

Name of Applicant	Proposal	Expiry Date	Plan Ref.
TAYLOR WIMPEY UK LIMITED	Alterations to the junction of Fox Lane and Rock Hill to form a roundabout junction. Demolition of the existing building (The former public house 'The Greyhound Inn').  The Former Greyhound [ph], 30 Rock Hill, Bromsgrove, Worcestershire, B61 7LR	Non Determination Appeal 3268752 Started 26.02.2021	20/00300/FUL

- A1. The District Council received pre-notification from the applicant on 12th August 2020 of their intention to submit an appeal under Section 78 requesting the Inquiry procedure, not less than 10 working days following that notice. In the interim, the District Council has continued to positively and proactively engage with the applicant.
- A.2. In the absence of a further written agreement from the applicant to extend the decision-making period beyond 8th December 2020, the District Council received notification from the appellant on 11<sup>th</sup> February 2021 that they had exercised their right to appeal against the failure of the Local Planning Authority to make a decision on the application. The District Council formally received notification from the Planning Inspectorate on 26<sup>th</sup> February that the appeal process had formally commenced.
- A.3 As a consequence of the applicant's decision to lodge an appeal, Bromsgrove District Council is unable to formally determine the planning application and no decision can now be issued.
- A.4 Based on the available information; the views of Members are now sought (ie. what would be the decision of the District Council if the Planning Committee Members were able to determine the application under normal circumstances) and arising from these discussions, a subsequent resolution. This resolution will then be carried forward to form the District Council's case at the appeal to be held by Inquiry scheduled to open on 25<sup>th</sup> May 2021 alongside the appeal relating to 16/0335. The deadline for the Council to submit its statement of case is 2nd April 2021.

#### RECOMMENDATION:

- (a) That Members of the Planning Committee confirm that the District Council would have been minded to GRANT full planning permission in the event that an appeal against non-determination had not been lodged and it had been able to determine the application
- (b) And that DELEGATED POWERS be granted to the Head of Planning Regeneration to discuss the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report as part of the appeal process

## **Consultations**

### **Highways - Bromsgrove**

The scheme plan 7033-SK-005-F submitted by Taylor Wimpey for the proposed alterations to the junction of Fox Lane and Rock Hill is identical to that which has been accepted by Worcestershire County Council for the Whitford Road scheme, therefore we have no highways objection subject to conditions.

There is an existing access onto Albert Road. It is the understanding of the Highway Authority that the Applicant intends to retain the access with improvements shown in associated drawing 7033-SK-012 Rev A. This is included as part of the Applicant's submission. It is understood that the retention of this access will allow the site to be served by maintenance vehicles.

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

Suggested conditions:

#### **Pedestrian visibility splays**

1. Visibility splays of 2m x 2m measured perpendicularly from the back of footway shall be provided on both sides of the access to the remnant land from Albert Road. The splays shall thereafter be maintained free of obstruction, not exceeding a height of 0.6m above the adjacent ground level.  
REASON: In the interests of highway safety.

#### **Vehicular access**

2. The first 5 metres of the access onto the remnant land from Albert Road measured from the edge of the carriageway, shall be surfaced in a bound material within 1 month of the completion of the junction works.  
REASON: In the interests of highway safety.

#### **Gates**

3. No gates serving the remnant land shall be erected within 5 metres of the adjoining carriageway edge, and any gates shall be made to open inwards only.  
REASON: In the interests of highway safety.

#### **Conformity with Submitted Details**

4. The access onto Albert Road hereby approved shall not be brought into use until that access has been provided as shown on drawing 7033-SK-012 Rev A.  
REASON: To ensure conformity with submitted details.
5. The proposed junction alterations to the junction of Fox Lane and Rock Hill to form a roundabout shall be provided in general accordance with drawing 7033-SK-005-F.  
REASON: To ensure conformity with submitted details.

## Conservation Officer

An application was submitted in 2017 to demolish this building, to which Conservation objected on the basis that the building is considered a non-designated heritage asset. In 2019 as a result of a fire due to an arson attack, the front left hand roof was badly damaged and the left hand gable and chimney had to be demolished as they were unsafe. The interior of this section of the building was also damaged. All this damage is repairable. It is therefore considered that the comments submitted in 2017 still stand today, and are largely reiterated below.

The Greyhound is considered to be a heritage asset, and would be eligible for inclusion on the Local Heritage List as it satisfies the criteria in the Local Heritage List Strategy Document 2016.

The building is located on the corner of Rock Hill and Fox Lane. It comprises a two storey, double gabled, painted brick building beneath pitched tiled roofs. The elevation to Fox Lane and the southern end of the Rock Hill elevation contain some painted sandstone blocks to a height of approximately one metre, although on the Fox lane elevation there is an area of approximately two metres. The central bay of the front elevation projects forward slightly and is surmounted by a brick gable detail. The oldest part of the building would appear to be the south west end of the front gable, with the dentil brick detail beneath the overhanging eaves on the front elevation. It is a lower building, with a lower pitched roof, than the parallel rear wing, incorporating a simple dog tooth verge detail. It is this corner which was damaged in the fire.

The rear gable element has a dentil verge detail and a similar detail at the eaves and running across the gable on the Fox Lane elevation at eaves level. This element would appear to be a later addition, being higher and wider than the front building. It is not clear when the front gabled element of the building was added. This element may have formed part of the original pitched roof front wing, with the gable detail being added at a later date.

The remaining two storey section of this front wing would appear to be a modern 20th century extension, constructed in more modern bricks, with no eaves dentil detail.

The single storey extension at the northern end of the Rock Hill elevation is clearly a late 20th century addition again constructed with modern bricks in stretcher bond. Looking at the historical maps, it only appears on the ordnance survey in the 1970s.

Other alterations to the front include the addition of the bay windows, the left hand bay would appear to be positioned over a larger vernacular window opening, and could be a 19th century addition as it has a cill detail. Due to the painted surface it is not clear whether it is brick or terracotta.

When considering applications in respect of non designated heritage assets BDP20.14 of the Bromsgrove Local Plan states 'In considering applications that directly or indirectly affect Heritage Assets, a balanced judgement will be applied having regard to the scale of any harm or loss as a result of proposed development and the significance of the Heritage Asset.' This is supported by Paragraph 197 of the NPPF which states '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 affect directly or

indirectly 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.'

The demolition of this building is required to facilitate alterations to the road system. The loss of this heritage asset is not supported and it would preferable to see the current scheme amended to retain this building, however the substantial harm that would obviously be caused to this heritage asset would have to be balanced against the public benefits of the scheme.

## **Ecology**

The application is supported by a Bat Survey Technical Note prepared by EDP Ltd in February 2020.

The report prepared by EDP Ltd has been undertaken in accordance with relevant industry guidance. Potential bat roost features with a *moderate suitability* have been identified. Recommendations for further survey have been made in the form of two presence/absence surveys (one dusk emergent and one dawn re entry). It is unclear from the report if the proposed tree removal works will have an impact on roosting bats. Potential for breeding/nesting birds have also been noted. No other significant habitats or potential for protected species has been identified.

Based on the above, I would make the following recommendations:

- 1) Further bat presence/absence surveys should be undertaken in accordance with the recommendation set out in section 4 (page 6) of the EDP Ltd Bat Survey Technical Note. Subject to the results of the surveys, consideration should then be given to requirements for bat roost impact and mitigation.
- 2) A condition for precautionary methods of work in relation to breeding birds should be made.
- 3) The Bat Survey Technical Note should consider potential of planned tree removal to support bat roost features. If roost features are identified, then further effort will be required to inform impacts and mitigation requirements.

The results of the further bat surveys together with any pertinent recommendations should be considered prior to determining the application in accordance the Local Planning Authority's duty to conserve biodiversity under section 40 of NERC Act (2006).

## **WRS - Noise**

No objection subject to a condition relating to a demolition method statement in line with the WRS Demolition & Construction Guidance,

## **Tree Officer 01/09/2020**

I have no objections to the proposed new road junction of Rock Hill and Fox Lane as shown on (Drawing No.edp6289\_d002a) by the environmental dimension partnership. In relation to any tree issues.

There is a Tree Preservation Order on 1 tree a willow T:12 as shown on above plan unable to access site to measure but this tree will need its RPA protecting to British standards. BS5837:2012

There are several trees to be removed to allow the construction of the junction. T1, T2, T3, T4, T5, T6, T7, T8, T9, T10, T11 I would have no objections to this

#### Conclusions

No objections to this proposed application, in relation to any tree related issues, subject to conditions to ensure the protection of retained trees during the construction phase.

#### **Worcestershire Archive And Archaeological Service 23.05.2020**

As with our previous comments on 16/1132, the documentation submitted with the application is a sufficient record of the building, therefore assuming that this can be submitted to the HER by the applicant/agent then it will constitute an adequate publicly accessible record of the building (in line with paragraph 199 of NPPF). If the applicant is reluctant to submit the Heritage Statement to the HER, then this could be ensured through the use of a historic building recording condition.

I note that the heritage statement (7.9) states that WAAS did not object to the previous application for demolition. While this is true, my colleague also did not support the application either. The building does constitute a non-designated heritage asset. Loss of heritage assets is never supported, although a balance must be struck between the significance of the heritage asset and the benefits of the development. The Conservation Officer is better placed to determine whether the significance of the building is such to warrant retention.

#### **Third Party Representations**

##### **Whitford Vale Voice 31/05/2020**

Whitford Vale Voice note that the applicant submitted Transport Statement and other supporting extracts content from their Transport Assessment for planning application 16/0335/OUT (Land at Perryfields Road) which includes;

The WSP Rock Hill / Fox Lane indicative drawing of the proposed junction alteration scheme and;

Relevant impact assessments obtained using industry standard junction modelling software that make use of peak hour turning flows obtained from the Applicant's Perryfields Paramics model.

WVV also note that the WCC consultation response to planning application 16/0335/OUT (Land at Perryfields Road) dated 10<sup>th</sup> March 2020 states –

*“The applicant has submitted a new TA prepared by Vectos dated December 2019. The HA has considered this document and concluded that there are a variety of technical issues that need to be addressed. The HA has provided comments to the applicant’s*

*representatives for consideration and will continue discussions with the desire to resolve the identified issues.*

*The HA therefore recommends that this application is not determined until there is agreement with the applicant on the transport appraisal.”*

In the absence of a statement within the WCC consultation response to the Greyhound Inn and Rock Hill / Fox Lane junction alteration planning application that the above technical issues have been addressed to the satisfaction of the HA and there is agreement between the HA and the applicant on the transport appraisal, WVV question how the HA can have undertaken a full assessment if the applicant's junction impact assessments. Furthermore WVV question on this basis if the HA's assessment, as claimed, can be regarded as being robust.

WVV also note that although the planning application for the demolition of the Greyhound Inn and alteration to the junction only, the WCC consultation response makes reference to the provision of a new vehicular access from Albert Road to the Greyhound Inn site and suggests conditions for such an access arrangement. Would you confirm please if it is your view that vehicular access from Albert Road to The Greyhound Inn site is a material matter for consideration by the Planning Committee when they determine the application.

### **CAMRA Campaign for Real Ale**

Unfortunately, the building itself has been allowed by its owners Catesby to deteriorate to the current state, and so demolition to some would seem to be the best way forward. However, its current state has resulted from the failure of its current owners who were responsible for maintaining the fabric of the building whilst a decision on its future is made. Rather than demolition, I believe that Catesby should instead be required to restore it to its previous state.

The Greyhound pub has been a part of Bromsgrove's heritage since it was first built in the 1800's. Several surveys have shown that the pub is an integral part of life within this country, providing a vital community hub for all those in the surrounding area and as a community, we should be making sure that we retain as many pubs as we can in the current environment where pubs are being lost at an alarming rate. Demolishing the Greyhound deprives not only the existing community of a valuable community asset, but also any future community that will move into the area should the housing development be approved.

Sometimes, demolishing a pub is unavoidable if it stands in the way of major redevelopment of an area that benefits the community, however in this case, the reasoning behind the demolition of the Greyhound is flawed and it is being sacrificed for sake of another proposed development which is still a long way from receiving approval. We could therefore end up losing this valuable community asset for no good reason.

I would therefore call upon the Planning Committee to reject this application, as they did the previous one raised by Catesby, so it can be properly considered as part of the existing application in respect of Whitford Road.

## **OTHER REPS from interested parties**

68 other representations were received in respect of the application, raising objection on the following grounds –

### **Traffic Congestion and Pollution**

- There has been no technical information sourced by the applicant regarding traffic flow
- The proposal appears to be predicated upon making traffic flow more freely which going up Rock Hill to mitigate the tailback of traffic caused by cars wishing to turn right into Fox Lane. Nobody has considered that cars habitually queue down Rock Hill, just to get to the junction with Charford Road.
- Increased standing traffic will also increase the emissions of gases harmful to health, thusly reducing air quality to local residence. Greenhouse gas emission will also be increased.
- In order to make any meaningful difference to queuing traffic the whole road system of Bromsgrove needs to be redesigned
- There is no infrastructure on the western side of the town that allows for further development. A western relief road is required connecting the Worcester Road with the Stourbridge Road
- The proposal will disrupt traffic flow out of the fox lane/Worcester Road junction, because in the morning traffic coming from the south will overwhelmingly take priority over traffic from the residential road, while in the evening, the traffic build up travelling towards the south will most probably reach the other mini island on that road, and be further disrupted by the double parking opposite the church.
- A traffic island at the junction of Fox Lane and Worcester Road will simply exacerbate the existing situation and cause further gridlock in the local area
- The proposed demolition of the. Greyhound Public house for the construction of a round-about will not support the volume of traffic generated by the proposed housing developments on Whitford road and Perryfield road. There will be considerable congestion on adjoining and surrounding residential roads and school.
- The proposal would result in disruption for residents as a consequence of the relocation of two bus stops and a crossing and loss of parking spaces outside the local shop.
- The proposal will not reduce the overall problem and the traffic flow across western Bromsgrove will still be significantly increased with additional traffic congestion and chaos particularly at peak times.

- This part of Bromsgrove needs to have its road infrastructure considered in its entirety, not single junctions in isolation. This consideration needs to also take into account the proposals by the same applicant for increased housing that will also need to use the road infrastructure. Without this holistic and synergistic approach, we will end up with a patchwork solution that simply does not improve the current situation
- A real road strategy that will support easy access to and around the town centre needs to be the initial priority. Without this staged approach (roads first, housing developments second), Bromsgrove will simply become a 'totally gridlocked town', even when the M5 is working properly and their diverted traffic is absent from our local roads.
- The proposed building of significant developments on the western side of Bromsgrove (Whitford Road and a further 1300 houses in Perryfields Road) simply adds to the already gridlocked roads seen here every day. The majority of people are trying to cross the town to reach work in Birmingham, Worcester and Redditch or are trying to access the motorway network; this will cause further gridlock in the town centre and major access and side roads.
- The various gradients make the construction of a roundabout an infeasible solution
- The size of the 'island' has been kept extremely small to allow for the additional lanes of traffic, and should a driver find themselves in the wrong lane as they approach the island, the potential for a Road Traffic Collision is a very real possibility.
- It has not been shown that the impact on congestion and ease of movement will not be severe. In fact, the traffic coming down Fox Lane to the junction, at peak times, will find it almost impossible to enter the roundabout with the traffic coming from the right.
- Stationary traffic is a health hazard to those wishing to walk or cycle.
- The proposal would make entering and exiting onto adjacent private driveways hazardous.
- The junction alterations and traffic will impede the effectiveness of the local bus service, refuse collections and emergency services
- It has not been demonstrated that the traffic impacts of the development would not be severe.
- The proposal is evidently intended to facilitate the developments at Whitford Road and Perryfields

### **Pedestrian Safety**

- The placement of the pedestrian crossing is too close to the exit of Fox Lane. Drivers will be looking for traffic coming onto the island, and not towards the pedestrian crossing when approaching the junction
- Pedestrians and occupants of properties in the vicinity will be at risk from HGV's mounting kerbs and pavements when using the roundabout as not enough space has been allowed
- The proposal will further complicate the crossing of roads by pedestrians on Fox Lane and Rock Hill, increasing the chances of accidents. The roads are heavily used by school children who are traveling to/from a local High School and 2 local First schools in the area
- The pedestrian controlled crossing lights now moved again hinder Albert rd and morning rush hour traffic will grid lock the island as the very many children on route to ST Peters school and Bromsgrove south school and again at end of school time, Children will not be bothered to use the crossing and will cross directly over Worcester rd. via roundabout to the shop.

### **Loss of Public House**

- The condition that the building has been allowed to deteriorate into does not make an attractive prospect as a pub due to the work now required to repair the building following the arson that took place. None the less two years before it was purchased by the developers it was such a popular business that you would have to book a table midweek to be assured of one so there was certainly a viable business in the building at that time.
- Demolition will reduce the opportunity for the local community to be able to meet in a public area.
- The Greyhound PH is a community asset and should be returned to a public house
- The pub may not have been doing well under recent owners however it could thrive in the right hands, that is someone with the right experience and business understanding, it could be very profitable and be a centre for the local community.
- The closure of the pub has diminished the sense of community and more people will feel disconnected and isolated. Pubs are traditionally a centre for the community, not just as somewhere to relax and have a drink and a chat, but to have a meal rather than cook at home or to become a team member in a sport like darts or football. With the right owner, the landlord could do all this and more. All this is lost if the pub is demolished.

### **Precedent**

- The same scheme has already been considered and rejected.

### **Ecology**

- Prior to demolition the site should be checked for wildlife, particularly hedgehogs which are vulnerable to injury due to their nests being destroyed

### **Loss of Layby Parking/ and threat to Post office/shop**

- The proposed development would adversely affect trade to the oldest shop in Bromsgrove known as Rockhill Post office/stores because of the loss of layby road parking for the customer and daily deliveries by big lorries being unable to park. Such disruption could prejudice the viability of the business, which should be kept at it is a valuable asset for the community, particularly since the pub has already closed
- The layby is generally used for parking by local residents overnight and a lack of sufficient parking for newly built flats
- The remnant parking spaces in front of the convenience store will not allow for parking & deliveries to the store during peak times
- The proposal casts doubt over the future viability of the business

### **Local Ward Member**

**Councillor Luke Mallet** has submitted the following information (which was also submitted in evidence to the Whitford Road Public Inquiry.) obtained from WCC in response to an FOI request.

#### Attachments received

- WVV Submission - Rock Hill S278 - Drawing - General Arrangement
- WVV Submission - Rock Hill S278 - Drawing - Puffin Crossing
- WVV Submission - Rock Hill S278 - Drawing - Surfacing & Kerbs
- WVV Submission - Rock Hill S278 - RSA Stage 2
- WVV Submission - Rock Hill S278 - Swept Path - Shop - South Side - Box Van & Light Van
- WVV Submission - Rock Hill S278 - Swept Path - Shop North Side & Number 5 Rock Hill
- WVV Submission - Rock Hill S278 - WSP statement re loss of parking spaces from departures from standards

#### Photographs

- Rock Hill Convenience Store- Delivery 1
- Rock Hill Convenience Store – Delivery 2
- Rock Hill Convenience Store – Delivery 3
- WVV Submission - Rock Hill S278 - Departure from Standards - WSP Technical Note
- WVV Submission - Rock Hill S278 - Departures from Standards
- WVV Submission - Rock Hill S278 - Departures from Standards
- WVV Submission - Rock Hill S278 - Designers Response to RSA Stage 1
- WVV Submission - Rock Hill S278 - Drawing - Contours

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP5A Bromsgrove Town Expansion Sites  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP21 Natural Environment

### **Others**

NPPF National Planning Policy Framework (2019)

## **Relevant Planning History**

21/00162/FUL	Alterations to the junction of Fox Lane and Rock Hill to form a roundabout junction. Demolition of the existing building (the former public house 'The Greyhound Inn').	Pending	
21/00096/OUT	Outline application for the phased development of up to 1,300 dwellings; up to 200 unit extra care facility; up to 5ha employment; mixed use local centre with retail and community facilities; first school; open space, recreational areas and sports pitches; associated services and infrastructure (including sustainable drainage, acoustic barrier); with matters of appearance, landscaping, layout and scale (including internal roads) being indicative and reserved for future consideration, except for details of the means of access to the site from both Kidderminster road and Stourbridge road, with associated highway works (including altered junctions at Perryfields road / Kidderminster road and Perryfields road / Stourbridge road) submitted for consideration at this stage	Pending	
17/00950/FUL	Demolition of existing 2 storey building.	Refused	13.11.2017

16/0335	<p>Outline application for the phased development of up to 1,300 dwellings (C3); up to 200 unit extra care facility (C2/C3); up to 5HA employment (B1); mixed use local centre with retail and community facilities (A1, A2, A3, A4, A5, D1); First school, open space, recreational areas and sports pitches; associated services and infrastructure (including sustainable drainage, acoustic barrier); with matters of appearance, landscaping, layout and scale (including internal roads) being indicative and reserved for future consideration, except for details of the means of access to the site from both Kidderminster Road and Stourbridge Road, with associated highway works (including altered junctions at Perryfields Road / Kidderminster Road and Perryfields Road / Stourbridge Road) submitted for consideration at this stage.</p> <p>Land At, Perryfields Road, Bromsgrove, Worcestershire</p>	Subject to Non-Determination Appeal	12.02.2021
16/1132	<p>Outline Planning Application for: Site A (Land off Whitford Road) Provision of up to 490 dwellings, Class A1 retail local shop (up to 400 sqm), two new priority accesses onto Whitford Road, public open space, landscaping and sustainable urban drainage; and <b>Site B (Land off Albert Road) Demolition of Greyhound Public House, provision of up to 15 dwellings, new priority access onto Albert Road, provision for a new roundabout, landscaping and sustainable drainage.</b></p>	APPEAL ALLOWED	09.02.2020
16/0832	Demolition of existing 2 storey public house.	Prior Approval Required	11.11.2016

TPO (15) 2016	Weeping Willow.	TPO Made	2016
13/0674	Building of 7 no terraced houses on rear western car park and opening up of existing driveway on Albert Road to existing car park	Refused Allowed at Appeal	03.03.2015 24.09.2015
B/1996/0048	Replace sash window with new fully glazed door and minor internal alterations.	Approved	23.02.1996
B/1995/0105	Display of new signage	Approved	24.03.1995
B/16724/1988	Single storey kitchen extension.	Approved	15.08.1988
B/6498/1979	Alterations to existing building and extensions to form new bar and car park improvements.	Approved	01.10.1979
BU/2/1971	Extension to bar and kitchen/dining room.	Approved	10.03.1971
BU/698/1970	Residential development.	Approved	10.03.1971
BU/52/1964	Erection of sanitary accommodation a car park and conversion of first floor to a flat.	Approved	12.03.1964

## **Assessment of Proposal**

### **1.0 Site Description & Proposal**

- 1.1 This application encompasses land which includes the former Greyhound Public House and its curtilage located on the corner of Fox Lane and Rock Hill which following the September 2020 amendments to the Use Classes Order is a sui-generis use. It comprises a predominately two-storey building with single storey elements. There is a large car park on the north side. The willow tree to the east boundary adjacent to Albert Road is subject to a Tree Preservation Order. The surrounding area is predominantly residential in use. The building is currently vacant and boarded. The car park has been fenced off and the boundary hedge cleared. The application site boundary extends beyond the former pub site to encompass land in the existing public highway including a section of Fox Lane just beyond and including its junction with Breakback Road and a section of Rock Hill (the B4091) stretching from Nos.17 to 20. For planning purposes, the site constitutes previously developed land.

- 1.2 The submitted plan for the proposed roundabout (7033-SK-005-F) is that which has been submitted and considered as part of the Whitford Road planning application. Taylor Wimpey and Catesby Estates have been working collaboratively to ensure that both applications assess and adopt a common mitigation scheme at the junction.
- 1.3 In order to construct the roundabout, the proposed development necessitates the demolition of the existing building on the north east of the junction – the former public house, ‘The Greyhound Inn’. This closed in 2016 and has been boarded up since. In March 2019, it suffered an arson attack. An earlier planning application, (ref 17/00950/FUL). for the demolition of this building was refused, contrary to officer’s recommendation, in November 2017. The designation of the building as an Asset of Community Value under the Localism Act 2011, was challenged, in August 2017 and that status removed.
- 1.4 This solution would lead to the loss of the parking bays located adjacent the retail store on Rock Hill located within the demise of the public highway. The roundabout has been subject to capacity and safety assessment and is considered to represent a beneficial position to capacity taking into account both the Whitford Road and Perryfields Road proposals. The Highway Authority has undertaken an early technical approval of the roundabout design to ensure there is certainty on the ability to deliver it. That process has been completed and a detailed design has been provided and fully technically approved. The roundabout will be delivered early in the build programme.
- 1.5 The works required to create the new junction would be subject to a separate consenting process, by the highway authority (Worcestershire County Council) under S278 and S38 of the Highways Act. Conditional Technical Approval was granted in August 2019 by Worcestershire County Council. If planning permission is granted, a S278 legal agreement can be entered into.
- 1.5 The proposals are not assessed within the ES for the Perryfields application, as the proposals do not give rise to any significant environmental effects. Also, the site amounts to 0.277 ha which sits below the threshold for infrastructure projects as classified by Schedule 2 in the 2011 (as amended) Regulations.

## **2.0 Background and Principle of Development**

- 2.1 The proposal seeks to secure the creation of a roundabout at this existing T-junction, in order to facilitate the delivery of the ‘Bromsgrove Strategic Site Allocations’, which have been identified for development in the adopted Bromsgrove District Plan (2017) under policy BDP5A. These are known as ‘Perryfields Road’ (‘BROM2’) where Taylor Wimpey are the applicant and ‘Whitford Road’ (‘BROM3’) where Catesby Estates Ltd and Miller Homes Limited are the applicant.
- 2.2 Both of these allocated sites have been subject to planning applications. Taylor Wimpey has duplicate outline planning applications pending a decision in relation to the BROM2 development plan allocation. The earlier application (16/0335) is subject to an appeal, whilst a duplicate application (21/00095/OUT) is currently

under consultation. Catesby Estates Ltd and Miller Homes Limited have recently obtained permission at appeal for the development of the Whitford Road (BROM3) site (ref 16/1132 which incorporates the demolition of the former Greyhound Pub and proposed junction alterations at Rockhill). The delivery of alterations to the Fox Lane / Rock Hill junction have been identified as being necessary for both developments and those works are included as an integral part of the Whitford Road application (referred to under that application as Site 'B'), rather than a stand-alone application as in this case.

- 2.3 In terms of the BROM2 site allocation, it had originally been anticipated and proposed that this junction could be improved by the use of traffic lights to better manage future traffic flows. This approach had been identified in the original Transport Assessment submitted as part of the original Perryfields Road application and the Council's Infrastructure Delivery Plan. However, as part of the dialogue between the applicant and their consultants with WCC as Highways Authority, and BDC consultants (Mott MacDonald), this has instead led to the current proposal entailing alteration of the junction to a roundabout designed to provide mitigation for the cumulative impacts of those developments along with a range of other off site highway works.
- 2.4 The proposed roundabout junction has been designed to accommodate the forecast traffic of both the Perryfields Road and Whitford Road developments and to alleviate the extra pressure on the local highway network which the development would create. As the works are not all on highway land, planning permission is required to secure the approval of the works on land which is not part of the current highway. This application, if approved and implemented, would not preclude the Whitford Road permission (16/1132) from being implemented.
- 2.5 The demolition requires full planning application given a change in the regulations in that public houses can no longer be demolished under the Prior Approval process. The application should therefore be determined in accordance with the relevant policies of the Bromsgrove District Plan along with national planning policies. It should also be considered that within the Judge's decision on whether the pub should be an Asset of Community Value he concluded that it was 'unrealistic' to think that the property could ever be reopened as a public house again.
- 2.6 In terms of paragraph 135 of the NPPF, the benefits of demolishing the pub should be weighed against the loss of a non-designated heritage asset.
- 2.7 BDP1 states that any adverse impacts of granting planning permission should significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework (NPPF)
- 2.8 The last application (17/00950/FUL) which proposed the demolition of the public house was refused by Planning Committee on Mon 6<sup>th</sup> Nov 2017 for the following reason:

*“The building is a non-designated heritage asset and there are no public benefits that would outweigh the loss of the building. The demolition of the*

*building is therefore contrary to Policy BDP1 and BDP20 of the Bromsgrove District Plan and the provisions of the National Planning Policy Framework.”*

- 2.9 In respect of 16/1132, (Whitford Road) It is notable that the putative refusal reason which set out the position of BDC and which related to the proposal as a whole (including demolition of the pub), raised no objection to the loss of the public house.

*“RESOLVED the scheme would have an unacceptable impact on highway safety and the residual cumulative impacts on the road network would be severe as set out in paragraph 109 of the National Planning Policy Framework and would be contrary to Policy BDP1.4(a), Policy BDP5A.7(e) and Policy BDP16.1 of the Bromsgrove District Plan.”*

- 2.10 Moreover, the appeal in relation to application 16/01132 (incorporating the same junction works at the Fox Lane / Rock Hill junction as this proposal) has subsequently been allowed on 9<sup>th</sup> February 2021 and is therefore a significant material consideration in consideration of this application.

### **3.0 Heritage Considerations**

- 3.1 Policy BDP20.10 states that *“The demolition of buildings or the removal of trees and other landscape features which make a positive contribution to an area’s character or appearance will be resisted”*
- 3.1 In terms of the Greyhound Inn Public House, Members will note the views of the Conservation Officer, and third parties in relation to heritage matters. The Conservation Officer is of the view that the building is a non-designated heritage asset and would prefer to see the scheme amended to retain this building.
- 3.2 The building itself is situated on the north side of the junction of Fox Lane and Rock Hill where it is elevated above the latter road. Within the site, a car park extends to the north-west along Fox Lane, and there is an open area with trees between the building and Albert Road. The building dates from at least the mid-nineteenth century: the tithe map of 1839/40 refers to a house and shows a building in the position of the present structure
- 3.3 The oldest part of the building appears to be the southern corner. It has subsequently been considerably altered and extended, and much of the main Rock Hill elevation comprises twentieth century additions. The building has some historic value as an example of a vernacular dwelling which has evolved into a public house, and it acts as a reference to the limited built development in the area at a time when it was outside Bromsgrove.
- 3.4 Whilst the form of the building’s evolution can be discerned, extensive alterations and additions have eroded the evidential value of the former public house, and there is little internal evidence of the age of the building. Sections of roof over the left hand side of the front elevation and above the front gable have been badly damaged, and the brickwork has been painted. These factors all reduce the significance of the Greyhound Inn, which I consider is of limited value.

- 3.5 Following the prior approval application in August 2016 to demolish the property, it became subject to listing as an Asset of Community Value (ACV). The ACV Listing was challenged by the applicant both via an internal review and then at appeal at the First Tier Tribunal. Following a hearing, Judge Peter Lane determined that the appeal was allowed and the Public House did not qualify as an ACV and should be removed from the Listing due to it being found unrealistic that the Public House will be brought back into community use in the next five years. This is a material planning consideration in the determination of this application.
- 3.6 The business closed in April 2016. Members will note from the planning history that the full planning application to demolish the Public House (reference 17/00950) was refused in November 2017. Members considered the building to be a non-designated heritage asset and in the balancing exercise, took the view that there were no public benefits that would outweigh the loss of the building at the time of determination. The state of the building has deteriorated incrementally since closure and was subject to an arson attack in March 2019. The building remains unoccupied and is currently boarded and secured.
- 3.7 Paragraph 197 of the NPPF 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.
- 3.8 Redevelopment would conflict with Policy BDP20 which seeks to safeguard heritage assets. However, I can give only moderate weight to the loss of the building, given its limited value. If demolition were to take place, the building should be recorded given its status as a heritage asset, and a condition is recommended for this purpose.
- 3.7 Worcestershire County Council Archaeological Service has raised no objection to the loss of the building. The applicant is willing to accept a condition that will provide an appropriate level of recording in advance of demolition. This would record details of the asset for archive purposes.
- 3.8 The demolition of the Greyhound Inn Public House would enable the necessary highway infrastructure works to be carried out at the junction of Fox Lane and Rock Hill to accommodate a new roundabout required for both the Perryfields and Whitford Road developments, the latter already having permission.
- 3.9 A planning condition linking and limiting the implementation of this proposal to the commencement of development in relation to 16/0335 is recommended. As such I conclude on this matter that the loss of the non-designated heritage asset is outweighed by wider benefits.

## 4.0 Highway Issues

- 4.3 During consideration of 16/1132 at the meeting of planning committee on 13<sup>th</sup> February 2020 Members “*noted the loss of parking spaces on the Rock Hill layby and the concerns raised with regard to deliveries at the convenience store sited there*” However, they did not resolve to advance that as a putative reason for refusal in respect of 16/1132. Consequently, the issue was not raised by the Council’s Highway consultant in defence of its position at the recent Public Inquiry
- 4.4 A representation made by Cllr Mallet and including evidence presented by WVV at the Whitford Road Inquiry has been submitted in relation to this proposal. In respect of the same material, the Inquiry Inspector made the following observations noted that :
25. *On the south-east side of that part of Rock Hill where the roundabout would be constructed are a house (No 5 Rock Hill), a parcel of land which is used for parking, and a convenience store. There is direct vehicular access from Rock Hill to each of these properties. The surfacing and kerbs plan and a swept path analysis show that access to the dwelling and parking area would be taken from the point where the north-east approach of Rock Hill would join the roundabout. Given the position of the crossover it is most likely that its use would involve vehicles approaching from Fox Lane and the south-west arm of Rock Hill turning off the roundabout immediately after passing the Rock Hill north-east entry, although at the inquiry the Appellants’ highways witness suggested that vehicles would leave the roundabout and then turn right across Rock Hill. Vehicles reversing from the dwelling and the land used for parking would be able to manoeuvre onto an adjacent grasscrete area before joining the roundabout in forward gear. This would not be a typical arrangement at a roundabout and adds a potential source of conflict between vehicles approaching along Rock Hill from the north-east and those leaving and arriving at the house and adjacent land.*
26. *I have also taken into account the existing situation at No 5 Rock Hill and the adjacent land used for parking. Whilst there appears to be space at No 5 for a car to turn around and leave the property in forward gear, there is less space for manoeuvring on the adjacent land and vehicles are likely to reverse onto or from Rock Hill. Vehicles approaching, other than from Rock Hill northeast, would need to turn right into these properties across the flow of traffic on the through road. These manoeuvres have the potential to reduce highway safety and interrupt traffic flow, and I do not consider that the changes to these access arrangements introduced by the junction alterations would in themselves be materially more harmful.*
27. *On the south-west side of the convenience shop is a hardstanding, to which a swept path analysis shows access for a 7.5 tonne box van and a 4.6 tonne light van. The hardstanding is of restricted depth and width and is used to accommodate several storage containers. There is photographic evidence of a car parked here<sup>17</sup>, and a light van would probably also be able to use this space. However I agree with WVV that a box van would not be able to park on the hardstanding. The swept path analysis shows vehicles accessing the*

*parking space by reversing on the south-west exit from the roundabout. Unless heading in that direction, vehicles leaving the shop would cross the south-west exit and turn right into the south-east approach lanes at the roundabout entrance. Given the restricted size of the hardstanding, it is likely that some service vehicles would park on the crossover, as occurs in the existing lay-by, which could also necessitate reversing. At present, use of the parking space would involve reversing from the through road, and although the extent of the lay-by which continues across the shop frontage may avoid the need for reversing to access space there, as a photograph from WVV illustrates, some service vehicles cross Rock Hill to reach the lay-by, increasing the risk of conflict. It does not seem to me that the construction of the roundabout would worsen the position in respect of highway safety and traffic movement in this location.*

28. *The existing lay-by extends from the shop as far as the first junction to the south-west. It is intended that about one third of its length, providing space for three cars, would be removed. WVV has expressed concern about the loss of spaces, and has suggested that it may lead to parking occurring on paved, grassed and grasscrete areas near the shop. However no detailed assessment of use of the lay by has been drawn to my attention, and I note that the LHA has taken the loss of some parking spaces into account in agreeing to the junction works. Accordingly, I give only limited weight to the loss of lay-by parking close to the shop.*
29. *WVV has raised concern about the extent of forward visibility on the Fox Lane and Rock Hill south-west approaches to the roundabout. On Fox Lane, forward visibility of 71m is available and there is a shorter distance of 43m on Rock Hill. For a design speed of 60kph the desirable minimum stopping sight distance specified in DMRB is 90m, and this distance is mentioned in the departures submissions. However, reference to the speed limit of 30mph would indicate a lower stopping sight distance of about 70m which would be achieved on Fox Lane. Manual for Streets (which has relevance to lower speed urban areas) specifies a shorter stopping sight distance of 43m on a 30mph road, and I note that, other than a single vehicle at the give way line on Rock Hill, vehicles in a queue on this arm would be visible at a greater distance than 43m.”*

4.4 In concluding on the issue The Inspector noted :

*“For these reasons, I do not consider that these aspects of the roundabout design would adversely affect highway safety. Having regard to the constraints of the existing junction, I have reached the same view about other detailed criticisms made by WVV. .... There are aspects of the proposed roundabout junction which would not fully accord with modern design expectations, notably the entry path radius from Rock Hill, given its relationship to vehicle movements to and from adjacent premises. Whilst that is not desirable, and a few parking spaces in the lay-by would be lost, most of the changes proposed would not worsen highway safety or hinder traffic movement. Importantly, the additional capacity provided by the proposed roundabout would result in improved performance of the Fox Lane junction.”*

4.5 No new evidence has been submitted to the Council in respect of these matters which would warrant me reasonably reaching a different conclusion than that expressed by the Appeal Inspector in consideration of these matters, with which I concur.

## 5.0 Protected Species

5.1 There are several potential bat access and roosting features within the building structure, as well as the presence of enclosed roof voids internally. However, given the urban context of the building, fire damage to the southern corner and high levels of streetlighting, the building is assessed as providing moderate bat roost potential.

5.2 No bats were seen emerging from any aspects of the building during the emergence surveys on 24 June 2020 or 22 July 2020. Bat activity in proximity to the building was low with only a few passes of common pipistrelle recorded throughout the duration of the surveys.

5.3 It is not thought likely that there are roosting bats within the building. However, the building still provides moderate roosting potential for bats and bats may still occasionally use the building on a temporary basis.

Bats are fully protected under the Conservation of Habitats and Species Regulation 2017 and the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

- Intentionally kill, injure or take a bat; or
- Disturb bats when they are roosting

5.4 The responsibility therefore rests with the landowner to ensure that the demolition team are appropriately briefed.

5.5 The deteriorating nature of the building structure means that it is likely that nesting birds will be present, during the breeding season which runs from March to September. All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

- Intentionally kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while it is in use or being built;
- Take, damage or destroy the egg of any wild bird; or
- To have in one's possession, or control, any wild bird (dead or alive) or egg or any part of a wild bird or egg.

In addition, further protection is afforded to those wild bird species listed on Schedule 1, prohibiting any intentional or reckless disturbance to these species while they are nest building, or at a nest containing eggs or young, or to recklessly disturb the dependent young of such a bird. In addition to, or in the absence of, legal protection, certain species are also Priority Species (of principal importance for nature conservation nationally) or other conservation concern (e.g. are the subject of Local Biodiversity Action Plan measures).

5.6 Nesting birds as they have legal protection under the Wildlife and Countryside Act 1981 and, as such, birds are protected whether or not the planning process is involved. But, the Local Planning Authority can raise awareness of the legal protection of nesting birds by putting an informative note on the planning decision notice recommending that, if works are to occur during the breeding season (March to September inclusive), any areas for construction works or clearance should be checked for signs of nesting (nests or displaying males) by an ecologist prior to commencement.. The responsibility therefore rests with the persons authorising and installing the netting, and their ecological advisors, to ensure that an offence is not committed under wildlife legislation.

## **6.0 Trees**

6.1 Policy BDP19 criterion (p) seeks to ensure all trees that are appropriate in terms of size, species conditions and predicted climate are retained and integrated with new development.

6.2 The proposal would result in the loss of 11 trees on the site. These are mainly assessed to being of low or poor quality by the applicant and the Council's tree officer has raised no objection to their removal.

6.3 The Mature Willow Tree situated on the eastern side of the site adjacent to the junction of Albert Road and Rock Hill which is subject to a Tree Preservation Order made in 2016 would be retained. The works required to create the road junction lie outside the root protection area of that tree.

6.4 The protected willow tree is situated in an elevated position close to the position of the proposed access from Albert Road. The bank below the tree encroaches slightly into the visibility splay to the right from the access. No details have been submitted as to whether it would be possible to cut back the bank without affecting the viability of the tree. However, even if that were not possible, I do not consider that it would be necessary to remove the tree, given the limited impact on highway safety of retaining the bank in its existing form. I am satisfied that this is a matter which could be addressed through the imposition of a planning condition.

6.5 A Field Maple situated on the south side of Rock Hill and within the extent of the public highway would be retained. The Proposal is considered to accord with Policy BDP19 criterion (p).

## **7.0 Floodrisk**

7.1 Policy BDP 23 (g) requires development to set aside land for sustainable urban drainage systems and follow the SuDS management rain concept.

7.2 This site falls entirely within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding. A SuDs approach to drainage matters is proposed. NWWM has raised no objection to the scheme subject to a suitable drainage strategy. The proposal is considered to accord with Policy BDP23.

## **8.0 Planning Balance**

- 8.1 The proposal would conflict with Policy BDP20 of the District Plan due to the loss of the Greyhound Inn, a non-designated heritage asset. The development at Perryfields is planned to deliver up to 1300 new homes, 5ha of employment land, local centres (including retail facilities) and community facilities (including a new school). Improvements to this junction are also identified in the Borough Council's Infrastructure Delivery Plan (2014). That application, if approved would signal acceptance of the benefits which that scheme would bring and significantly outweigh the acknowledged disbenefits of the proposal.
- 8.2 The allocation of the Perryfields Road site as a development site (BROM2) in the adopted Bromsgrove District Plan should also be given substantial weight when considering this application and, if grant by committee would effectively address the reason for refusal on 17/00950/FUL because there would then be public benefits weighing substantially in favour of justifying its loss.
- 8.3 Taking these matters into consideration in the balancing exercise required (including the significance of the heritage asset), I am of the view that the loss of the asset is outweighed by the significant wider benefits of the scheme.

## **9.0 Conclusion**

- 9.1 It is considered that the benefits of the application outweigh the loss of the non-designated heritage asset and loss of some layby parking outside the adjacent shop.
- 9.2 A bat survey has been undertaken but concluded that there were no evidence of roosting bats and as such it is considered reasonably unlikely that the building supports a bat roost. I therefore raise no issue with regard to protected species.
- 9.3 All the matters raised in the representations has been taken in account. The Government is seeking to boost significantly the supply of housing. Bromsgrove District Council cannot presently demonstrate a five-year housing land supply. The proposed development is necessary to realise the additional housing and employment proposals in an area where there is an identified shortage. The benefits of the proposal clearly outweigh the harm.

## **RECOMMENDATION:**

- (a) **That Members of the Planning Committee confirm that the District Council would have been minded to GRANT outline planning permission in the event that an appeal against non-determination had not been lodged and it had been able to determine the application**
- (b) **And that DELEGATED POWERS be granted to the Head of Planning Regeneration to discuss the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report as part of the appeal process.**

**Conditions:**

**Time Limit**

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.

**Plans**

2. The proposed junction alterations to the junction of Fox Lane and Rock Hill to form a roundabout shall be provided in accordance with drawing 7033-SK-005-F.

REASON: To ensure conformity with submitted details.

**Link to Implementation of 16/0355**

3. The development hereby approved shall not be commenced until planning application 16/0335 (or any subsequent variation or replacement application) has been approved and development therein commenced pursuant to s56 of the Town and Country Planning Act 1990 (or any equivalent provision in successor or replacement legislation) for land at Perryfields Road (allocated for development as BROM2 in the Bromsgrove District Plan).

REASON: To ensure the wider public benefits associated to the development, that justify and outweigh the loss of this non-designated heritage asset (including the delivery of new homes, employment, community facilities and highways safety), are realised. In accordance with Policy BDP20.14 of the BLP and Paragraph 135 of the NPPF.

**Construction Environmental Management Plan CEMP**

4. The proposed demolition should be carried out in accordance with the recommendations within the Method Statement and Risk Assessment dated 26th September 2016. Prior to commencement of demolition a Traffic Management Plan shall be submitted to and approved in writing by the local planning authority, there afterwards the proposed demolition works shall be carried out in accordance with this plan. This shall include but not be limited to the following:-

1. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
2. The times in which HGV arrivals and departures will be undertaken
3. Routing arrangements of HGV vehicles to and from the site.
4. Details of site operative / lorries parking areas, material storage areas and the location of site operative's welfare facilities.

The measures set out in the approved Plan shall be carried out in full during the demolition hereby approved. Site operatives' parking, material storage facilities shall only take place on the site in locations approved by in writing by the local planning authority.

REASON: To protect the amenities of nearby properties during the demolition and construction.

**Pedestrian visibility splays**

5. Visibility splays of 2m x 2m measured perpendicularly from the back of footway shall be provided on both sides of the access to the remnant land from Albert Road. The splays shall thereafter be maintained free of obstruction, not exceeding a height of 0.6m above the adjacent ground level.

REASON: In the interests of highway safety.

**Vehicular access**

6. The first 5 metres of the access onto the remnant land from Albert Road measured from the edge of the carriageway, shall be surfaced in a bound material within 1 month of the completion of the junction works.

REASON: In the interests of highway safety.

**Gates**

7. No gates serving the remnant land shall be erected within 5 metres of the adjoining carriageway edge, and any gates shall be made to open inwards only.

REASON: In the interests of highway safety.

**Albert Road Access**

8. The access onto Albert Road hereby approved shall not be brought into use until that access has been provided as shown on drawing 7033-SK-012 Rev A.

REASON: To ensure conformity with submitted details.

**Tree Protection**

9. Prior to the commencement of any development on the site including any site clearance, demolition, excavations and import of machinery or materials, the trees or hedgerows which are shown as retained on the approved plans both on or adjacent to the application site shall be protected with fencing erected around the root protection areas. This fencing shall be constructed in accordance with the guidance in the British Standard BS5837:2012 and shall remain in-situ until the development has been completed.

No development or excavation, changes in ground levels, installation of equipment or utility services, shall be permitted within or through the Root Protection Areas of trees or hedges on and adjacent to the application site other than in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any such development or excavation occurs. There shall be no passage or use of machinery, storage of materials, burning or disposal of waste or the washing out of concrete mixing plants or fuel tanks in the area fenced off.

REASON: In order to protect the trees which form an important part of the amenity of the site.

**Archaeological Recording**

10. Within one month of commencement of development, the Heritage Statement (edp6289\_r002a) shall be submitted to the Worcestershire Historic Environment Record.

REASON: In accordance with Paragraph 199 of NPPF and to secure a publicly accessible record of the building.

**Means of Enclosure (Fencing)**

11. Before development commences details of a permanent means of enclosure to enclose the remnant land on the north side and west side of the new traffic island shall be submitted to and approved in writing by the Local Planning Authority prior to its installation on site. These details shall include a plan detailing the position of all proposed means of enclosure and accompanied by a schedule specifying the type, height, composition and appearance of the means of enclosure proposed.

The approved means of enclosure shall be erected before the new junction is brought into use, or in accordance with an alternate timescale to be agreed in writing by the Local Planning Authority before development commences, and thereafter retained in that form, notwithstanding the provisions of Schedule 1, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification)

REASON: In the interests of visual amenity and in order to deter anti-social behaviour.

**Landscaping**

12. Prior to the commencement of development, a scheme of landscaping and a timescale for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a plan detailing the disposition of planting, cross referenced to a schedule listing the species, size and number of plants proposed. The landscaping scheme shall be implemented in accordance with the approve details and timeframe for implementation.

If, within a period of five years from the date of the completion of the landscaping scheme , any tree or shrub planted pursuant to this condition, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

REASON: To ensure the environment of the development is improved and enhanced.

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