

**Bromsgrove District Council
Planning Committee**

**Committee Updates
5th August 2019**

19/00028/FUL Plot 3B , Buntsford Drive

No Updates

19/00459/FUL Lokrum, Copyholt Lane

Revised plans have been submitted (30.7.19) showing the car parking provision (10 car spaces) and a dropping off bay to be relocated at the rear of the bungalow.

County Highways have considered the revised plans and still recommend refusal:-

- o The applicant has provided 17 car parking spaces on site (5 staff, 12 visitors), the applicant has also provided 2 parent drop-off spaces. It is recommended 1 space per member of staff be provided on site, this recognises that staff may need to travel from outside the local community but pupil access should be by sustainable modes. The site layout still fails to provide car parking levels for staff in accordance with the requirements (9 staff parking spaces recommended), however this can be overcome by marking the 4 of the proposed visitor car parking spaces as staff.
- o The location of the proposed development is still deemed to be in an unsustainable location since the development cannot be accessed on foot or by public transport, and the local road network does not lead itself to be a cycle route for students or teachers.
- o The revised layout has also failed to provide accessible vehicle parking spaces and electrical vehicle charging points in accordance with adopted policy.
- o Applicant has failed to provide a Transport Assessment which is a requirement based on Local Highway Standards.
- o A Travel Plan should have been submitted to support the absent Transport Assessment, and whilst a letter has been provided to explain intended practices this falls short of what a travel plan should provide.
- o The vehicle access has restricted visibility in both directions. The application does not provide any details of traffic generation, existing traffic flow or approach speeds, it is however self-evident that the visibility splay from a 2.4m X distance is very limited. This is contrary to the interests of Highway Safety.

The application is in principle unacceptable due to its rural location and consequently reliance on car based travel. The application conflicts with the National Planning Policy Framework and therefore recommends that this application is refused.

5 Additional letters of support have been submitted stating the need for the facility.

1 letter of comment stating that the land is not fit for purpose due to the location. It is already a very busy lane where the infrastructure of the road can't take lots more vehicles. Riding horses in this area which is getting busier and busier. However, see the need for another SEN school due to myself being a teacher in mainstream and seeing that there are very limited spaces in special schools.

An additional support letter sent in on behalf of the applicant has been submitted today and circulated to members of Planning Committee. The letter is summarised as follows:-

Refusal Reason 1 - that the car parking would be inappropriate development in the green belt.

Your officer's report discusses the Very Special Circumstances (VSC) argument made by the applicant in relation to the Council's view that parked cars would constitute inappropriate development in green belt.

The following points are highlighted as VSC:

- o A severe lack of provision within the locality
 - o That this facility will provide much-needed support to families that may have very little choice but to seek residential care for their children
 - o That it is precisely the location of the site, within the green belt, that means it is tranquil and calm, with few disturbances that makes it perfect for this use and this user group.
 - o Normal sustainability criteria should not apply here. The children with ASD that will use this facility are often not equipped to be able to deal with the pressures associated with the use of public transport. They may become distressed on buses, or even with taxis driven by people they do not know. Many are unable to walk or cycle and most simply cannot be unaccompanied.
 - o Refer to an appeal, and which was allowed at Ford Lane, Droitwich - which was an independent living scheme for people with Autistic Spectrum Disorder (ASD) and the Inspector recognised the lack of provision attracted 'considerable' weight in favour of the appeal.
- As a substantial residential property, a significant amount of cars could be parked within the site, without any recourse in planning terms.

Refusal Reason 2 - the reliance on private car

The application of standard approach towards sustainability in transport terms would be irrelevant here. The myriad material considerations associated with the provision of much needed educational facilities for children with ASD are more than capable of outweighing the harm associated with the inappropriateness of the proposed car parking area.

Given that the road is a deregulated highway, but considering the Canal bridge to the west and various junction points nearby, it is clear that speed past the site is not going to be excessive. The junction could be designed to meet the appropriate visibility splays accordingly by an appropriately-worded condition.

Significant weight to the 'amenities' of third parties neighbouring the site - but the neighbouring properties are well spaced from the site, and in any case the trips from up to 18 pupils, plus staff, would be negligible, and would take place largely outside of the am and pm peaks because of the nature of the user group. Trips by parents and carers are likely to be linked trips, where car users may then travel on to workplaces.

The Equalities Act

The Council have not demonstrated that they understand the likely impact of their decision on the equality needs which are potentially affected by a refusal of planning permission. That is, the Council have not set out what they consider to be the impact in the event they refuse planning permission.

Note the County Education are 'neutral' about the proposals and have set out that they plan to make provision for a similar educational facility for people with Special Educational Needs (SEN) although no timeframe indicated.

Officers have considered the additional comments submitted on behalf of the applicant and note the appeal decision. However, the site concerned is not a like for like in relation to what is proposed at Lockrum. The appeal site is also within a neighbouring district and was for a new build living accommodation for 8 adults with Autistic Spectrum Disorder. However, whilst the site concerned is located within the Green Belt, it did offer other options of travel and as such was broadly sustainable in terms of its location.

19/00477/FUL 34 Lickey Square, Lickey

Letter 05/08/19 which makes the additional substantive comments to those in the Committee report, and which can be summarised as follows:

- o The proposal for cut and fill, creation of a patio and raised lawn supported by a high and long retaining wall closer to the southern boundary than the proposed rear elevation are matters which cause greater harm than the amended plans on which neighbours were formally notified particularly regarding loss of privacy especially from the autumn to the spring when the intervening sycamore tree would have no leaves
- o Insufficient information regarding how the mound of fill material would be stabilised and drained to prevent soil creep against the rear boundary fence with no 17 The Badgers
- o Concern regarding the enforceability of some of the planning conditions
- o The bin storage proposals on the site plan are 65 metres from the highway and this would be contrary to High Quality Design SPD paragraph 4.2.8

19/00501/FUL Site Adjacent To 73 Linthurst Newtown, Blackwell

Councillor King has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

Following concerns raised by the Conservation officer over the potential impact on the setting and significance of the neighbouring non-designated heritage assets, the applicant has now submitted revised plans.

The Conservation Officer has confirmed that the revised plans do address her initial concerns. It is therefore recommended that Planning Permission be Granted.

19/00624/FUL 23 Aston Road, Bromsgrove

No Updates

19/00713/FUL 385 Stourbridge Road, Catshill

No Updates