

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
BILLINGHAM AND KITE LIMITED "B"	Outline application for the erection of 26 dwellings Land Rear Algoa House, Western Road, Hagley	ADR	14/0408 15.10.14

RECOMMENDATION:

(a) MINDED to APPROVE OUTLINE PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to financial contributions for:

(i) **To mitigate for the additional demands on the wider transport network generated by the development: £76,311.04.**

This contribution will specifically contribute towards all or any of the following:

- Cycle parking provision at Hagley Railway Station
- Cycle parking provision in Hagley Centre
- Installation of information kiosks displaying cycle route maps, suggested pedestrian routes etc at key locations in Hagley
- Provision of a Gold Standard bus shelters

(ii) **To improve footway linkage with Hagley centre: £3342.00**

(iii) **To provide uncontrolled pedestrian crossing points on route to Hagley centre: £557.00**

(iv) **To provide cycle signage to Hagley centre and other amenities: £557.00**

(v) **Financial contributions towards education facility enhancements in any or all of the following schools in the catchment area of the site:
Hagley Primary School and Haybridge High School**

(vi) **The improvement of Hagley Community Centre and Clent Parish Hall:
£18,571.42 (split on a 50%/50% basis: £9285.71/£9285.17)**

(vii) **Medical infrastructure for Hagley Surgery and The Glebeland Surgery, Belbroughton:
£17,963.40 (split on a 68%/32% basis: £12,215.11/£5,748.28)**

(viii) **Car-Parking Enhancement in Hagley:
£1857.14**

And:

(ix) **The securing of 10 on-site affordable dwelling units**

(x) **The provision and future maintenance in perpetuity of the on-site play space and open space provision**

(xi) **The provision and future maintenance in perpetuity of the on-site SUDs provision**

Consultations

Strategic Planning Policy

Consulted – views received 14 August 2014:

- No objection
- The principle of development on the ADR site is not disputed
- The 40% affordable housing provision is supported
- A higher proportion of 2 and 3 bedroom properties would be preferable.

Worcestershire Highways

Consulted – final views received 14 November 2014:

- No objectionThe applicant should submit amended to ensure the design of the proposed access reflects the 85th percentile speeds on Western Road and to agree Heads of Terms for the offsite mitigation.

Highways Agency

Consulted - views received 28 July 2014:

- No objection
- Suggest Conditions relating to:
 - Visibility splays
 - Details of the surfacing and drainage of the access, turning and parking facilities

Environment Agency

Consulted – views received 13 August 2014:

- No objection
- The FRA demonstrates that the development site is not at risk from flooding and will not act to increase flood risk to properties elsewhere post development
- Suggest Conditions relating to:
 - Finished floor levels set at a minimum of 107m AOD
 - No new buildings, structures (including gates, walls and fences) or raising of ground levels within 8 metres of the top of any bank of the Gallows Brook or on land at or below 106.4m AOD inside or along the boundary of the site

North Worcestershire Water Management Drainage Engineer

Consulted – views received 12 August 2014:

- No objection
- Sufficient information has been submitted to demonstrate that the site can be developed without increasing the risk of flooding from the Gallows Brook on the site itself or elsewhere, providing the Environment Agency is happy with the model constructed
- Suggested Conditions:
 - A scheme of surface water drainage
 - Finished floor levels set at a minimum of 107m AOD
 - Maintenance plan for the SuDS scheme
 - Method statement detailing the measures that will be taken to ensure that the works will not adversely affect (pollution and silt) the watercourse, including during the construction phase

Severn Trent Water

Consulted - views received 25 July 2014:

- No objection subject to condition relating to the following:
- Drainage plans for the disposal of surface water and foul sewage

Worcestershire Regulatory Service: Contaminated Land

Consulted - views received 6 August 2014:

- No objection

Strategic Housing

Consulted – final views received 3 October 2014:

- No objection subject to compliance with the following:
- Policy compliant provision of 38.5% (10 units based on a total of 26 units)
- Proposed Mix & Tenure:
 - **Social Rented (70%)**
 - 5 x 2 bedroom dwelling
 - 2 x 3 bedroom dwelling
 - **Intermediate (30%)**
 - 2 x 2 bedroom dwelling
 - 1 x 3 bedroom dwelling

Leisure Services

Consulted - final views received 6 June 2014:

- No objection
- There appear to be some lovely trees on site (arboricultural survey and overhead mapping photography) and they contribute significantly to the context and overall 'place' of the site, I would recommend that the conclusions of the arbor survey be implemented to preserve the best of these and to ensure their long term viability. I note that the survey did not include any of the trees along or within the area of the Gallows Brook, if this land were to be proposed for adoption, further survey work would be required before this could be considered. The existing hedgerows appear to be left untouched as part of the proposals and their retention is considered to be highly desirable to enable continuity of bio-diversity and landscape appearance.
- Due to the proximity of the site to other proposed developments, and the requirements for appropriate contributions for play, open space and allotments, I refer to my previous comments regarding application 14/0177. It is in our opinion entirely desirable to ensure that we do not encourage the development of small numerous piece-meal play areas throughout these closely associated developments especially in close proximity to water courses.
- To ensure that the existing Gallow Brook water course and its ability to enable bio-diversity to move and flourish unhindered, it is desirable to ensure that this corridor of habitat remains as undisturbed as possible, ensuring its preservation in the context of a wider park or green corridor environment in association with the adjacent Cala Homes et al developments is both beneficial to biodiversity and flood protection/remediation.
- Effective remediation of potential urban run-off into the brook course needs to be properly considered to ensure the protection of this UK BAP priority habitat.
- The use of appropriate native species trees such as *Acer campestre* across the site to further encourage wildlife would be beneficial and will further blend any development into the local landscape vernacular.

Worcestershire Wildlife Trust

Consulted 17 July 2014: views awaited

Landscape and Tree Officer

Consulted – views received 5 November 2014:

- No objection
- There appears sufficient space to construct dwellings and associated works while retaining and protecting the existing trees on the site boundaries.
- All works will need to be outside the BS5837:2012 Root Protection Area of these trees and for the trees on the western boundary particularly, the location and extent of these RPA's will need to take account of any offset caused by works on the development side on the other side of the boundary.
- Suggest Conditions relating to:
 - Protection of existing tree cover
 - Tree protection measures during construction phase

Worcestershire County Council Landscape Officer

Consulted 17 July 2014: views awaited

Worcestershire County Council Archaeological Service

Consulted - views received 5 August 014:

- Desk based assessments undertaken for this area have determined that the site has an unknown potential for unrecorded archaeological remains. Given the scale of the development and the unknown potential for archaeological remains, the likely impact on the historic environment caused by this development may be offset by the implementation of a conditional programme of archaeological works.
- No objection subject to suggested condition:
 - The submission of a programme of archaeological work, including a written scheme of investigation

Worcestershire County Council Countryside Service

Consulted 17 July 2014: views awaited

Ramblers Association

Consulted – views received 23 August 2014

- The site has been visited and the only footpath affected is HE-518 which lies in the field to the west and outside the current development boundary of the Bromsgrove District Plan.
- As the site lies within the development boundary the principle of this development causes us no concern. Having looked at the development proposals on other land allocated for residential development in the vicinity we are pleased to see that this site will be integrated with them via a footpath and cycleway. We also note that links in the site to the north will provide convenient, pleasant and safe access to the village centre for walkers cyclists.
- Our only note of concern is that vehicular access to the application site is to be directly to Western Road and very close to the start of Footpath HE-518. The outline permission on land behind Strathearn shows that provision was made to access the application site from the Strathearn site. In our view one shared access to Western

Road would be the safest solution for all road users and walkers using the footpath in particular. We appreciate why the developers may not wish to take this course but trust that in the long term this will be the solution achieved.

Worcestershire County Council Education Service

Consulted - views received 22 July 2014:

- We are seeking a contribution from this site for additional education infrastructure based on a rate of £4,905 for each 2 or 3 bed open market dwelling and £7,358 for each 4 bed or larger open market dwelling. I don't believe there are any open market flats or apartments proposed but these would be charged at £1,962 per 2 bed or larger dwelling. Affordable housing is exempt.
- The schools affected are Hagley Primary School and Haybridge High School
- The Community Infrastructure Levy Regulations state that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
 - (i) Necessary to make the development acceptable in planning terms
This development will have an impact on surrounding education infrastructure. Analysis of pupil yields gives an average figure of 0.029 pupils per year group per dwelling. This development will contribute to the demands on the local schools.
 - (ii) Directly related to the development
The contribution sought is related to, and will be spent on, the schools that serve the area in which the development is sited. The Local Authority has a duty to ensure that there is sufficient local provision for the numbers of children likely to seek a place.
 - (iii) Fairly and reasonably related in scale and kind to the development
The contribution is scaled to match the development by charging an amount per dwelling, charging a reduced amount for flats and apartments and waiving any charge on 1-bed units and affordable housing. Developments of specialist housing for older people or people with disabilities are also exempt.

NHS England

Consulted – views received 3 October 2014:

- The Area Team does not normally request Section 106 funding from developments of less than 100 houses unless there are other developments planned in the vicinity that would bring the total number of dwellings above this threshold.
- As this is the case in this instance, I can confirm our agreement to your proposal to allocate Section 106 funding for primary healthcare infrastructure using the formula that was adopted in respect of recent planning applications in the Hagley area.

Council for the Protection of Rural England (CPRE)

Consulted 17 July 2014: views awaited

Clent Parish Council

Consulted – views received 19 August 2014:

- Concern has previously been expressed about the impact on the location in terms of traffic congestion air quality and the impact of the developments on the local community. This site will feed additional traffic movements on to either the congested A491 or into Western Road/Newfield Road neither of which roads have the infrastructure or capacity for any additional traffic movements.

- Clent Parish Council therefore strongly objects to this housing development on the grounds that it is not required there being more than sufficient housing development already underway to meet the housing needs for local people.
- In addition the local community facilities are already under considerable strain because of the housing development and will be unable to accommodate a further increase in the population.
- Despite our objections if the Planning Officers recommend approval, we ask that they: ensure:
 - Adequate security of Foul Water Pump zone in terms of smell, noise, reliability of pumps, and defence against flooding.
 - Compliance with recommendations re; tree/hedge, wildlife, flood precautions.
 - Proper care taken concerning visibility splays at access entrance.
 - Constraints on times of access to, and nature/activity of vehicles on site during construction.
 - We are consulted on the allocation of any s106 fund allocation
- We also request that the Planners advise us immediately of the nature and content of 'Reserved Matters' and give adequate time then for us to consider/object to design, layout, appearance and location of houses, particularly in relation to a range of environmental considerations and proximity to existing residencies.

Hagley Parish Council

Consulted – views received 3 September 2014

The Principle of Development

- This site is the last remaining part of the Hagley Area of Development Restraint. According to the adopted (not now very old) Local Plan, this is supposed to be “as protected as Green Belt”, until the Council conducts a review to release the land. No such review has ever taken place: the implication is that the land is “as protected as Green Belt”. In the terms of NPPF, this is safeguarded land. What has happened is that the Council has prepared BDP, but that is still only an emerging plan; its Examination has been started, but currently stands adjourned *sine die* pending further work by the Council.
- Paragraph 85 of NPPF says that: ‘Planning Permission for the Permanent Development of Safeguarded Land should only be granted following a Local Plan Review, which proposes development’.
- It has in the past been suggested that this only applies to land safeguarded after NPPF, but the principle of safeguarding is not a new one. It there seems illogical that it should only apply to land subsequently safeguarded. We appreciate that there is much precedent for granting planning permission in respect of safeguarded land, but that was while the District did not have a 5-year housing land supply.
- According to the Committee Report for 28 July, the land supply has now reached 5.89 years. The Council’s 19-year target in BDP is 7000, or 368 per year. At this rate, the current supply is 2170. The Interim Report from the Examination requires further work to be done on the basis that or its Objectively Assessed Housing Need (OAHN) is greater than the Council’s OAHN figure of 6390. Nevertheless, both 7000 and 5.89 years provide some margin beyond an OAHN target of 6390: 2170 sites would still be a 5-year supply if OAHN were assessed not to be more than 8246.
- The Inspector’s Interim Findings rejected the Economic-based scenario, which pointed to an OAHN figure of about 9200. It therefore seems save to assume that the final OAHN figure will come out somewhere between 6390 and 9200, and quite

probably below 8246. These figures do not take into account the 5% margin required by NPPF. On the other hand, the figure probably does not count 490 houses on the Whitford site, where the Planning Committee appears minded to grant consent, if its concerns on highways issues can be allayed. In conclusion, it is safe to assume that the Council does now have a 5-year housing land supply.

- Over the past few years, the Council has granted Planning Permission for many other ADR sites in the district. However this was all done at a time when the District had much less than a 5-year housing land supply. The Council had to find land and there was nowhere available, apart from the ADRs. With a 5-year land supply, the position is now different.
- The object of the ADRs was to keep land available to meet its future development needs. We assume that there should be a balance of some kind between the town and the six large villages. However, the planning consents for former ADRs so far granted are overwhelmingly in the villages. There is liable to be a gap in land supply in villages such as Hagley in perhaps 5 years, when the currently consented sites have been built out, but the next tranche of development land in the villages (which will result from a future Green Belt Review) has not yet come on stream.
- At the district level, BDP provides for 7000 houses to be built over 19 years, at an average of 368 per year. Of these 2400 are to be on land not yet identified. This means that the identified land (for 4600) will last approximately 12.5 years, until about 2025. It is appreciated that the Inspector has asked for further work on the basis that the objectively assessed housing need may be greater than 6390, due to the impact of commuting, but it is hoped that the results of additional research will not alter the figure greatly. With a 5.89 years' supply (and more probably coming), there is now no immediate need for more land with planning consent. The district's housing supply has gone through cycles of boom and bust – a boom up to the time the moratorium was imposed in 2003; followed by a bust when the effects of the moratorium kicked in the late 2000s, followed by the Credit Crunch. The consents granted in the last few years look like becoming another boom.
- At the local level, the position is even more extreme. The Hagley ADR has a capacity (as implemented) of about 275 dwellings. The whole ADR now has planning consent, except 24 houses off Brook Crescent (application postponed at Committee on 28 July) and this site for 26 houses. It is likely that all the approved sites will be built out within the next few years. This means there will be another bust locally, at the end of this decade or the beginning of the next. After these sites are completed, there will be no housing land in Hagley, except from windfalls, until land released from the Green Belt comes on stream, probably after 2023. It is expedient to hold this site back to provide a land supply to meet local needs towards the end of this decade.
- BDP3.3 ends by stating: 'When a five year supply has been achieved the Council will consider whether the granting of Planning Permission would undermine the objectives of this strategy'.
- For the reasons stated, we believe that the grant of Planning Permission would do so. Accordingly Planning Consent should be refused, on the grounds that the application is premature by about five years.
- This application should be recommended for refusal.

Other grounds of objection:

Highways

- The whole area is affected by the cumulative effects of the total highways impact and regularly has heavy congestion and increasing waiting times at several junction related to the ADR land and transient traffic.
- Addition traffic from this development will add traffic to the most sensitive part of the Hagley highways infrastructure i.e. Western Rd and Newfield Rd and their junctions with the Worcester Rd A456.
- Continued pressure on the highway system is equal to death by a thousand cuts and at some point the WCC Highways Authority must act to alleviate such junctions of its traffic burden.

Air Quality

- HPC has felt it necessary to set up a AQMA task group to work with WCC (WRS) to try and tackle the issue of failed Air Quality in the area.
- WRS has begun to implement its statutory obligation of introducing an AQ Action Plan for Hagley.
- Continued development of this nature will only add further pollution and as such add pressure on the action plan being implemented. As you will be aware the UK Government (and through it BDC) has come under an EU threat of penalty if the UK's air quality is not improved. Further development will only result in this penalty being imposed.

Conditions

- If the Council is minded to grant the application, we would ask for financial contributions towards community facilities in Hagley only:

Enlargement of Doctor's surgery

- This and previous applications have imposed a strain on primary care in Hagley beyond the capacity of Hagley Medical Centre. That strain can be relieved by an extension to the Medical Centre. Plans have been prepared for this, and we think that Planning Consent has been obtained. Information provided to us by the medical practice suggests that all the residents of the immediately adjoining part of Hagley (except a handful) are patients of the Hagley Practice, so that it is likely that residents of the new development would be.
- The Medical Centre is just about within walking distance of the application site. It is too far from the next nearest practice, the Glebe Surgery at Belbroughton – about two miles away, to be readily accessible to residents other than by car; the bus service is too infrequent and unreliable for them to be likely to use it.
- A contribution should be made to the extension of Hagley Medical Centre on a similar basis to that made by Cala Homes in respect of their site in Kidderminster Road. No contribution should be available for the Glebe Surgery (despite the precedent of the adjacent Strathearn site, because that Surgery is too far away; and there is no prospect of it being extended).

Improvement or replacement of Hagley Community Centre

- Hagley Parish Council (HPC) is working with Hagley Community Association (HCA) and other stakeholders to develop a scheme for the replacement of Hagley Community Centre. This is a partly wooden building; poorly insulated; and not in the best of repair. It is currently operating at its capacity. HPC is (in conjunction with HCA) undertaking a consultation as to how the Community Centre should be improved or replaced. Preliminary ideas involve incorporating the library and a

Parish Council office in a new Community Hub, but the outcome of the consultation is awaited.

- The adjacent Strathearn development appears to provide a precedent for money under this head to be split with Clent Parish Hall. This was a foolish decision and should not be followed.
- The Parish Hall is a Church Hall for the ecclesiastical parish of Clent. However the ecclesiastical parish is much smaller than the civil parish. The part of the civil parish that is part of Hagley (including the application site) was transferred in the 1930s to the ecclesiastical parish of roome. Accordingly, the site is outside the area of benefit of Clent Parish Hall.
- Clent Parish Hall is a well-built brick building. It may be in need of some repairs, but repairs are not something that can be funded from s.106 money.
- The site is functionally part of the village of Hagley, which is a distinct village from Clent.

Car Parking in Hagley

- HPC is working on alleviating car parking problems in the village centre of West Hagley. The latest proposal involves charging those who park in excess of four hours. There will be some capital costs for implementing this. A financial contribution was made from the Cala Development in Kidderminster Road, and other recent large developments. This one should contribute too.

Publicity

6 letters sent 17 July 2014 (expire 7 August 2014)

2 identical site notices posted 22 July 2014 (expire 12 August 2014)

1 press notice published (expires 14 February 2014)

9 representations received objecting to the scheme on the following principal issues:

Principle

- Any further developments will make the village too large and lose its character
- The development is unsustainable, unsafe and inappropriate
- The cumulative number of new residents is unacceptable
- It is back building
- There are still brownfield sites in Bromsgrove, which Government reiterated should be used for housing before green sites

Form of Development

- The scheme should include advanced architecture with built-in photovoltaic panels to reduce the carbon footprint and pollution
- The scheme should aim for carbon-zero homes
- Reduce the build to 22 homes to allow an area for wildlife for the benefit of all
- No housing identified for residents (older) wishing to downsize
- With the physical constraints of the land, it would appear inappropriate to have any on-site public open space. In any case, there is an established footway/cycleway to the Strathearn site which already would contain a LEAP and LAP which could be used by occupants of the proposed site. An entirely off-site contribution to public open space/recreation/sports should be made. This should include contributions to mitigate for the proven shortfall in the Hagley Ward of childrens/youth provision and outdoor sports facilities including sports pitches.

Air Quality

- Concerns regarding the increase in air pollution
- The increased traffic will cause and increase in air pollution, parts of Hagley are already under Air Quality Management

Highways and Access

- Aggravate traffic congestion
- If this application were to be granted, taking into account the two applications already granted, a further 268 car would be using Western Road to access A456 and A491
- Western Road is a country lane off the A491, leading to established residences, a home for older persons and a children's nursery. It is signed as unsuitable for heavy goods vehicles, can only be exited onto A456 via South Road as it is one way at A456 junction. Has four blind bends, two at the junction with Newfield Road, both are as the road starts going downhill. It is signed as 30mph
- The proposed exit from this new application is close to the Cala Homes Strathearn site and almost opposite a blind bend by Field House Drive
- Road is used as a rat run at peak times, bank holidays and if problems on M5 motorway
- The impact on the environment will be devastating as even more traffic will be brought into an already congested area.
- Western Road and Newfield Road is now effectively the "Hagley By-Pass"
- Pedestrians have to walk along the road from where the pavement ends to the A491. For their safety this pavement needs extending alongside this narrow strip of road.
- The scheme should contribute to the Bromsgrove Transport Infrastructure Development Plan to mitigate for the additional vehicle trips generated by the site.
- Safety hazard concerns – there will be an increased risk of accidents due to the volume of traffic, especially in adverse weather conditions

Public Transport

- There is insufficient car parking at the railway station and in Hagley
- There are no direct trains to Worcester or Birmingham
- The 317 bus has been axed by Worcestershire County Council – this used to visit outlying villages

Noise and Disruption

- Concerns regarding the increased noise from traffic and development

Drainage and Flood Risk

- Needs pumping station for foul water

Biodiversity and Trees

- Destruction of wildlife habitat

Infrastructure

- There is a general lack of infrastructure to support the development
- Concerns about the additional number of children seeking places at local schools
- Concerns about the increase in waiting times at dentists and doctors

- Lack of public services
- The scheme should contribute to the Community Centre in Hagley and not Clent Parish Hall
- The scheme should contribute for extra strain on car-parking in Hagley
- The scheme should contribute to Hagley Medical Centre for extra strain on medical facilities
- No recreation for youth

Representation from Hagley Ward Member Councillor Steven Colella

Received 20 September 2014:

- My opinion as regards the above planning application remains one of objection. The main reasons are as follows.
- Firstly I would like to share my concerns over the potential miscalculations of s106 monies related to health care provision should the same be applied to this application. I have forwarded to you my recent challenge to the calculation mechanism related to allocation and distribution of health funding for neighbouring development.
- As with the other applications on the whole ADR the impact will be most acute in Hagley. Therefore any s106 monies must be Relevant, Related and Realistic but most of all to mitigate its affect upon Hagley.
- My objections are:
- The cumulative damaging impact of over development.
- The impact of further traffic on the junctions directly adjacent to the development but also the wider impacts on Western Rd and Newfield Rd and the creation of transient traffic rat runs I am concerned that the cumulative effect on the traffic modelling has not been fully considered. Whilst in isolation the developer will argue little impact but with the previous applications this causes significant traffic disruptions.
- The Bromsgrove 5 year housing supply has now been reached and therefore this application is premature and should be refused.
- I am aware of a reapplication by Cala Home to create a bridge to create an on/off access to the Strathern and Kidderminster Rd site via Western Rd. Should this too be approved this will make traffic along Western Rd and Newfield Rd intolerable and one which the Highways authority must recommend refusal.
- If the application is approved against popular opinion and objection, in the absence of Cil policy I would ask that a significant amount of s106 money is also allocated to the proposed expansion of the Hagley Scouts premises, Hall Lane Hagley.
- The expected increase in population will bring an increase in children and young adults needing to have positive distractions. Scouts and Guides are well represented in Hagley but are turning away many children because of constraints on the physical size of the scout hut.
- Health care in Hagley, parking and community transport.

Additional comments received from Hagley Ward Member Councillor Steven Colella

Received 14 October 2014:

- Given the information extracted from the FOI request which highlighted the population in Hagley that splits between the Hagley surgery and the Glebe surgery

Belbroughton, the 80/20 split previously used to calculate S106 health care has been proved to be flawed.

- The outcome of the FOI clearly shows that known registered users of the two surgeries is 5362 in Hagley of a population of 6200. This does not account for the student population who have registered nearer to their University or lack of or poor scrutiny of the address line. This now shows that there is a maximum of 93/7 split, making the origin of the NHSE calculation totally baseless and challengeable.
- As previously highlighted the location of the development with regard to Hagley surgery, is a matter of metres as opposed to miles to Belbroughton. How it fits with the 'Related, Relative and Reasonable' test (Ruth's own description of the s106 tests) is difficult to see.
- I would therefore assume the 80/20 split 'suggested' by NHSE in the forthcoming Algae House application (14/0408) will be ignored and the full s106 will be allocated to Hagley.
- I request that I am allowed to speak on this application when it comes to Planning. I also assume that if the health care agreement is not 'corrected' this evidence suggests it should be the method explaining how the agreement has been calculated that will be clearly explained to the planning committee. This will 'expose' the method of calculating s106 monies and therefore will be adopted as a policy on all planning applications across the district.
- I have cc'd this message into Head of Legal, Equalities and Democratic Services as I believe that the 'drift' away from the 3 R test above is a serious enough flaw in the legal section 106 agreement methodology to cause previous agreements to be affected. The FOI evidence is clear enough and demonstrates that it was mismanagement that the methodology was not checked in support of the Hagley surgery and the many objections ignored.
- Equally, when these objections were raised both verbally and in writing to the planning committee in the previous 13/819 Brook Crescent and 13/039 Strathern applications that they were not adequately discussed or questioned in detail.

Members are encouraged to review all submitted documentation, including the third party letters summarised above. All submitted information is available to view in full either online via the Council's Public Access system or within the planning application file.

The site and its surroundings

The application site is located to the south-east of a proposed residential area on the south-east side of the settlement of West Hagley. The site is bordered on the north-west and south-west by areas granted planning permission for residential development. To the north-east is open countryside located in designated Green Belt. To the south-east is mainly existing residential development fronting Western Road. To the immediate south, the site is bounded by two dwellings known as Algoa House and Eightlands. The gardens of these dwellings are separated from the site by 1.8 metre high close-boarded fencing. Beyond Western Road is open countryside located in designated Green Belt.

The site is currently unused. The southern part of the site was originally a yard belonging to one of the residential dwellings and contains an area of hardstanding and collapsed brick walls. Piles of wood panel fencing, asbestos sheeting, bricks and general garden paraphernalia are scattered on the site.

The site slopes materially from south-east to north-west with the slope becoming more pronounced as the site approaches the Gallows Brook which forms the north-western boundary.

Hedgerows demarcate the northern, eastern and western site boundaries with Western Road along the southern boundary. Stock proof fencing also lines the boundaries with some post and rail fencing along the south-east boundary.

The site is designated as an ADR (Area of Development Restraint) under the Bromsgrove District Local Plan and defined as a Development Site in the emerging Bromsgrove District Plan.

Proposals

This development relates to an outline application for the erection of 26 dwellings, with associated access, amenity space and associated works.

To clarify for Members, the application has been submitted in outline, with external access for the site to be determined at this stage. All other matters are thus reserved for future determination.

For the reference of Members, outline applications have to clearly demonstrate that the proposals have been properly considered in the light of relevant policies and the site specific constraints and opportunities. Outline permission can be granted subject to a condition requiring the subsequent approval of one or more reserved matters. The Town and Country Planning (Development Management Procedure) (England) (Amendment no. 3) Order 2012 removed the previous national requirement for information on layout and scale to be provided with an outline planning application where these are reserved matters to be determined at a later date.

Notwithstanding this, the applicant has submitted an Indicative Masterplan indicating the form of the development in general terms, with an accompanying Design and Access Statement and Planning Statement that details the underlying development principles and addresses the constraints of the site and the surrounding locality.

As detailed above, access is to be determined at this stage. Access to the site is proposed through the formation of a vehicular access leading off Western Road. A pedestrian/cycle link to the Cala Homes site to the north and the west are also proposed, although this particular matter relates to an internal access issue that will be formally addressed via the approval of the layout.

The proposed housing mix will incorporate 2, 3, and 4 bedroom units. 26 dwellings equates to approximately 16.5 dwellings per hectare when calculated against the net residential area (14 dwelling per dwellings if the residential and open space areas are combined).

A provision of 38.5% affordable housing is proposed (equating to 10 units).

The scheme has been accompanied by the following documents:

- Planning Statement
- Design and Access Statement
- Arboricultural Survey
- Flood Risk Assessment
- Transport Assessment
- Phase 1 Habitat Survey and Protected Species Survey Assessment

These documents are available in the planning file and online via Public Access should Members wish to view them.

Relevant Policies

Bromsgrove District Local Plan

DS3 Main locations for growth
DS8 Areas of Development Restraint
DS11 Planning Obligations
DS13 Sustainable Development
C4 Criteria for Assessing Development Proposals
C5 Submission of Landscape Schemes
C12 Wildlife Corridors
C16 Effect of Infrastructure Development on the Landscape
C17 Retention of Existing Trees
C18 Retention of Woodlands
C36 Preservation of Archaeological Resources
C37 Excavations Around Archaeological Remains
C38 Development Criteria for Archaeological Sites
C39 Site Access for Archaeologists
HAG2A Area of Development Restraint: Land at Algoa House, Western Road, Hagley
TR1 The Road Hierarchy
TR8 Off-Street Parking Requirements
TR11 Access and Off-Street Parking
TR13 Alternative Modes of Transport
RAT5 Provision of Open Space
RAT6 Open Space Provision in New Residential Development
ES1 Protection of Natural Watercourse Systems
ES2 Restrictions in Development Where Risk of Flooding
ES3 Sewerage Systems
ES4 Groundwater Protection
ES5 Sewerage Treatment Facility Provision
ES6 Use of Soakaways
ES7 Sites Suspected of Contamination
ES11 Energy Efficiency in Buildings
ES14 Development Near Pollution Sources
ES14A Noise Sensitive Development

Bromsgrove District Local Plan (Proposed Submission Version)

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP3 Future Housing and Employment Development
BDP5B Other Development Sites

BDP6 Infrastructure Contributions
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP12 Sustainable Communities
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP21 Natural Environment
BDP23 Water Management
BDP 24 Green Infrastructure
BDP25 Health and Well Being

National Planning Policy Framework (NPPF)

Presumption in favour of sustainable development
Building a strong, competitive economy
Promoting sustainable transport
Delivering a wide choice of high quality homes
Requiring good design
Promoting healthy communities
Conserving and enhancing the natural environment
Facilitating the sustainable use of materials

Others

National Planning Policy Guidance (NPPG)
SPG1: Residential Design Guide (January 2004)
SPG11: Outdoor Play Space (July 2004)
Worcestershire Strategic Housing Market Assessment (SHMA) (February 2012)
Strategic Housing Land Availability Assessment (SHLAA) (July 2013)
Annual Monitoring Report (AMR) (December 2012)
Rt Hon Greg Clark Ministerial Statement: Planning for Growth (March 2011)
Laying the Foundations: A Housing Strategy for England (November 2011)
Rt. Hon Eric Pickles MP Written Ministerial Statement: Housing and Growth (September 2012)

Relevant Planning History

13/0819	Residential development comprising the erection of 24 dwellings Approved subject to Section 106 Agreement (Pending final decision)
14/0177	Submission of Reserved Matters (internal access, appearance, layout, scale and landscaping) pursuant to outline planning consent 12/0875 for the erection of 70 units Approved 1 August 2014
13/0398	Submission of Reserved Matters (internal access, appearance, layout, scale and landscaping) pursuant to the outline planning permission 12/0593 for 175 dwellings Approved 17 October 2013
12/0875	Residential development for up to 70 dwellings with access and

associated infrastructure, including foul water pump station:
Approved 25 November 2013

- 12/0593 Outline application for up to 175 residential units and 700 square metres Class B1 floorspace (access submitted for determination), access, amenity space and associated works (Cala Homes):
Approved 26 April 2013
- 11/0981 230 residential units, 2,530 square metres (Class B1) floorspace and medical centre building, access, amenity space and associated works (outline):
Withdrawn 23 December 2011
- 10/0378 Residential development for 38 dwellings (outline)
Refused : 7 September 2010
Appeal APP/P1805/A/10/2136206: Allowed 21 February 2011

Notes

As the site constitutes a designated Area of Development Restraint (ADR) the main issue in determining the application is whether the site should be released for development, in the context of relevant Development Plan policies, and other material considerations including the National Planning Policy Framework, the emerging Bromsgrove District Plan and housing supply.

Planning Context

In the introduction to the NPPF, it is stated that ‘development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan and **every decision**’ (Author emphasis). There is a clear commitment (paragraphs 18–19) to supporting and securing, rather than impeding, sustainable economic growth. Applications for sustainable development should be approved wherever possible (paragraph 187), consistent with an overarching approach that demands a “presumption in favour” of sustainable development (paragraph 14). It advocates a proactive, creative and solution seeking approach to planning (paragraphs 17 and 187).

At paragraphs 11-16 the presumption in favour of sustainable development is confirmed, Paragraph 14 stating that it is ‘..... a golden thread running through both plan-making and decision-taking’.

Paragraph 17 advises that the planning system should not simply be about scrutiny, but about finding ways to enhance and improve the places in which people live their lives. Paragraph 19 advises that ‘significant weight’ should be placed on the need to support economic growth through the planning system, and that planning should operate to encourage not act as an impediment to sustainable economic growth.

Where there are conformity problems with extant policies and the policies of the NPPF, paragraph 14 of the NPPF (the presumption in favour of sustainable development) states that

For **decision-taking** this means:

- approving development proposals that accord with the Development Plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;
 - or specific policies in this Framework indicate development should be restricted.

The application of the presumption in favour of sustainable development is an important element when considering this proposal particularly as extant Development Plan policies are out of date on this issue. Whether or not the application meets the requirements of one of these tests is important, specifically in relation to the issue of is safeguarded land /ADRs protected by the footnote to the second bullet point above contained in the NPPF, which is reproduced in full below.

For example, those policies relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

(Footnote bullet point 2 paragraph 14 of the NPPF)

This issue has recently been considered by the Planning Inspectorate and the Secretary of State when considering an appeal on a site in Harlow (APP/N1540/A/11/2167480; APP/N1540/A/11/2174502). In this case, the Inspector decided:

“The Framework gives examples of the type of policies which need to be assessed in this balance (Footnote to paragraph 14). Safeguarded land is not included in these examples, and it lacks the permanence of the designations listed. In addition, paragraph 85 of the Framework advises that safeguarded land is intended to meet longer term development needs, and this distinguishes it further from the examples given in the Footnote – albeit that the list is clearly not intended to be exhaustive. “

The Secretary of State agreed with this interpretation stating:

“The Secretary of State also agrees with the Inspector that, as it is intended to meet longer term needs, safeguarded land is not a type of land which the Framework seeks to protect”

This appears to be a straight forward interpretation in relation to ADRs, they are not protected by the footnote to Paragraph 14 of the NPPF, and therefore unless it can be shown granting permission for this proposal would have adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the

policies in the NPPF taken as a whole; then the presumption in favour of sustainable development can be applied to this application.

The saved policies of the Bromsgrove District Local Plan (adopted in 2004) comprise the current Development Plan for the District. However, such policies should be read in context. Where policies were originally adopted some time ago, it is likely that material considerations, in particular the emergence of new evidence, may be afforded weight in decisions depending on the degree of conformity with the NPPF and NPPG.

ADR Status and Land Release

Members will note the site is designated as 'An Area of Development Restraint' (ADR) on the Proposals Map of the Adopted Bromsgrove Local Plan (i.e. the site has been removed from the Green Belt which otherwise surrounds Bromsgrove).

Whilst stating that ADR's should receive full Green Belt protection for the duration of the plan period, the Policy also acknowledges that they constitute areas where development might be considered in the future. Policy DS8 states that planning permission for the development of ADRs will only be granted following a local plan review which proposes the development of a particular ADR. On the case of the application site, it is identified as a site with housing potential and deemed deliverable and developable in the Council's SHLAA Assessment and is therefore considered suitable for development.

The development will therefore not lead to the loss of a Green Belt site and therefore very special circumstances are not required. The land was removed from the Green Belt in part through the Bromsgrove District Local Plan (2004). When removed from the Green Belt the land was designated as an Area of Development Restraint. The purpose of the ADR designation was to provide a reserve of land for future development beyond the life of the Local Plan. The Local Plan was time expired in 2001 and the intention was that sufficient ADR land was identified to provide a large enough reserve of land so that Green Belt boundaries would not have to be reconsidered for approximately 20 years after the end of the plan period for the current adopted Local Plan (approximately 2021). Whilst it would have been preferable for ADR's to be allocated for development in an adopted plan prior to the submission of planning applications, this has not occurred.

The Bromsgrove District Local Plan defines such designations as "Development Sites". While stating that ADR's should receive full Green Belt protection for the duration of the plan period, the policy also acknowledges that they constitute areas where development might be considered in the future and thus Policy DS8 refers to selected sites where land will be held in reserve for future development and the accompanying text to this policy confirms the site represents a suitable location for development. Policy HAG2 is a site specific policy that confirms that the site is designated as an 'Area of Development Restraint' (ADR) in accordance with Policy DS8. The site was promoted for development through the last Local Plan Review.

To provide Members with context, this application proposes to develop 1.48 hectares of the allocated Hagley ADR (HAG2A) site that consists of almost 22 hectares in totality. Planning approval has been granted through the appeal process for 38 dwellings to the land adjacent Brook Crescent (HAG2) (amounting to 1.5 hectares) (planning reference 10/0378) (and again with a more recent full planning application for 24 units: planning

reference 13/0819). In the appeal decision, the Inspector placed weight on the absence of a five year supply of housing and the ability of the proposal to meet some of the urgent housing need of the District. A further outline application for 175 dwellings to the northern aspect of the ADR (HAG2/HAG2B) was approved in April 2013 (14.5 hectares) and an outline application for 70 dwellings to the southern aspect of the ADR (HAG2A) (amounting to 4.2 hectares) was approved in November 2013. This application relates to the last remaining undeveloped aspect of the ADR within HAG2A.

An Inquiry was held to consider objections to the Bromsgrove District Local Plan in August 2001, and the Inspector's Report (March 2002) considers the application site in this document. In paragraph 1.6.5 the Inspector recognises the sustainability of Hagley and refers to two previous areas of Development Restraint carried forward from the Hagley/Clent Local Plan extending to approximately 15 hectares. At the time of the Inquiry into the Local Plan, it was considered that this quantum of land was broadly proportionate to the size of Hagley. In terms of the acceptability of directing Areas of Development Restraint to Hagley, the Inspector noted at Paragraph 1.6.6 that "*...Hagley does possess, in my opinion, certain advantages relative to the other secondary settlements. Firstly, it is one of the larger urban areas in the District. The two original nuclei of Hagley and West Hagley have effectively combined with more recent housing linking the core areas of each settlement. It now has 10.3% of the population of the five settlements located on transport corridors*". The Inspector continues, at Paragraph 1.6.7, *Next, Hagley is situated very close to the conurbation within the Birmingham – Colwall rail corridor where there is a minimum of one train each hour throughout the day.... this rail corridor is notable by virtue of its spare capacity... as regards bus transport, Hagley is situated at the junction of the A456 and A491 trunk roads... during peak periods there is a half hourly service to Bromsgrove and Stourbridge and an hourly service to Birmingham and Kidderminster*. Members will be aware that Policies DS8, HAG2 and HAG2B have been saved until such time as they are replaced by the Core Strategy or other policies.

Members will be aware that Policies DS8 and HAG2A have been saved until such time as they are replaced by the District Plan or other policies.

Following the recommendations of the Local Plan Inspector, the ADRs listed in Appendix 3A of the Local Plan, including the land at Kidderminster Road/Western Road are intended to provide sufficient safeguarded land until approximately 2021. The Council believe ADRs are "...considered to provide the necessary degree of flexibility and prudence to allow adjustments as planning policies change, without running the risk of serious over provision" (Bromsgrove Local Plan, Appendix 3B).

The Inspector recommended that sufficient provision should be made to provide land reserves to about 2021. This equates to approximately 140 hectares. The quantity of ADR land is derived from the housing and employment targets in the Worcestershire County Structure Plan to 2011 and a projection of those targets in the following period to 2021. The Housing and Employment Land Availability Studies that were available at the time were used as well as an estimated contribution from potential large scale brownfield sites.

As detailed above, Policy DS8 of the Local Plan indicates that the site should be subject to the full Green Belt restrictions for the duration of the Local Plan period and therefore

Policy DS2 applies. This Policy confirms that permission for development in the Green Belt will not be given, except in very special circumstances.

Members should note that the BDLP policy was written long before the introduction of the current planning regime and also precedes the 2004 Planning and Compulsory Purchase Act. The review of the Local Plan is taking place in the form of the Bromsgrove District Plan (BDP). The Proposed Submission Version of the BDP was approved by Cabinet and Full Council for consultation in September 2013. The representation period ran for 6 weeks. The Bromsgrove District Plan 2011-2030 was submitted to the Secretary of State on 12 March 2014. The purpose of the Local Plan was to provide a sufficient reserve of land to allow development post 2001 but to ensure the permanence of Green Belt boundaries to 2021. This approach is consistent with emerging policy contained in the Bromsgrove District Plan.

In my view, the Policy would not explicitly prohibit the release of ADR land for development, provided there are material considerations to justify such a decision. Members will recall that development has previously been approved on other ADR land within the District:

Application	Site Address	Development	Approval Date
09/0518	Land at Perryfields Road Bromsgrove	150 units	25.09.09
10/0378*	Land at Brook Crescent Hagley	38 units	21.02.11 (appeal decision)
10/0953	Land at St Godwalds Road Bromsgrove	Up to 220 units	03.02.12 (appeal decision)
11/0343	Land at Church Road Catshill	Up to 80 units	13.01.12
11/0431	Land at Selsdon Close Wythall	Up to 76 units	15.07.11
11/0672	Land at Birmingham Road Alvechurch	27 units	11.09.12
12/0593	Land at Kidderminster Road Hagley	Up to 175 units	26.04.13
12/0709	Land at Norton Farm Birmingham Road Bromsgrove	Up to 316 units	20.12.13
12/0875	Land at Western Road Hagley	Up to 70 units	25.11.13
12/0982	Land at Bleakhouse Farm Station Road Wythall	Up to 178 units	05.02.14
13/0121	Land at Fiery Hill Road, Barnt Green	Up to 88 units	24.06.13
13/0819*	Land at Brook Crescent Hagley	24 units	Approved Pending decision
14/0160	Land at Perryfields Road Bromsgrove	30 units	16.09.14

* 10/0378 and 13/0819 relate to the same application site

In simple terms, the ADRs were designated to be kept in reserve as sustainable locations for potential long term future development, in order to reduce the need to review Green Belt boundaries in the period up to 2021. Therefore, development should only be allowed in the designated BROM ADR where a requirement for it can be demonstrated.

The approach of releasing ADR sites was supported in the appeal decision at St. Godwalds Road (APP/P1805/A/11/2152467). The Inspector highlighted that “given that the site has already been assessed and identified as a potential housing site through the development plan process and, significantly, because there is a very severe shortage of land for housing in this District, I find no objection in principle to the use of the site for housing.” This emphasises that the Council should release ADR sites through the planning application process as a means of helping to achieve a 5 year supply of housing.

Paragraph 47 of the NPPF emphasises that Local Authorities should significantly increase the supply of housing and identify and update a 5 year supply of housing with an additional buffer of either 5% or 20% depending on local circumstances.

The Worcestershire Strategic Housing Market Assessment (SHMA) has been completed and recently updated to show the full housing needs of the District. The demographic scenario which provides the basis of the 7,000 figure in the BDP is considered to be a reasonable estimate as to the full objectively assessed need within the District.

Contrary to the view of Hagley Parish Council, based on a housing target of 7,000 for the period 2011-2030, the Council currently has a housing land supply of 5.03 years (including the 5% buffer). The proposal has been assessed within the SHLAA (BDC51) (July 2013 SHLAA update) and is considered to be suitable, available and capable of delivering 26 homes in the next 5 years. It is therefore essential that the site comes forward in a timely manner to ensure the maintenance of the five year land supply.

The views of the Strategic Planning Manager (SPM) are noted. The SPM concludes that the principle of development on the ADR site is supported and the revised overall housing mix and level of affordable housing is in accordance with the emerging BDP. The delivery of the site is necessary to maintain in excess of 5 years supply of housing land in the future. The proposal therefore accords with both adopted and emerging policies. This therefore weighs in favour of the development.

It is therefore considered that other material factors must be considered, including the above matters and whether the approval of the application would undermine the emerging Bromsgrove District Plan and whether the proposal would ensure a sustainable and well designed development.

In addition to the release of the site for development and housing supply matters as detailed above, the main focus for Members in relation to this application relate to the following matters:

- Sustainability issues
- Form and density

- Whether the type, tenure and form of accommodation proposed is suitable
- Traffic and highway implications
- Air quality
- Landscaping and tree issues
- Open space and play space
- Ecology
- Water management and flood risk
- Residential amenity
- Education provision
- Medical infrastructure
- Community assets
- Planning obligations
- Noise
- Archaeology

Sustainability Issues

The Hagley ADR is designated pursuant to policies HAG2, HAG2A and HAG2B within the BDLP. The associated commentary to Policy HAG2B in the BDLP (covering one half of the northern section of the ADR on which Cala Homes have gained permission and is currently under implementation) states “...*The Inspector considered this site would round off Hagley village being conveniently situated within easy walking distance of the settlement’s main services. It is adjacent to HAG2 and would provide the opportunity for this land to be planned in a comprehensive manner and increase the potential for mixed use development.*” Policy HAG2A relates to the application site and Members will note that the application proposes to create walking and cycling links with the core of the village via the development of HAG2/HAG2B.

The Draft Core Strategy 2 refers to Hagley as being one of only six large settlements, with only Bromsgrove being the main town above Hagley in the settlement hierarchy. This in part is on the basis of the range of shops, schools, sports clubs, library, churches, pubs and restaurants, village hall, medical facilities and open space provision within the settlement.

Furthermore, at paragraph 1.6.8 and 1.6.9 of the Inspector’s Report 2002 report, the Inspector noted *Thirdly, Hagley has a well-defined tight knit centre along Worcester Road offering a variety of services and facilities... they include a supermarket, a range of convenience and specialist retail outlets, a post office, banks, health facilities, day centre, library, hairdressers, restaurants, hot food take-ways, recreation grounds and schools ranging from nursery to secondary.... I conclude therefore that, given the need, there are, in principle exceptional circumstances which could justify ADR provision at Hagley.*

For development to be sustainable, it must be more than easily accessible and well located for services, facilities and employment. Contrary to the views raised by third parties and the Parish Councils, I am of the view that the site is in a sustainable location. I thus raise no concern on this issue and consider the scheme would comply with the sustainability aims of the NPPF and NPPG.

Form and Density

Members will be aware that the application is submitted in outline, with internal 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 Master Plan and information on design principles and how the development would integrate within the character of the surrounding locality. This issue is important in two respects. Firstly the site adjoins the recently approved residential development on the ADR site to the north and west and the wider Green Belt to the east and south.

I note the concerns of third parties regarding the underwhelming layout and the lack of vision with respect to green credentials of the new dwellings, including the use of built-in photovoltaic panels.

I am of the view that the general thrust of the Illustrative Masterplan and the Design and Access Statement are sound. Members will, of course, will be aware that such matters are all reserved matters, with details for illustrative purposes only. Members at this stage are thus being requested to determine issues of principle, whilst paying regard to the parameters set out in the Illustrative Masterplan, the Design and Access Statement and the Planning Statement. Given I am satisfied that the underlying development principles established in the Design and Access document have been fulfilled, this does not preclude alternative layouts coming forward at the detailed design stage. The Reserved Matters submission should thus seek to address the detailed concerns raised by third parties at this stage, including the use of sustainable measures.

Although the site is located adjacent open Green Belt to the east, the site is well contained with strong boundaries and physical features that enclose the site. The existing public right of way located to the south-east corner of the site will be retained. As such the site would fit into the context of this aspect of the wider landscape created by the approved residential schemes to the north and west.

The site at present has very limited arboreal features contained within the body of the site but has strong mature linear tree planting to the east, west and north boundaries. The development would result in the loss of open land, but having regard to its design and visibility, I am of the view that the impact of the development on the landscape and visual character would not be demonstrably harmful. There would no material loss of an identified attractive landscape. Enhancement to the site boundaries created by additional planting will also benefit both existing and future residents.

The development provides a density of 16.5 dwellings per hectare (net site area), reducing to 14 dwellings per hectare when calculated against the gross site area. The development of the site is influenced strongly by the linear character of the site, the retention of the tree screening to the east and western boundaries and the topography of the site to the northern boundary as it falls away to the Gallow's Brook. I am of the view that the density is acceptable in this location.

Type of Accommodation

The site contains an anticipated mix of dwelling types, with this mix predominantly focused on smaller units (two and three bedroom). This is a revised mix that responds to the comments from the Strategic Planning Manager requesting an enhanced mix of two and three bedroom dwellings in conformity with Policy BDP7 of the emerging Bromsgrove District Plan.

The scheme includes a 38.5% provision of affordable housing made within the site (equating to 10 units). The tenure mix for the affordable housing units based on a 70% social rent and 30% intermediate split. The Head of Strategic Housing has raised no objection to this approach. This can be secured with a Legal Agreement.

As such I consider the scheme accords with Policy S14 and S15 of the Local Plan in relation to type and tenure mix, together with emerging policy in the Bromsgrove District Plan.

Traffic and Highway Implications

Members will note the internal road layout is not for consideration at this stage.

Members will note third party representations have raised concern regarding highway safety and traffic congestion (with particular regard to Newfield Road and Western Road) and the potential for rat running on residential roads in the locality of the application site. Highway concerns have also been raised by the Parish Councils and the Ward Member.

It is recognised that the site is located in an area where there are existing constraints on the network and queuing vehicles can be observed. In considering the acceptability of the proposed development, it should be demonstrated that the proposal would not cause any additional significant harmful effects on the existing highway network and the proposed access points are to an acceptable design. The application is therefore not required to address existing highway-related problems but should account for the cumulative impact that the development will create. It is important that the application should consider the additional transport trip generation for all modes with priority being given to pedestrians, cycles, bus users and then car users. The National Planning Policy Framework (NPPF) is clear that applications should only be refused where the residual cumulative impacts of development are severe (paragraph 32).

A full Transport Assessment (TA) has accompanied the application. The TA has been given to the Highway Authority to ensure compliance with the Local Transport Plan policies and national policies and guidance. This included full scrutiny of the cumulative highway impacts arising from the development of the entire ADR.

Worcestershire Highways has raised no objection to the scheme, subject to the applicant entering into a Legal Agreement to mitigate for the additional demands on the wider transport network that the development will generate. The impact of this development is considered to have a residual impact on the highway network and thus the use of the suggested planning conditions and planning obligation measures will ensure that this development does not result in a severe impact on the highway network post mitigation.

Members will note the suggested contributions specifically relate to improved connectivity within the village, including walk and cycle infrastructure and information

and local passenger transport infrastructure. This is reflected in the recommendation to Members.

Given the consideration of all highway related matters, Worcestershire Highways has thus advised that the scheme is acceptable, and that whilst the proposed development will inevitably have impacts on the highway network, these should not result in detrimental effects on traffic flows or highway safety. WH has assessed the impacts on the highway network on this application alone and in cumulative terms.

As such Members are thus reminded that there is no technical objection to the scheme on the grounds of adverse impacts on the highway network. On highway matters, the application is thus deemed acceptable subject to suitable Conditions and the stated planning obligations.

Air Quality

Members will note the concerns raised by local residents, the Parish Councils and the Ward Member in relation to the issue of air quality. This is with particular regard to the potential impact on the designated Hagley Air Quality Management Area (AQMA). To clarify, the application site itself is not located in an AQMA.

The applicant took advice from Worcestershire Regulator Services in relation to air quality matters at the pre-application stage. WRS has confirmed that the scale of the development would not impact on air quality and the scheme would not trigger the requirement for the submission of an Air Quality Assessment. As such the impact on air quality will be negligible. I thus raise no objection to the scheme on these grounds.

In relation to construction matters, a Construction Environmental Management Plan will enable mitigation of any potential dust nuisance during construction phase. This can be secured through Condition.

Landscaping and Trees

The site is not covered by any statutory or non-statutory designations for landscape character or quality.

The site contains a number of mature and semi-mature tree specimens located within the site, contained within established hedgerows. These are located to the site boundaries, with a dense area of tree cover to the northern boundary adjacent the Gallow's Brook. The Tree Officer is of the view that there is sufficient space to construct dwellings and associated works while retaining and protecting the existing trees and hedgerows on the site boundaries. The use of the northern aspect of the site for public open space will particularly enable successful incorporation of the most wooded section of the site into the fabric of the scheme.

I thus raise no objection on tree and landscaping matters.

Open Space and Play Space

The Illustrative Masterplan shows the provision of 2642 square metres of formal public open space located to the north of the site adjacent to the Gallow's Brook. This accords with the requirement for on-site open space provision as set out in SPG11. The open spaces aspect utilises the natural topography of the site. The applicant intends to manage and maintain the on-site open space through a management company. This will be secured through the Section 106 Agreement. The site also permits links to the other residential schemes currently under construction, which affords welcome permeability for walking and cycling between the sites and the use of alternative open space opportunities. These connections will also enable a robust green infrastructure approach.

The views of the Head of Leisure Services on this issue are noted. Some of the measures requested for enhancement works to the site (with particular regard to planting specifications and the treatment of the Gallow's Brook) can be secured via Condition and incorporated into the final layout of the site at the Reserved Matters stage.

Ecology

The site comprises species-poor improved grassland with areas of hardstanding. The southern area close to the site entrance contains a mixture of native and non-native shrubs and plants. The eastern hedgerow is dominated by mature standards in the south then widens into a dense hedgerow dominated by shrubs towards the north. The northern hedgerow largely shades out the brook. The western hedgerow contains shrubs and trees.

An extended Phase 1 Habitat Assessment has been undertaken. Habitat survey included assessments of trees within the site for suitability for supporting roosting bats, bat activity and reptile refugia. An assessment of the site for badgers has also been conducted. There are no statutory sites of ecological importance which are wholly or partially within 1 kilometre of the site and therefore the presence of local wildlife sites has not been identified as a statutory ecological constraint to the proposed development.

The views of Worcestershire Wildlife Trust are currently awaited. However, I am satisfied there will not be any direct impact on any identified protected species.

The Habitat Assessment recommends a number of ecological mitigation and enhancement measures set out in Section 4 of the report. This includes minimising the impact on the Brook given this watercourse improves biodiversity within the site and the erection of bat and bird boxes within the development.

Subject to suitable conditions securing these measures, I raise no issues on ecological grounds.

Water Management and Flood Risk

The application has been accompanied by a Flood Risk Assessment (FRA). The proposed development is located in Flood Zone 1 (little to no risk of fluvial or tidal flood risk) and it is sequentially appropriate. The proposed development is consistent with the appropriate uses for Flood Zone 1, as outlined in Table 1 of the NPPF Technical Guidance Document. The Gallow's Brook is the closest watercourse and is located just

outside of the application site to the northern boundary. There is no development proposed within Flood Zones 2 and 3 and as a result no flood compensatory works will be necessary.

Members will be aware the Gallow's Brook is located to the northern boundary but outside the application site. The FRA demonstrates that the development site is not at risk from flooding and will not act to increase flood risk to properties elsewhere post development. I note the third party comment concerning the need for a foul water pump facility. The applicant is proposing a pumping station. The siting, design and specification of this can be conditioned to be submitted at the detailed stage.

The Environment Agency and the North Worcestershire Water Management Drainage Engineer have raised no objection to the scheme

I therefore raise no objection to the scheme on drainage and flood risk, subject to the imposition of suitable Conditions, including the finished floor levels of the dwellings.

Residential Amenity

The application site is adjoined on the southern boundary by residential development and partially to the eastern boundary.

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 residences. However the illustrative layout suggests no significant problems in this respect. I am therefore satisfied that any resultant development can be accommodated without detrimentally affecting existing residential amenities and be able to secure and accommodate an acceptable level of privacy and separation as detailed in the guidance within SPG1. Any overlooking issues can be controlled through a subsequent Reserved Matters application and the imposition of suitable Conditions.

Education Provision

Members will note the views of third parties relating to the impact of the development on existing services and functions. In terms of education demand, Members will be aware that it is particularly difficult to accurately assess what school place pressures would in fact arise from a development upon occupation and in subsequent years, particularly due to issues such as alterations to national policy, demographic change, parental choice and/or with flexible or overlapping school catchments.

Worcestershire Local Authority has a duty to provide a school place for any Worcestershire resident child who wants one and will seek to meet parental preference wherever possible within the constraints of the Admissions Code and available resources. A balance must be struck between practical school organisation, parental preference and the statutory duties placed on Local Authorities. The catchment area schools for this development are Hagley Primary School and Haybridge High School.

WCC is seeking a contribution from the development in order to invest in improving facilities at one or both of these establishments. This will create the necessary capacity.

Subject to the applicant entering into a Section 106 Agreement for education facilities, I raise no objection to the application on such grounds.

Medical Infrastructure

I note the views of third parties, the Parish Councils and the Hagley Ward Member in relation to the impact on medical facilities to serve the development.

Residents have raised concern over the ability of local facilities to accommodate additional medical related demand arising from the development. In response to this concerns, I have received a response from NHS England on this issue confirming that appropriate mitigation should be forthcoming for both Hagley Surgery and The Glebeland Surgery in Belbroughton, in line with the pro-rata level and split of contributions between the two establishments secured under outline planning application 12/0875. This is reflected in the recommendation to Members. The Applicant has agreed to this approach.

Community Assets

Members are reminded that the proposal site sits within the Parish of Clent but that the nearest facilities and amenities are within Hagley which puts the amenities at Hagley in a sustainable location. It is reasonable to assume that the residents of the 26 dwellings will put additional demand on either or both halls (Clent Parish Hall/Hagley Community Centre). I am of the view that both facilities could be used by new residents and they are both available for community use.

In line with the approach taken by the Council in relation to 12/0875, it is considered that with improvements to Clent Parish Hall, further capacity could be created. Likewise it is accepted that new developments within the locality could contribute proportionately towards a new facility at Hagley or improvements to the existing facility to again create capacity. As it is not possible to predict which hall the new residents will use and considering the fact that residents can choose to use either hall, the final amount should be equally divided between the two halls. This was the approach accepted by Members in relation to 12/0875 and I consider the same appropriate pro-rata approach to be valid in relation to this application. This is reflected in the recommendation to Members. The Applicant has agreed to this approach.

Car parking at Hagley

The matter of existing high demand for car parking spaces at the centre of Hagley has been raised as an issue. Whilst it is recognised that the new housing proposal cannot address existing pressures, it is logical to assume that new residents, from time to time, may have cause to drive to the village centre. Minimal improvements to increase car parking capacity are anticipated to be proportionate to the proposal for 26 new dwellings.

The Parish Council representation makes suggestions about increasing capacity with respect to the existing public car-park on Worcester Road. There is a proposal suggested which aims to reduce the number of long stays at the car park, thereby increasing capacity/turnover. These measures would include the installation of parking

ticket machines, signage and white lines. In line with the pro-rata level of contribution secured under outline planning application 12/0875, this is reflected in the recommendation to Members. The Applicant has agreed to this approach.

Planning Obligations

Members will be aware that Section 106 obligations are legal agreements negotiated between Local Planning Authorities and developers in the context of a grant of planning permission. Such agreements are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.

Paragraph 173 of the NPPF relates to “careful attention to viability”, and states “the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.” It goes on: “To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

Policy DS11 of the Bromsgrove District Local Plan states that the District Council will, where appropriate, seek agreement with developers to meet their reasonable costs to the community through planning obligations or unilateral undertakings to provide for:

- (a) on or off-site facilities directly arising from the development such as additional educational, community, recreational or other infrastructure which may reasonably be required as a result of the scheme; or
- (b) compensatory works to mitigate for the loss of any environmental or community resources resulting from the development
- (c) the implementation of a local plan policy (or policies) for a particular area or type of development (e.g. the inclusion of an element of affordable housing within a larger residential development where evidence of need has been demonstrated)

Paragraph 8.21 of the BDLP states that in seeking to establish policies supporting a more sustainable environment the District Council will expect developers to assist in minimising the impact of development on the local environment and community. The District Council will negotiate planning obligations under Section 106 of the 1990 Act to help offset schemes otherwise likely to have an environmental or community cost, where specific facilities are required to allow the development to proceed either on or off-site or where it is appropriate for a contribution to assist the District Council in the furtherance of facilities which are of benefit to the community.

Members will note the following Heads of Terms contributions for inclusion in the Section 106 Agreement. These have arisen following consultation with the relevant consultee or body responsible.

- (i) To mitigate for the additional demands on the wider transport network generated by the development: £76,311.04.

This contribution will specifically contribute towards all or any of the following:

- Cycle parking provision at Hagley Railway Station
 - Cycle parking provision in Hagley Centre
 - Installation of information kiosks displaying cycle route maps, suggested pedestrian routes etc at key locations in Hagley
 - Provision of a Gold Standard bus shelters
- (ii) To improve footway linkage with Hagley centre: £3342.00
- (iii) To provide uncontrolled pedestrian crossing points on route to Hagley centre: £557.00
- (iv) To provide cycle signage to Hagley centre and other amenities: £557.00
- (v) Financial contributions towards education facility enhancements in any or all of the following schools in the catchment area of the site: Hagley Primary School and Haybridge High School
- (vi) The improvement of Hagley Community Centre and Clent Parish Hall: £18,571.42 (split on a 50%/50% basis: £9285.71/£9285.17)
- (vii) Medical infrastructure for Hagley Surgery and The Glebeland Surgery, Belbroughton: £17,963.40 (split on a 68%/32% basis: £12,215.11/£5,748.28)
- (viii) Car-Parking Enhancement in Hagley: £1857.14
- (ix) The securing of 10 on-site affordable dwelling units
- (x) The provision and future maintenance in perpetuity of the on-site play space and open space provision
- (xi) The provision and future maintenance in perpetuity of the on-site SUDs

It is considered that the terms of the Agreement are relevant to planning, considered necessary to make the proposed development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale to the proposed development. I also consider the scheme accords with Policy DS11 of the BDLP.

The applicant has agreed to this approach and the Section 106 Agreement is currently being drafted. I will update Members at your Committee on the progress of this document.

Other Matters

- (a) Noise
- (b) Archaeological issues

Members will note the views of the relevant statutory consultees on these issues. Whilst I note the issue of noise has been raised as matter of concern by third parties, at the pre-application stage no technical objection to the scheme from Worcestershire Regulatory Service was raised in relation to this issue. I consequently raise no objection to the scheme on noise grounds. The development raises no archaeological concerns given the views of the Worcestershire County Council Archaeological Service, again subject to suitable conditions.

Conclusions

Members will be aware that Local Plan Policies still form the Development Plan for the area, and any decision needs to be made in accordance with these policies unless material considerations indicate otherwise.

It is clear that the Government is seeking to accelerate the delivery of new housing. This is evident both from the March 2011 statement by the Minister of State for Decentralisation, which re-emphasises the presumption in favour of sustainable development, and from the content of the National Planning Policy Framework and the National Planning Policy Guidance.

In the introduction to the NPPF, it is stated that ‘development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan and **every decision**’ (my emphasis). There is a clear commitment (paragraphs 18–19) to supporting and securing, rather than impeding, sustainable economic growth. At paragraphs 11-16 the presumption in favour of sustainable development is confirmed, Paragraph 14 stating that it is ‘...a golden thread running through both plan-making and decision-taking’. Paragraph 17 advises that the planning system should not simply be about scrutiny, but about finding ways to enhance and improve the places in which people live their lives. Paragraph 19 advises that ‘significant weight’ should be placed on the need to support economic growth through the planning system, and that planning should operate to encourage not act as an impediment to sustainable economic growth.

The presumption in favour of sustainable development set out within the NPPF emphasises that where the development is absent, silent or relevant policies are out of date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Applications for sustainable development should thus be approved wherever possible (paragraph 187), consistent with an overarching approach that demands a “presumption in favour” of sustainable development (paragraph 14). It advocates a proactive, creative and solution seeking approach to planning (paragraphs 17 and 187).

This means:

- approving development proposals that accord with the Development Plan without delay; and
- where the Development Plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted

The site has been identified as a suitable site for housing development in the adopted Local Plan and the emerging Bromsgrove District Plan. The development of this site would therefore not conflict with the sustainability aims of the NPPF and thus would contribute to housing in a sustainable location, in addition to addressing the shortage of affordable housing in the District by supporting a 38.5% element of such dwellings.

Advice within the NPPF and Policies within the BDLP and emerging District Plan make it clear that the impact upon the character of the locality, as well as the relationship of

proposed developments to the surrounding area to be legitimate material factors to take into account in the determination of planning proposals. Indeed, the NPPF advocates the rejection of poorly designed developments, including those that are clearly incompatible with their surroundings. The proposed on-site public open space, new landscaping, protection and enhancement of the watercourse, pedestrian/cycling links to the adjoining developments and a SuDs approach to drainage would be of local benefit which are factors that weigh in favour of the proposals.

With respect to the process for dealing with this outline application, Circular 08/05 states: "Where a Local Planning Authority is considering an application for outline planning permission under section 92 of the 1990 Act, it must grant outline planning permission subject to conditions imposing two types of time-limit. The first sets the time-limit within which applications must be made for the approval of reserved matters. This will normally be three years from the grant of outline permission, **but an Authority could chose to direct a longer or shorter period as appropriate.** The second sets the time-limit within which the development itself must be started. This will usually be two years from the final approval of the last of the reserved matters, **but may be longer or shorter as directed by the Local Planning Authority.**" (Author emphasis).

In order to address the shortfall and to achieve the prompt submission of a Reserved Matters application, Members are recommended to impose a suitable Condition requesting the submission of a Reserved Matters application within 18 months of the approval of the outline scheme and once the Reserved Matters have been determined a similar condition placed on commencing the scheme. This will ensure that the development is delivered swiftly in order to maintain the housing supply within the District.

I am content that the site is able to support the erection of 26 dwellings in a well-designed manner, which will integrate well with surrounding development and the use of existing natural features. The scheme provides a density that is considered to be appropriate in order to balance the need to make more efficient use of land with the acknowledged constraints of the site. Furthermore, the scheme offers an opportunity for the provision of on-site affordable housing units, together with elements of landscaping and ecological enhancement works that will reinforce such elements both within the site and to the boundaries of the development site. The site is sustainable and this factor weighs in favour of the application. Whilst I am fully aware of the views of third parties in respect of air quality, Members will note I am not in receipt of any technical objection to the scheme on these matters from the relevant professional consultees. Any harm arising from infrastructure related concerns has been suitably mitigated through measures outlined in the Section 106 Agreement. The Agreement will also build in capacity for future growth, with particular regard to education and community asset matters.

Having considered all material, I am thus minded to approve outline planning permission.

The applicant is in the process of finalising a legal agreement to deal with the Heads of Terms set out above. I am thus seeking Delegated Powers from Members to deal with this matter upon completion.

(a) MINDED to APPROVE OUTLINE PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to financial contributions for:

(xii) **To mitigate for the additional demands on the wider transport network generated by the development: £76,311.04.**

This contribution will specifically contribute towards all or any of the following:

- Cycle parking provision at Hagley Railway Station
- Cycle parking provision in Hagley Centre
- Installation of information kiosks displaying cycle route maps, suggested pedestrian routes etc at key locations in Hagley
- Provision of a Gold Standard bus shelters

(xiii) **To improve footway linkage with Hagley centre: £3342.00**

(xiv) **To provide uncontrolled pedestrian crossing points on route to Hagley centre: £557.00**

(xv) **To provide cycle signage to Hagley centre and other amenities: £557.00**

(xvi) **Financial contributions towards education facility enhancements in any or all of the following schools in the catchment area of the site:
Hagley Primary School and Haybridge High School**

(xvii) **The improvement of Hagley Community Centre and Clent Parish Hall:
£18,571.42 (split on a 50%/50% basis: £9285.71/£9285.17)**

(xviii) **Medical infrastructure for Hagley Surgery and The Glebeland Surgery,
Belbroughton:
£17,963.40 (split on a 68%/32% basis: £12,215.11/£5,748.28)**

(xix) **Car-Parking Enhancement in Hagley:
£1857.14**

And:

(xx) **The securing of 10 on-site affordable dwelling units**

(xxi) **The provision and future maintenance in perpetuity of the on-site play space and open space provision**

(xxii) **The provision and future maintenance in perpetuity of the on-site SUDs provision**

For the reference of Members I intend to impose suitable Conditions relating to:

Time

- Submission of the outstanding Reserved Matters for approval (appearance, landscaping, layout, and scale) within 18 months of the approval of the outline scheme
- Commencement of development timescale (18 months)

General

- Development in complete accordance with the details shown on the submitted plans:
Location Plan 1:1250
Land Survey 1:500 BK20502

- Broad compliance with the parameters of the Indicative Masterplan and the principles and parameters broadly described in the Design and Access Statement
- Material and external appearance finish
- External lighting strategy
- Boundary treatments
- Refuse storage details
- Finished ground floor levels for the approved buildings and the finished ground levels for all other areas of the site (finished floor levels to be set at a minimum of 107m AOD)

Affordable Dwellings

- Location of the affordable housing units to be provided

Highways

- Visibility splays
- Details of the surfacing and drainage of the access, turning and parking facilities

Trees and Landscaping

- Submission of soft and hard landscaping scheme with 5 year protection measure for soft landscaping for each phase
- Submission of Landscape Management Plan to cover the future life of the development
- Protective tree fencing during construction phase
- Full specification for the open space indicated on the Illustrative Masterplan
- Full specification for residual areas of open space (to include full planting schedules)

Ecology and Biodiversity

- Site wide Ecological Management Plan (to include measures to protect the Gallow's Brook) for the long term protection and management of the trees, hedgerows, habitats and species present (including construction phase)
- Full and detailed mitigation strategy based on Section 4 11 of the Phase 1 Habitat and Protected Species Survey Assessment
- Details of bat and bird boxes

Drainage

- Comprehensive surface water drainage scheme
- Foul water disposal method
- Full details of the pumping station
- Maintenance plan for the SuDS scheme
- No new buildings, structures (including gates, walls and fences) or raising of ground levels within 8 metres of the top of any bank of the Gallows Brook or on land at or below 106.4m AOD inside or along the boundary of the site

Construction

- Submission of Construction Environmental Management Plan (CEMP)

Archaeology

- Programme of archaeological work to include a Written Scheme of Investigation
-

Suggested Informatives

Private Apparatus within the Highway

This permission does not authorise the laying of private apparatus within the confines of the public highway. The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.

Section 278 Agreement

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.

Protection of Visibility Splays

The applicant's attention is drawn to the need to ensure that the provision of the visibility splays required by this consent is safeguarded in any sale of the application site or parts thereof.

Water Resources

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Battlefield Brook. Therefore, any new outfall structure on the Battlefield Brook would require formal consent from the Environment Agency under Section 109 of the Water Resources Act 1991.

Archaeology

It will be the applicant's responsibility to contract an appropriate archaeological organisation to undertake the programme of works as detailed in the brief (available upon request).

Air Quality

The applicant is encouraged to consider the following measures:

- Electric charging points
 - Secure cycle parking
 - Low emissions boilers
-

Legal Agreement

Your attention is drawn to the provisions of the Section 106 Agreement which accompanies this permission.

Case Officer: Dale Birch
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Telephone: 01527 881341