Object to the proposal

The Brine Pump Cottage site is located to the south of The Worcester and Birmingham Canal Conservation Area at Stoke Works, just to the east of Westonhall Road, and to the west of the Corbett Salt works site, latterly owned by ICI and recently granted planning permission for an extensive residential scheme. Access to the site is from Westonhall

Road. Until recently the only structure on the site, backing on to the Canal, was Brine Pump Cottage. A 19th century brick built house beneath a pitched clay tiled roof which, despite a number of alterations, had an attractive elevation to the Canal with rendered panels and decorative barge boards. The property was damaged by a fire and subsequently demolished rather than repaired. Reference is made to disused brine extraction points being present on the site but no further information has been provided, as to the nature or significance of these. The site is clearly within the setting of the Conservation Area.

The Conservation Officer concludes that it not considered that the proposed scheme will preserve or enhance the character or appearance of the neighbouring Conservation Area, as required by the Historic Environment policies in the Local Plan in particular BDP20. I would judge the level of harm as less than substantial within the context of the NPPF. Therefore in accordance with Paragraph 134 the harm must be balanced against the public benefit of the proposed scheme. Great weight however is attached to the conservation of heritage assets.

If you are minded to approve then I would suggest that you condition the following;

- Materials
- Joinery details at 1:5, I would expect to see timber windows and doors due to the proximity of the scheme to the Conservation Area
- Plans showing the detailing of the proposed houses
- Landscaping
- Boundary treatments
- Repairs to the wall between the application site and the site to the east

#### **Leisure Services Manager**

Seek an appropriate off site contribution towards the Play area and Open Space to the west of the development at Shaw Lane.

#### **Education Department at Worcestershire**

No Comments

#### **Worcestershire Wildlife Trust (WWT)**

WWT have been advising the applicants Ecologists regarding the Ecological Appraisal submitted as part of the application. Full details of mitigation strategies, landscaping and long-term management can then be secured by condition.

#### **Hereford and Worcester Fire And Rescue Service**

No Comments

#### **Western Power Distribution**

No Comments

#### **Publicity:**

20 letters sent on the 15<sup>th</sup> May 2018 (expired 5<sup>th</sup> June 2018)

1 site notice posted on the 15<sup>th</sup> May 2018 (expired 5<sup>th</sup> June 2018)

Press Advert published in the Bromsgrove Standard on the 21<sup>st</sup> May 2018 (expired 8<sup>th</sup> June 2018)

## Neighbour Responses

1 response has been submitted. This objects to the development on the following grounds:

- Lack of parking spaces
- Parking issues along Westonhall Road

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP7 Housing Mix and Density  
BDP8 Affordable Housing  
BDP14 Designated Employment  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP 21 Natural Environment  
BDP22 Climate Change

### **Others**

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

## **Relevant Planning History**

B/11490/1983	Creation of roads and footpaths to serve industrial development on land between Hanbury Road and Westenhall Road, Stoke Prior, Bromsgrove	Approved	09.12.1983
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## **Assessment of Proposal**

### **The Site and its Surroundings**

The site is located on the southern side of Stoke Prior and comprises a triangular piece of land measuring 0.52 hectares. It was formally occupied by number of buildings, specifically a residential cottage, ancillary outbuildings and 3 disused brine extraction points, which have been capped at ground level.

The former dwelling, known as Brine Pump Cottage was in severe disrepair after being damaged in a fire in August 2016 and has since been demolished following a structural survey, which demonstrated the building was beyond economic repair.

The site is bordered by Westonhall Road to the south, The Birmingham to Worcester Canal to the north west and the former Polymer Latex Works to the east, where Barratt

Homes are currently building homes under planning permissions 15/0687 and 17/00761/FUL for a total of 216 dwellings.

### **The Principle of the Development**

This is an outline planning application for the development of the site for 14 dwellings, with all matters reserved for future consideration. Although an indicative plan has been provided, which demonstrates how the site could be development it is illustrative only and does not form part of any subsequent permission that may be granted. The key issue in the determination of the application is therefore whether the development of the site is acceptable in principle.

The proposal is located within a designated employment area as defined on the Proposals Map which reserves the land for B1, B2 and B8 uses. The proposal would contribute a net gain of 14 additional residential units towards the Bromsgrove housing land supply, however employment land would be lost. Whilst the basic principle of residential development outside of the Green Belt would usually be supported the impact of the loss of employment will need to be explored in greater detail and weighed against the benefits of the scheme.

The determination must be made in accordance with the plan unless material considerations indicate otherwise. In the case of residential development, paragraph 11 of the National Planning Policy Framework 2018 (NPPF) states that 'decisions should apply a presumption in favour of sustainable development' For decision taking where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date. This includes, for applications involving the provision of housing, where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The first key question therefore is whether the Council can demonstrate a five-year housing supply.

The Council has published its 5 Year Housing Land Supply Report with a base date of 1st April 2017. This concludes that the Council cannot currently demonstrate a five year housing land supply being able to demonstrate 4.57 year supply of deliverable land for Housing. This document concludes that the Council falls short of a 5 Year Supply of Land for Housing. In accordance with paragraph 11d of the NPPF. The presumption in favour of sustainable development as set out at paragraph 8 of the NPPF therefore applies.

In these circumstances, this application should be considered with regard to the presumption in favour of sustainable development as set out in Paragraph 11d of the NPPF. This means that planning permission should be granted unless the adverse impact of doing so would significantly outweigh the benefits when assessed against the Framework as a whole, or in specific circumstances where development should be restricted. Local Plan policies continue to be relevant to determining site-specific issues and whether a development can be considered 'sustainable'.

The site is located location adjacent to and within the setting of, The Worcester and Birmingham Canal Conservation Area. Therefore the first consideration is the impact of the proposal on designated Heritage Assets.

## **Heritage**

As this proposal is situated adjacent to and within the setting of, The Worcester and Birmingham Canal Conservation Area, the development must be considered against paragraph 193 of the NPPF in terms of its impact on the significance of designated heritage assets.

This recommendation must also be mindful of the requirements to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The consideration of this issue goes to the heart of the decision making process. Notwithstanding the fact that the Council cannot demonstrate a five-year supply of housing sites, an assessment of the impact of the development on heritage assets must be a consideration.

The NPPF covers new development impacting on heritage assets (such as listed buildings and conservation areas) and states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and, the desirability of new development making a positive contribution to local character and distinctiveness.

The NPPF goes on to explain that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be.

Paragraph 196 indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed, as a separate exercise, against the public benefits of the proposal, including securing its optimum viable use.

The Worcester and Birmingham Canal Conservation Area was designated in 1987. This Conservation Area does not have the benefit of a Conservation Area Character Appraisal. A Heritage Statement was submitted with the application. This has been prepared to assess the potential impact of the proposed residential development on the character and appearance of the Conservation Area. The Heritage Statement has been assessed by the conservation officer. The officer considers that the proposed scheme will not preserve or enhance the character or appearance of the neighbouring Conservation Area, as required by the Historic Environment policies in the Local Plan, noted above. They conclude that the level of harm is less than substantial within the context of the NPPF, therefore in accordance with Paragraph 134 the harm must be balanced against the public benefit of the proposed scheme. Great weight however is attached to the conservation of heritage assets.

In accordance with NPPF (Para 196) this harm should be weighed against the public benefits of the proposal. The Heritage Statement and supporting information within the submitted application put forward significant public benefits as follows:

- Help address the significant identified shortfall in deliverable housing land across the District;
- Delivery of 14 semi-detached and detached dwellings;
- Provision of 30% affordable housing on-site;
- Support local services; and
- Provide local employment opportunities.

The applicant has indicated that taking into consideration the outline nature of the application, whereby the scale, appearance and layout of the proposed development is unknown, it is considered from the information submitted that the site is sufficiently large to allow the provision of 14 dwellings with sufficient space for landscaping and open spaces to minimise the impact on the setting of the adjacent conservation area. The scale, layout and appearance of the proposed dwellings would be fully assessed as part of any subsequent reserved matters application in terms of its impact on heritage assets.

Taking into consideration the impact of the scheme on the Conservation Area, by virtue of its location, potential layout, design and scale, the 'less than substantial harm' to the significance of the Worcester and Birmingham Canal Conservation Area is considered to be outweighed by the significant public benefits identified, in particular the provision of on-site affordable housing.

### **Sustainable Development**

Policy BDP1 of the adopted plan encourages sustainable development with emphasis on accessibility of public transport options, compatibility with adjoining uses, visual amenity, quality of natural environment, and economic benefits for the District. The majority of local services, which include a Local Shop, Post Office, butchers and hairdressers are located on Ryefields Road approximately 800 metres to the north of the subject site via Shaw Lane (which forms the major road running south to north through the settlement). There is also a local primary school known as Stoke Prior First School and a Doctor's Surgery on Ryefields Road. The site is close to public transport links and is within an area that is currently being redeveloped through the provision of new housing. The scheme would comply with this policy, as well as core planning principles set out in the NPPF.

### **Loss of Employment Land**

As stated previously the site falls within designated employment land. Policy BDP14.3 seeks to safeguard employment areas that:

- a) Are well located and linked to the main road and public transport network; and
- b) Provide, or are physically and viably capable of providing through development, good quality modern accommodation attractive to the market; and
- c) Are capable of meeting a range of employment uses to support the local economy.

Policy BDP14.4 of the Bromsgrove District Plan sets out criteria that should be met before non-employment uses are permitted on designated employment sites. This includes that the new use would result in a significant improvements to the environment, to access and highway arrangements which outweighs the loss of employment land and that the site is not viable for an employment use.

The LPA have consulted Blackswan Property Limited to provide market commentary regarding the use of the site for employment and compliance with BDP14. This concluded that the site is not viable as an employment scheme, based upon comparable evidence in the area, it is highly unlikely for a commercial scheme to work on the site and that the improvements to the environment will outweigh the loss of this small employment site.

BDP14.5 advises that, planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It goes on to say that, where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support local communities.

The site has been allocated for employment use for at least 14 years. Despite this length of time, employment use for the site has not been delivered. The applicant acquired the site in 2004 and was subject to an existing residential tenancy, the tenancy came to an end in 2015.

The most recent District Employment Land Supply from April 2017 is outlined below. This indicates that even without the 0.52ha (within the outstanding capacity on previously allocated local plan sites), there is a substantial supply of employment land in the district.

#### Bromsgrove District Employment Land Supply, April 2017

<b>Category</b>	<b>Land Supply (hectares)</b>
Sites with planning permission (including windfalls)	13.1
Outstanding capacity on previously allocated local plan sites	12.27
Newly allocated sites (BDP, Jan 2017)	5
Total Commitments/Allocations	30.37
Completions (2011-2017)	5.01
Total Employment Land Supply 2011-2030	35.38

When taking into account that this is not an actively used employment site, which provides no jobs and the benefits of the proposal. The loss of the designated employment site would not be contrary Policy BDP14 and would not hinder economic growth.

#### **Provision of housing including affordable housing**

The principal social benefit of the proposed development would be the provision of additional housing, including 5 of the 14 of the dwellings being affordable. 3 will be social rented and 2 shared ownership which is the most accessible forms of affordable housing support by Housing Strategy. Given the NPPF priority to significantly boost the supply of housing the additional dwellings to be provided must carry significant weight in this balance. In April 2016, 10.5% of the dwellings in the District were affordable housing stock. This is lower than both the affordable housing provision in Worcestershire (15%) and England (17.3%).

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development.



Once the dwellings were occupied there would be an increase in the level of disposable income from the occupants which would be likely to be spent in the local area with some increase in the demand for local goods and services.

### **Wider Impact on Stoke Prior**

The Parish Council consider that the proposal alongside the existing Barratt Development will put even more strain on the village. Their comments imply that sufficient housing has already been provided in Stoke Prior.

The NPPF does not suggest development should be prevented on grounds of adding dwellings to a settlement; it seeks to boost significantly the supply of housing (paragraph 59 of the NPPF).

The concerns of the Parish Council in regard to expansion of the village are recognised and it is acknowledged that the village has been subject to a number of planning applications for housing as mentioned above. In the absence of a 5-year land supply and considering advice in the NPPF it would not be prudent to refuse permission on the grounds of further housing being added to the village.

There will be a small increased pressure on infrastructure. However, none of the technical consultees object, subject to planning conditions being imposed or provided financial contributions are obtained for infrastructure improvements.

### **Residential Amenity**

Members will be aware that detailed matters of layout and scale are reserved for future consideration. Without full details of the proposed buildings, it is difficult to fully assess the impact of the development on the amenities of adjoining residential properties, However, the illustrative layout suggests no significant problems in this respect. It is considered in theory that the site could accommodate 14 dwellings without detrimentally affecting amenities of occupiers of adjacent dwellings or those occupying the proposed dwellings on the Barratts site. Any overlooking issues can be controlled through a subsequent Reserved Matters application and the imposition of suitable conditions.

### **Ecology**

The applicant has undertaken surveys to ascertain the presence of protected species on the site, the habitats which are likely to support such species and the presence of any other ecological features. This includes a Preliminary Ecological Appraisal and Ecological Appraisal detailed Phase 2 Surveys relating to reptiles.

The assessment makes a number of recommendations in relation to the redevelopment of the site. The recommendations are matters that can be reasonably controlled by condition. Whilst the habitats on site are not a constraint to development, there is good potential to enhance the habitats on site and create a net gain in ecological value.

## **Landscape and Trees**

A Tree Survey and Arboricultural Impact Assessment have been submitted in support of the application together with a tree protection plan. The site is covered by mixed species of tree stock Ash, Birch, Lawson cypress and Goat willow most are in poor health and have some root damage. The tree officer recommends that there are 2 trees (Ash and silver Birch) that should be retained as described in the tree survey done by Westside Forestry Ltd. On this basis, no objection is raised to the proposed development in terms of its impact on trees, subject to a condition protecting those trees.

Any reserved matters application for the proposed development would need to provide a robust landscape planting scheme to soften the impact of the development and include replacement tree planting within the site.

## **Flood Risk and Drainage**

The site is located in Flood Zone 1 and is at low risk of flooding, despite being within close proximity to the Birmingham to Worcester Canal. A site drainage strategy would be required by condition.

## **Street Scene & Character Impact**

Members will be aware that the application is submitted in outline, with access, layout, scale, appearance and landscaping reserved for subsequent approval. In this respect, the finished design of the development is not set at this outline stage. The application has been accompanied by an Illustrative Site layout Plan, illustrative house types, a Design and Access Statement and a heritage statement.

Limited information has been provided about the intended appearance although the Design and Access Statement does indicate that the proposed development would be low density, with a row of built form running both west and east of the pre-existing access. The dwellings themselves are all two storeys and it is proposed they would be finished in brickwork to match the existing style and vernacular of the area. The properties will all have consistent detailing.

It is important to consider whether 14 dwellings could in theory be accommodated on site without undue impact on the character of the area. The site area is 0.52ha and would result in a density of approximately 27 dwellings per hectare. This is a fairly high density in this location and makes an efficient use of land in accordance with BDP7.

## **Access, Highways & Parking**

The existing site vehicular access point onto Westonhall Road will remain in place with a new internal access road being laid to give access with car parking for two cars next to each residential dwelling. A number of the dwellings are shown to also have garages.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that there would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained.

The Highway Authority therefore submits a response of no objection subject to conditions.

As this is an outline application the access and internal layout will be reviewed at the reserved matters stage. It should, however, be noted that the internal layout of the development will require further detailed plans demonstrating highways arrangements and that it is to an agreed adoptable standard. There is sufficient space within the site to provide a detailed scheme to meet the relevant standards.

Adequate parking provision will be conditioned (3 spaces for every 4 bed dwelling and 2 spaces for every 2 and 3 bed dwelling) and the Highway Authority would be consulted on any subsequent reserved matters application.

WCC Transport Operations have requested a contribution towards Community Transport. They consider that there will be impact from this development on Community Transport, in particular the Concessionary Fares Scheme which offers eligible elderly and disabled people free travel on off peak local bus services anywhere in England. Based on data from the 2011 census and the Worcestershire Concessionary Travel Scheme, WCC Transport Operations have estimated that 4 residents will fall in this category. Using trip rates supplied by Community Transport and an average trip length of 4 miles this would add £302.40 to Community Transport operating costs using HMRC approved reimbursement rates. On this basis WCC Transport Operations have requested a contribution of £1500 for Community Transport. However, this request is not considered to be fairly and reasonably related in scale and kind to the development proposed. This request does not meet the tests set out in the CIL regulations and consequently is not necessary to make the development acceptable in planning terms.

### **Planning Contributions**

In accordance with paragraph 56 of the NPPF and section 122 of the CIL planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved. Whilst the affordable housing and wheelie bins have been agreed, the other matter regarding open space is still under discussion with Leisure Service and an update will be provided.

### **The Planning Balance and Conclusion**

The application seeks outline planning permission, i.e. to establish the principle of whether the development of the site for 14 dwellings, is acceptable. All matters are reserved. Whilst the indicative plan simply demonstrates how housing, landscaping, parking could be accommodated upon the land, all these details will be subject to a separate Reserved Matters application(s) to be considered on its merits.

It is considered that, in the absence of the Council being able to demonstrate a five year housing supply, the policies within the Development Plan with regards to housing have to be seen as out of date. In such circumstances the NPPF sets out that the issue to consider is whether the proposal represents sustainable development and if it does there is a presumption in favour of the scheme.

For the reasons as set out in the report, it is considered that the proposal does satisfy the

three dimensions of sustainable development. Given the view taken that the development is sustainable the question to be considered is whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF as a whole.

No overriding technical objections have been raised and the impacts of the development have been assessed. There are no adverse impacts that would outweigh the benefits of the scheme. Overall, it is considered that the benefits of the proposed development significantly and demonstrably outweigh the impacts identified in this report.

Therefore, in conclusion, the application is recommended for approval, subject to conditions and a Section 106 agreement.

### **RECOMMENDATION:**

- (a) Minded to **APPROVE OUTLINE PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:
  - (i) The provision of 5 affordable housing units
  - (ii) The provision of a financial contribution towards the Play area and Open Space to the west of the development at Shaw Lane
  - (iii) A contribution of £50.98 per dwelling for the provision of wheelie bins

### **Conditions**

- 1) Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
  - i. The expiration of three years from the date of this permission; or
  - ii. The expiration of two years from the final approval of the reserved matters;or,
  - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Approval of the details of the design and external appearance of the development, access arrangements, layout, scale, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

- 3) This permission shall relate to the submitted application forms and supporting information, and the following plan:

Site Plan 1802/P01

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

- 4) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area.

- 5) No development above ground floor slab level shall take place until full details of all timber door and windows and their reveals and cills including 1:20 scale elevational drawings and 1:5 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development.

- 6) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

- 7) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of the dwelling for the following:

- 3 car parking spaces per 4 bed dwelling
- 2 car parking spaces per 2 & 3 bed dwelling

All at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 8) The development hereby permitted shall not be occupied until an electric vehicle charging point to serve each dwelling has been provided. Such apparatus shall be retained and maintained in perpetuity.

Reason: To encourage sustainable travel and healthy communities.

- 9) The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

- 10) Existing visibility splays to be retained as minimum visibility splays to be retained to provide from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

- 11) The Development hereby approved shall not be occupied until the access, turning area and parking facilities with the changes requested have been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 12) 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 6 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. 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"

3. 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"

4. 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.

5. 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.

6. 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.

7. 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

- 13) No works or development shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hard-standing areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

- 14) No development shall take place until an Ecological Construction Method Statement has been submitted to, and agreed in writing by the Local Planning Authority. This statement shall be informed by recommendations made in the submitted Ecological Appraisal by ED, in particular section 5.3 and 5.4.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for new native shrub planting and diverse grassland seeding in the green space on site, the maintenance and provision of the new reptile hibernacula and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: To minimize impact of the development on the biodiversity.

- 15) The applicant shall provide a hard and soft landscaping plan for approval. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason: In the interests of the visual amenity of the area.

- 16) No development within a relevant phase shall be occupied until details of the external lighting to be used have been submitted to and approved in writing by the Local Planning Authority. Such plans shall include scaled plans and drawings illustrating the design of the light units and columns. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved details and shall be maintained as approved.

Reason: To ensure the satisfactory appearance of the development in the interests of safeguarding and enhancing the character and appearance of the area.

- 17) Prior to the commencement of development, details of the proposed boundary treatments including wall repairs, new fencing and access to the canal towpath shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details.

Reason: To comply with the requirements of the NPPF and in order to ensure that the integrity of the waterway infrastructure is not compromised, future maintenance has been identified and agreed and the proposed materials and appearance of



these features does not have a detrimental impact on the appearance of the waterway corridor.

- 18) No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the protective fencing is erected as required by the AMS.

Reason: To ensure adequate protection to trees in the interests of the visual amenities of the area.

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