

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Powell	Demolition of existing building and erection of 6 terraced houses. 182 Alcester Road, Hollywood, Birmingham, Worcestershire, B47 5HQ	30.10.2020	20/01063/FUL

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

RECOMMENDATION: That planning permission be **Granted**

Consultations

Highways - Bromsgrove

The site is located in a residential and sustainable location off a classified road, the site benefits from an existing vehicular access with good visibility in both directions (vegetation may need to be cut back and maintained) from the exiting access. Alcester Road benefits from footpaths and street lighting on both sides of the road and no parking restrictions are in force in the vicinity. The site is located within walking distance of amenities, bus route and bus stops which are located approx. 100m. No objection subject to condition.

Wythall Parish Council

No Objection but it is noted that the proposal is not in keeping with houses on the Alcester Road

Arboricultural Officer

No objection subject to conditions.

North Worcestershire Water Management

No objection subject to condition.

WRS - Contaminated Land

No objection subject to condition.

Worcestershire County Council Countryside Service

No objection.

Waste Management

No objection or concerns are raised from a waste collection viewpoint with this application.

Conservation Officer

The existing dwelling onsite is considered to be a non-designated heritage asset. The building's significance is attributed to its rare survival of a mid-late 19th century building in this area of Wythall which externally retains a recognisable amount of its original form

and fabric and its townscape/landmark feature, which is formed with the almost identically designed Leamount, 195 Alcester Road (which is a landmark feature further north on Alcester Road). The building is considered to be a landmark feature on the public footpath which runs alongside the existing access track. For the above reasons I would therefore consider the significance of the heritage asset to be modest.

Whilst I have no objection to the erection of 6no new houses, I do object to the demolition of the mid-late 19th century 182 Alcester Road to accommodate car parking spaces. The proposal involves the total loss of the attributes which form the significance of the non-designated heritage asset and so the harm to the asset would therefore be detrimental. The proposed scheme would result in the complete loss of a non-designated heritage asset and would therefore fail to sustain or enhance its character, appearance or significance, thus failing to comply with BDP20 of the Bromsgrove District Plan (2017). Paragraphs 184, 192 and 197 of the NPPF (2019) must be engaged.

Worcestershire Archive and Archaeological Service

The application affects an undesignated heritage asset 182 Alcester Road, Hollywood, Wythall. A late 19th or early 20th century house not shown on the 1884 Ordnance Survey, but present by the 1904 Ordnance Survey. The building is of moderate significance and its loss should be mitigated through recording. There is no evidence of below-ground archaeological potential on this site.

Community Safety Project Officer

Objection subject to suggested design considerations to design out crime.

Publicity

One site notice was placed onsite on 14th September 2020 and expired 8th October 2020. A press notice was placed in the Bromsgrove Standard on 18th September 2020 and expired 5th October 2020.

10 neighbour letters were set on 11th September 2020 and expired on 5th October 2020. A further letter was sent to contributors on 17th November 2020 and expires 4th December 2020 notifying of the amended site plan and additional ecology information submitted.

Representations

13 objections have been received. The contents of these comments have been summarised as follows;

- 6 dwellings are too many onsite – over intensive development onsite
- 3 stories are too high
- Development out of keeping with character of area
- Highways Safety – bend and speed on main road
- Insufficient width can be provided to make entrance
- Insufficient parking
- Overlook and loss of privacy and impact to amenity on Nos. 182b and 184 and Gorse Cottage.
- Loss of light to No. 182a and to adjoining gardens
- Flooding
- Green Belt
- Impact on wildlife including, bats, birds, toads and froglets
- Impact on public footpath
- Removal of trees onsite prior to application

- Refuse lorries will not be able to access dwellings and many bins will be on street on collection day
- Danger during construction
- Existing sewers insufficient – made worse by development
- Existing antisocial behaviour onsite
- Increase in traffic contrary to Councils Sustainability Plan
- Loss of a view
- Development does not achieve ‘net zero’ on climate change, nor the ability to retrofit
- Development does not achieve good practice on overheating of dwellings
- No reference to well in garden
- No details of proposed street lighting

Further objections received following consultation on amended plans outlining same issues as above.

Cllr Baxter

Due to the level of local concern over this development I would like to call it in if you are minded to approve it.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP21 Natural Environment

Others

NPPF National Planning Policy Framework (2019)
Bromsgrove High Quality Design SPD

Relevant Planning History

No relevant planning history.

Assessment of Proposal

Introduction

The application site consists of a single unoccupied dwelling within a spacious plot. The site currently benefits from an access off Alcester Road which is shared with Gorse Cottage to the rear and sits directly adjacent to a Public Right of Way. The proposed development is to demolish the existing dwelling and replace with 6 terrace properties. The proposed dwelling consists of 3 and 4 bedroom properties with accommodation in the roof space. The dwellings have been provided with parking and turning space at the front of the site.

The application site is located within the residential area of Wythall. Therefore Policy is supportive of residential development so long as it respects the character and appearance of its surroundings and does not impinge on the residential amenities enjoyed by occupiers of existing nearby development.

Character

The application site sits to the north of a run of development which consist of mainly detached properties which face onto the street. There is some back land development along this run including the depot to the south and a couple of small residential cul-de-sac. The existing dwelling is set back from the road with a second property Gorse Cottage located further down the drive to the north-west. Having regards to this layout locally, with some variation and mix in spacing, the principle of the proposed terrace layout set back from the road is considered acceptable.

Design

In respect of the design, the dwellings are pitched roof with a small front dormer. The terrace properties have been provided with some minor interest with plot 2 set down and with the use of good materials would reflect the character locally.

Amenity

Having regards to the separation achieved to the neighbouring dwellings, the closest property is the bungalow to the south No. 180 Alcester Road. From the plans the closet part of the proposed dwellings to this bungalow is 15.5m which meets the Councils window to flank wall distance as outlined in the Councils High Quality Design SPD. In addition to this, the proposed dwellings are set at an oblique angle to this dwelling to avoid any overlooking caused by reason of the setback siting. No side windows are proposed and therefore no overlooking will occur into the garden area of this dwelling.

Concerns have been raised as part of the public consultation on overlooking and loss of privacy and impact to amenity on Nos. 182b and 184 and Gorse Cottage. Given the separation distances achieved to these dwellings and the orientation of the dwellings, it is not considered the proposed development would harm the amenity of these surrounding properties.

Concerns have also been raised on the right to light, into the neighbouring gardens and that no information has been submitted by the applicant on this matter. Given the dwellings are proposed north of the run of existing development locally, the windows which serve the neighbouring properties all face west and the existing boundary already has mature vegetation, it is not considered reasonable to require the submission of any information on this matter and loss of light is not considered to cause undue harm to the adjoining occupiers.

Heritage Asset

The existing building is a mid-late 19th century detached dwelling constructed of brick in Flemish bond and timber framing to the second storey. It is of 2 storeys under a clay tile roof, with 2no brick chimneys. The building is of an 'L'-shaped plan form with single storey

hipped roof rectangular bay window to the east and north elevations, a lean-to porch to and a modern lean-to conservatory to the south elevation. Decorative features include half-timber framing, timber overhanging bargeboards, terracotta finials, terracotta string course between ground and first floor, and a blue moulded string course above the base plinth. Externally the building has retained a recognisable amount of its original form and fabric. The house is accessed via a narrow private road off Alcester Road which also serves as a public footpath; the access entrance is at the top of a hill on a bend and due to the surrounding development and vegetation wider views of the property are limited. The building is set back from the main building line along Alcester Road. The building is considered to be a non-designated heritage asset.

The building is a pleasant and unusual survival of its time in this area of Wythall, however it is considered that the building is not particularly noteworthy in regards to its architectural interest. The building's significance is attributed to its rare survival of a mid-late 19th century building in this area of Wythall which externally retains a recognisable amount of its original form and fabric and its townscape/landmark feature, which is formed with the almost identically designed Leamount, 195 Alcester Road (which is a landmark feature further north on Alcester Road). The building is considered to be a landmark feature on the public footpath which runs alongside the existing access track. For the above reasons, the significance of the heritage asset is considered to be modest. The Conservation Officer has therefore objected to the loss of this asset.

The proposal involves the total loss of the attributes which form the significance of the non-designated heritage asset and so the harm to the asset would therefore be detrimental. Given the building has been identified as a non-designated heritage asset paragraph 197 of the NPPF must be engaged. This paragraph states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. A balance judgement on this can be found under the Planning Balance section further in this report.

Highways

The application site is located in a residential and sustainable location off a classified road, the site benefits from an existing vehicular access with good visibility in both directions. Alcester Road benefits from footpaths and street lighting on both sides of the road and no parking restrictions are in force in the vicinity. The site is located within walking distance of amenities, bus route and bus stops and is therefore an appropriate location for residential development.

A number of objections have been received from local residents on the safety of the proposed access and amount of parking proposed. The applicant has confirmed that the width of the access will be 4.1m in line with the Worcestershire County Council guidance. Furthermore good visibility slays are provided in both directions and suitable turning space has been provided onsite to ensure that vehicles can leave the site in forward gear. The applicant has in accordance with Worcestershire County Council car parking standards provided 3 car parking spaces for the 4 beds and 2 spaces for the 3 bed

dwelling. For these reasons Worcestershire County Council have raised no objections to the scheme on highways grounds.

Trees

There are a number of trees that are highlighted for removal to achieve the development as shown on Site Plan. The trees to be removed have been identified as either of low prominence with the landscaping of the site and area or of poor quality. The Tree Officer has raised no objection to their loss subject to suitable mitigation tree planting. There are a number of mature trees along the south-western boundary of the site. The proposed footprint of the properties fall outside of the BS5837:2012 recommended Root Protection Area's (RPA) of these trees. The South - Eastern boundary of the site with 180 Alcester Road is defined by a mixed species hedge consisting predominately of Hawthorn and Holly under formal management being trimmed both side and to a height of approximately 2 metres. The footprint of the buildings as shown on Site Plan drawing number 30799 are an acceptable distance from the hedge and will allow its retention and longer-term sustainability with the development. The Tree Officer has raised no objection subject to condition.

Ecology

The applicant has submitted a Preliminary Bat Roost Assessment and Bird Survey which has outlined that although some bat droppings from a brown long-eared bat were found in the loft, these were clearly old and no further evidence of bats using the site were found. The survey further highlighted that any limited roosting opportunities within the building were unlikely to be used due to weather penetration. For these reasons, it was considered that the proposed loss of the dwelling would not result in harm to bat habitats and a number of enhancement and precautionary work methods have been suggested. The survey also outlined that demolition and removal of trees would not impact on nesting birds provided the works are carried out outside of the bird nesting season. These suggestions can be conditioned.

As part of the consultation concerns were raised on the wider wildlife onsite, in particular the migration of froglets and toads from the pond to the north of the site. A further survey, Ecological Appraisal and Supporting Risk Avoidance Method Statement has been submitted to address this matter. The report has identified a certain risk that hedgehog or commuting species of reptile and amphibian may be present within the habitats on site and as such the report has put forward a detailed precautionary approach in order to ensure that no species are harmed by the development. Such measures include; the halting of work if any species are found, hedgehog search by suitably qualified ecologist, excavations backfilled and not left open overnight where possible and construction lighting controlled. These measures can be fully conditioned.

Waste

Concerns have been raised in relation to waste collection. However, no objection or concerns have been raised by the Councils Waste Collection Manager.

Public Right of Way

Concerns have been raised on the impact of the Public Right of Way (PROW) and the conflict of use between vehicles and pedestrians. As part of the application, the applicants intend to widen the vehicular access onto the site and currently the PROW is shared with the vehicular access for two dwellings. Although this development will intensify the use, vehicles will not be driving at speed on this driveway and it is not uncommon for such a shared use between drivers and pedestrians. No objection has been raised by the Worcestershire County Council Public Rights of Way Team. The applicant will need to ensure that they procure any legal rights of access over this right of way as necessary.

Drainage

The site falls entirely within flood zone 1 (low risk of fluvial / watercourse flooding) and is not shown to be susceptible to surface water flooding. North Worcestershire Water Management (NWWM) hold no reports of flooding at this site but we are aware of issues within a 150m radius. The applicant outlines that foul and storm water will be disposed to the mains sewers, which is a combined sewer serving Alcester Road. Assuming that drainage of storm water to the combined network is the only option, the applicant must ensure that there is adequate on-site attenuation to reduce the risk of flooding as a result of the development and separate storm and foul drains must be provided within the site boundary. Provided that adequate drainage is provided to ensure no increase in flood risk, NWWM have raised no objection to the scheme and requested the use of a condition to ensure the submission of a scheme for a surface water drainage strategy to address this matter.

Security

Various recommendations have been put forward by the Community Safety Project Officer including building phase security, lighting, door and window standards, secure mailbox delivery, safety issues with allocated parking and rear garden access. It is not considered reasonable to control these matters by way of condition. Suitable informatives have been added for consideration by the applicant.

Public comments

Matters such as; character, design, highways, parking, neighbour amenity, wildlife, impact on footpath, refuse, flooding, drainage and wildlife have all been addressed in this report. Concerns have been raised on Green Belt; however this site is not within the Green Belt and is allocated as residential on the Proposals Map. Some concerns have been raised on the removal of trees onsite prior to the submission of this application. These trees were not protected by a Tree Preservation Order and therefore no permission was required for their removal. Various concerns have been raised on the 'net zero' carbon design of the dwellings and the good practice on overheating. These matters do more fall under Building Regulations and not a planning requirement on a development of this scale. Concerns have been raised on the increase in traffic as a result of this development contrary to Councils Sustainability Plan. The purpose of the Councils Sustainability Plan is to provide development in sustainable locations to avoid a need for car use. This is a sustainable location and therefore a suitable location for residential

development. No information has been provided in respect of on street parking, however as this is not an adopted drive, on street lighting will not be required. Concerns have been raised on safety during construction, existing antisocial behaviour onsite and loss of a view. These are not material planning considerations.

Planning Balance

The Council cannot currently demonstrate an up-to-date 5 year housing land supply. Where this is the case, paragraph 11 of the NPPF, which is a material consideration of significant weight, advises that as the application site does not fall within an area or asset of particular importance as defined by the Framework, the proposal need to be considered through the balancing exercise set out in paragraph 11(d)(ii) of the NPPF. Furthermore, paragraph 197 of the NPPF outlines that where harm is identified to the significance of a Non-Designated Heritage Asset a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposal involves the total loss of the attributes which form the significance of the non-designated heritage asset. However in this instance, the Conservation Officer has outlined that the historic significance of this asset is modest and that it is unlikely that the building is worthy of inclusion on the Local Heritage List. The architect is unknown and from the evidence available it is unlikely to be attributed to a renowned nationally or locally important architect, builder or craftsmen. The proposal will however result in a number of benefits including; providing much needed housing to meet the Councils supply in a sustainable location, provide economic benefits with the creation of jobs during construction and the long term benefits of the future residents using local services.

Taking all these matters into consideration the harm caused by the loss of this heritage asset, is considered to be outweighed by the significant public benefits identified, by reason of the net gain of 5 dwellings onsite in a sustainable location which will help to address the significant identified shortfall in deliverable housing land across the District.

Conclusion

Taking all matters into consideration, the proposed development is considered to amount to an appropriate form of sustainable development, and it is therefore recommended that planning permission should be granted.

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

Conditions:

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

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

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

30799 - 02 - Proposed Plans and Elevations
30799 - 01A - Location Plan and Site Plan

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

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

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

- 4) The development shall not be commenced until a Level 1 Historic Building Recording (as defined by Historic England) has been completed in accordance with the guidelines laid out in the Standards and Guidelines for Archaeological Projects in Worcestershire and submitted to the County Historic Environment Record.

Reason: To ensure the loss of the non-designated heritage asset is mitigated through recording.

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

REASON: In the interests of highway safety

- 6) The Development hereby permitted shall not be first occupied until each of the proposed dwellings have been fitted with an 1 electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

REASON: To encourage sustainable travel and healthy communities.

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

REASON: To comply with the Council's parking standards

- 8) The Development hereby approved shall not be occupied until the parking and turning facilities have been provided as shown on drawing 30799 - 01A.

Reason: To ensure conformity with submitted details.

- 9) All trees and hedge lines to be retained are given protection in accordance with BS5837:2012 recommendations throughout any demolition, ground and development work on the site.

Reason: To protect the trees onsite which provide toward the amenity of the area

- 10) Prior to excavation and ground works, an arboricultural method statement and protection plan should be submitted to, and approved by, the Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason: To protect the trees onsite which provide toward the amenity of the area

- 11) The proposed parking spaces to plot 1 shall be constructed using a no dig method and shall be a suitable grade of cellular confinement material twinned with a porous top surface.

Reason: to protect the existing hedgerow at the boundary.

- 12) No works or development shall take place until a scheme for a surface water drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hard-standing areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). The scheme should include run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets proposals for dealing with the future maintenance of these assets should be included. The scheme should include proposals for informing future home owners or occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.

Reason: To ensure the development does not result in an increase in flood risk

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

Or

b) A risk assessment should be undertaken to establish whether the proposed development is likely to be affected by landfill or ground gas or vapours. The risk assessment must be provided to and approved in writing by the Local Planning Authority, prior to the commencement of development. The assessment shall be carried out in accordance with current UK guidance and best practice.

c) Where the approved risk assessment (required by condition (b) above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, the remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

d) Following implementation and completion of the approved remediation scheme (required by condition (c) above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

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

- 14) The development shall be carried out in accordance with all the proposed methods of work, mitigation and enhancement measures outlined in the Preliminary Bat Roost Assessment and Bird Survey by S. Christopher Smith MRICS MSc CEnv. and the Ecological Appraisal and supporting Risk Avoidance Method Statement by Griffin Ecology Ltd.

Reason: To ensure no protected species are impact by this development and suitable enhancement is provided inline with policy BDP21 of the District Plan.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
- 3) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

- 4) The applicant is advised that theft of plant, fuel and materials from building sites is a prevalent problem. It is therefore recommend that security should be in place prior and during construction phase to include robust perimeter fencing of the site and a monitored alarm system by a company with a response facility for site cabins and materials and fuel storage structures. The contactor details and emergency contact number should be displayed at several places along the perimeter fencing to allow the public to report suspicious circumstances. Further construction site security advice can be obtained from the BSIA Construction Site Security Guide Document at: <https://www.bsia.co.uk/publications/bsia/>
- 5) The applicant is advised that for each building elevation that contains a door-set dusk to dawn lighting is provided and CCTV is considered.
- 6) The applicant is advised that all door-sets and windows will comply with ADQ and be certificated to PAS24:2016 or equivalent. I would also recommend however that where door-sets comprise a Euro-profile cylinder lock that such locks are certificated to either SS312 Sold Secure Diamond Standard or TS007:2012 British Kite marked 3 star rating. Door-sets should also incorporate a door viewer meeting the requirements of TS 002 (Door and Hardware federation Technical Specification) and a door chain or opening limiter meeting the requirements of TS 003.

Thumb-turn locks (non-key lockable internal hardware which is required by the NHBC on primary fire exit route door-sets) shall be accompanied with a suitable internal security deflector plate to any letter plate to restrict access to the lock hardware unless the letter plate is at least 400mm from the lock.

Door chains or opening limiters to Door and Hardware Federation Technical Specification 003 (TS 003) should be fitted.

Door viewers to Door and Hardware Federation Technical Specification 002 (TS 002) should be fitted between 1200mm and 1500mm (in addition to 1050mm for wheelchair accessible dwellings) from the bottom of the door.
- 7) Mail Delivery should be via a secure external letter box to Door and Hardware Federation Technical Specification 009 (TS 009) securely fixed to the building face and subject of natural surveillance or 'through the wall' into a secure area of the dwelling.
- 8) The applicant is advised to consider that any such marking on allocated parking spaces does not involve house numbers but rather an unspecific identifier. Where parking spaces are identifiable to a specific dwelling the absence of a vehicle in that space has been used as a reconnaissance measure by burglars to assess if a property is unoccupied.
- 9) The applicant is advised that any gates to rear garden areas are provided with locks which are capable of being operated with a key from either side. Gates which rely upon the occupier providing a padlock provide particularly vulnerable access points for hostile intruders.

- 10) The applicant is advised by the Public Rights of Way Team to take note of the following obligations;
- No disturbance of, or change to, the surface of the path or part thereof is carried out without written consent of the Highway Authority.
 - No diminution is made in the width of the right of way available for use by the public.
 - No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on or across the public right of way without written consent of the Highway Authority.
 - Building materials and equipment associated with the development must not be stored on the right of way and work undertaken to carry out the development should not obstruct the footpath at any time.
 - Vehicle movements and parking must be arranged so as not to interfere with the public's use of the right of way.
 - The safety of the public using the right of way is to be ensured at all times.

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