

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Arden Property Investments Limited	Demolition of existing workshop/garage and the redevelopment of the site for mixed use, comprising of the construction of 9 No. dwellings and an office building together with the change of use and alterations/extension to 10 Old Birmingham Road for use as offices, together with associated access, car parking and landscaping works Paul Matty Sportscars Ltd, 12 Old Birmingham Road, Lickey End, Worcestershire, B60 1DE	06.09.2023	21/01006/FUL

RECOMMENDATION:

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following:
 - (a) The expiry of the consultation period on 18 September 2023 and in the event that representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.

Consultations

Worcestershire Highways - Bromsgrove

No objection subject to conditions (Nos. 10 – 17 at end of the report) and financial obligations.

It is noted the bus stops on Old Birmingham Road in the vicinity of the proposed development are served by Diamond's 202 service. The applicant has provided a Road Safety Audit in relation to the proposal. "Keep Clear" markings on the carriageway fronting the proposed development have been proposed as recommended by Road Safety Audit and Chapter 5 of the Traffic Signs Manual for this location. This will ensure blocking back to the roundabout or queuing does not occur. The existing section of the dropped kerb to be reinstated with full height kerbs and associated transitions.

A Community Transport Contribution of £2,070 is sought in relation to the nine dwellings.

National Highways

National Highways' formal recommendation is that conditions should be attached to any planning permission that may be granted (see Annex A - National Highways recommended Planning Conditions & reasons):

Condition 1 – a pre commencement Construction Environmental Management Plan to be approved.

Condition 2 – a pre commencement Detailed Drainage Design to be submitted and approved in writing by the Local Planning Authority in consultation with National Highways.

Condition 3 - Prior to occupation of the development, yellow box hatchings as shown in drawing 24007-03 - Existing Carriageway & proposed Yellow Box Markings (or other approved drawing) shall be provided in relation to access from B4096 Old Birmingham Road.

Reasons: To ensure the safe and efficient operation of the Strategic Trunk Road at the M42 and junction 1 circulatory

North Worcestershire Water Management

The site falls within flood zone 1 (low risk of fluvial flooding) and in general does not appear to be susceptible to surface water flooding however at low risk (1:1,000) events there does appear to be a surface water flow route through the site. It is important that this flow route is retained. It is suggested that finished floor levels of all buildings are raised a minimum of 150mm above the surrounding ground level to provide flood resilience. Due to the proximity of the motorway slip road it is suggested that some barrier treatment is considered, such as a small bund with a filter drain on the development side to capture any additional runoff.

The ground investigations confirm the feasibility of soakaways - in order to ensure these are adequately sized and designed, further tests in accordance with BRE365 should be carried out, as per the recommendation in s2.6 of the drainage strategy report.

No objection subject to condition requiring a surface water drainage strategy (including SuDS and future maintenance of communal surface water drainage assets) for the proposed development.

Arboricultural Officer

No objection subject to conditions requiring an Arboricultural Method Statement and protection of Root Protection Areas.

WRS - Contaminated Land

No objection subject to conditions including a detailed site investigation and preliminary risk assessment. (Condition 4 below)

WRS - Noise

No objection subject to the imposition of a condition requiring the approval of full details (height, extent and surface density) of the acoustic fence and the chosen glazing and ventilation products prior to use

WRS - Air Quality

The updated version of the AQA (v4) has been reviewed, previous omissions have now been included and there are no adverse or any further comments.

Waste Management

No objection.

NHS Herefordshire and Worcestershire CCG

No objection subject to a contribution of £3910 towards additional primary healthcare provision.

Urban Designer

The comments relate to the first version of the proposal (Received June 2021):

The Design and Access Statement is an inadequate document which does not fulfil the purpose of such a statement as defined by DHCLG and CABE.

It is a problematic site which requires creativity to address the constraints and secure a development of quality. The principal of a mixed use development should be supported. The dwellings could be reconfigured to achieve a greater sense of enclosure.

The placing of the two office buildings on the site appears awkward. There is insufficient in terms of the design of the acoustic fencing to mitigate the impact of traffic noise.

Worcestershire Wildlife Trust – Ecology

The updated Bat Survey is to an appropriate standard and the findings set out are acceptable. In terms of conditions, there are two options. The first is to require a CEMP in conformity with the recommendations set out in the bat survey report. This would make sense in the event that the developers don't get the required licence. This would enable exercise of some control over the implementation of the development. The other mechanism would be to just add an informative noting the need for a bat licence. It would be advisable to do both. It's also worth saying that the mitigation for the bat roost isn't to be seen as part of any BNG (Biodiversity Net Gain) requirement, though any proposed uplift above and beyond the legally required mitigation would be appropriate.

Worcestershire County Council Education Services

Education planning obligations would not be sought on developments of fewer than 10 dwellings.

NHS Clinical Commissioning Group

A contribution of £3910 is sought towards additional primary healthcare provision.

Publicity

8 Neighbour Letters sent 30.07.2021 (expired 23.08.2021)

Site Notice posted 04.08.2021 (expired 28.08.21)

Press Notice posted 01.09.23 (expires 18.09.23).

No comments received.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP7 Housing Mix and Density
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP21 Natural Environment
BDP22 Climate Change
BDP23 Water Management

Others

Bromsgrove High Quality Design SPD
NPPF National Planning Policy Framework (2021)

Relevant Planning History

B/1998/0497	Change of use from residential garden land (No. 16) to use in connection with existing garage premises.	Granted	14.09.1998
B/15521/1987	Replacement garage workshop (Outline)	Granted	12.10.1987
B/13317/1985	Erection of two storey rear extensions to form bathroom, utility, enlarged kitchen with bedroom over (No. 10)	Granted	01.10.1985
BU/691/1967	Covered area to garage and showroom and screen fence.	Granted	18.01.1968
BU/623/1966	Extension of showroom and workshop.	Granted	14.12.1966
BU/445/1965	New car showroom and demolition of existing showroom.	Granted	16.09.1965

Assessment of Proposal

Site Description

The application site is located on Old Birmingham Road, Lickey End, immediately to the north of Junction 1 of the M42, with a site area of 0.45ha. It is bounded by the eastbound slip road to access the M42 to the south, a parcel of designated Green Belt land to the east, an office building and residential properties to the north and Old Birmingham Road to the west. The buildings on the site comprise a large single storey workshop and

garage located in the south eastern portion of the site which was formerly used by Paul Matty Sports Cars. There is a (currently derelict) two storey house (10 Old Birmingham Road) adjoining the Arden Estates offices located prominently to the front of the site which has in the past been used for storage purposes in association with the workshop to the rear of the site. The remaining land on the site (which formerly comprised part of the rear gardens of Nos. 16 - 20 Old Birmingham Road) consists of hardstanding which has been used as an informal car park. The site is currently bounded by fencing and a retaining wall along the motorway slip road. It is located within the settlement of Lickey End within a residential area, accessible to a range of local services and amenities.

Proposed Development

The proposal is a full application for a mixed use development through the demolition of the existing workshop/garage and the provision of 9 No. dwellings and an office building. There will also be an extension and alterations to 10 Old Birmingham Road to enable use as offices, together with associated access, car parking and landscaping works. The residential element of the proposal would be located to the central and northern part of the site and comprise 5 different house types (labelled A - E on the site plan accompanying the application). There would be two pairs of two storey semi detached dwellings with floor area of 96sqm. Two of the dwellings would have two bedrooms and two would have three bedrooms. The remaining dwellings would be detached, four of them would be three bedroom dwellings of the same scale as the semi detached properties. There would be one larger detached dwelling (Type E) comprising four bedrooms, an integral garage and a floor area of 150sqm. The detached properties would benefit from either a semi detached garage to the rear or an attached garage to the side of the property. The semi detached dwellings would have a brick finish and the detached dwellings would comprise a mix of brick and render. The proposed new office building would be two storeys in height, located towards the southern boundary of the site and would have a brick and render finish. The building would comprise four office units of 74sqm each (375sqm in total) with two units located on the ground floor and two on the first floor. The offices would have an open plan arrangement with separate meeting rooms, stores, WC's and kitchen facilities. The retained former dwelling No. 10 Old Birmingham Road would have a two storey extension to the rear enclosing an existing two storey extension and a smaller single storey extension to the front. The building would consist of an administration area, reception, kitchen, WC's, meeting rooms and print room.

The application is accompanied by a Planning Statement, Flood Risk and Drainage Strategy, Bat Survey Report, Transport Technical Note, Site Investigations Stage 1 & 2, Bank Stability Supporting Statement (inc. Cross Sections), Noise Impact Assessment, Air Quality Assessment, Energy and Efficiency Statement, Landscaping Plan, Arboricultural Impact Assessment and Tree Survey.

Principle

The site is located within the urban area of Lickey End Bromsgrove and defined as a residential area in the Bromsgrove District Plan (BDP) 2017. Given the existence of redundant buildings and their associated curtilage, the site would meet the definition of previously developed land outlined in Annex 2 of the NPPF. Whilst not designated for employment purposes, the land has formerly been used as a garage and workshop and therefore the provision of commercial offices (Use Class E) is considered acceptable in

principle. The loss of some of the land for housing purposes is not considered to conflict with Policy BDP14 of the BDP given the mixed use nature of the proposal.

The site would be accessible to public transport and shops, schools and other amenities are located within walking distance. In the context of policies BDP1 and BDP 19 of the BDP, the proposal for a mixed use development would be considered acceptable in principle.

Furthermore, the Council cannot currently demonstrate a 5-year housing land supply (5YHLS), which was calculated to be 3.3 years as of 1st April 2023. In the context of paragraph 11(d) and footnote 7 of the National Planning Policy Framework (NPPF), the lack of 5YHLS means that planning permission for residential development should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In summary, the principle of development is acceptable and it thereby falls to be considered whether there are adverse impacts arising in terms of the highways, noise, character of the streetscene, the amenity of adjoining occupiers or any other issue which amounts to demonstrable harm.

Character and Appearance

Policy BDP19 of the BDP and the advice of the Bromsgrove High Quality Design SPD and the NPPF are most relevant in the consideration of the proposal. The proposal has been the subject of a sequence of design amendments and appropriate re-consultation has taken place in relation to the current proposal. Policy BDP19 is consistent with the NPPF (the Framework) in requiring the provision of high quality design which is set out in further detail in the SPD.

The proposed layout (office and residential elements) would be located in a backland position with respect to Old Birmingham Road. However, the existing commercial building is located to the rear of the site and the use has not been abandoned. The curtilage to the north of the existing garage building comprised car parking to the rear of No. 16 Old Birmingham Road and it is evident that the curtilage has been extended to also include part of the rear gardens of Nos. 18 - 20. The applicant has submitted evidence to demonstrate the incorporation of the garden of No. 20 around 2001 and No. 18 around 2017. The site currently operates as a functioning single unit with no distinction between the former gardens. Planning permission was granted under (B/2006/0325) for a dwelling to the rear of No. 22 and therefore it is not considered that the proposal would conflict with the prevailing layout of the area in accordance with para 4.2.3 of the SPD. The immediate area largely comprises interwar detached and semi detached dwellings which utilise a variety of material finishes. The submitted Design and Access Statement evaluates the character of the locality (in accordance with para 4.2 of the SPD) and the use of a variety of materials in the proposed dwellings (either brick or part brick/render) would reflect the character of the streetscene and integrate with the design of the proposed offices. The proposal will seek to retain and enhance the currently derelict No. 10 Old Birmingham Road which reflects the character of the area and forms a prominent part of the streetscene. There is a change in levels of approx 2m, with the northern end of the site elevated. The streetscene shows that the proposed dwellings would be on level platforms gradually staircasing upwards (south to north). Plot Nos. 1 and 9 would be

located in corner positions and would provide active frontages on two elevations as advised in para 4.2.18 of the SPD.

Adequate provision for bin storage has been shown to the side/rear of the proposed dwellings and an enclosed single communal bin for the proposed offices would be provided adjoining office unit No. 2. As part of the proposed development, all dwellings will be provided with appropriate cycle storage in the rear gardens and the offices will provide dedicated cycle shelters close to the entrances of each office as set out at Paragraph 4.2.25 of the SPD. In line with Paragraph 4.2.27 of the SPD and Policy BDP16 of the Local Plan, each dwelling will have one 7kW Electric Vehicle Charging Point and each office will have two 22kW Electric Vehicle Charging Points. A detailed specification has been conditioned

The proposal is accompanied by a Tree Survey and detailed landscaping plan. It is intended that mature trees on the southern boundary would be retained and the proposed landscaping provides an appropriate size and native species specification including the provision of frontage trees as advised in the NPPF and SPD.

In terms of the amenity of adjoining occupiers, the rear of the proposed dwellings (Plots 1 - 5) are located between 19m and 22m from the rear elevations of the properties fronting Old Birmingham Road (Nos. 16 - 20). There would be approximately 27m of separation between the northernmost plots (5 and 6) and No. 22b Old Birmingham Road with limited intervisibility through the mature boundaries of the intervening garden of No. 22. Office No. 2 has been positioned to face the access road and minimise the perceived overlooking of the residential properties which face each other rather than the commercial unit. It is appreciated that the front garden of plot 1 would partly overlook the car parking for office No. 2 but the dwelling is orientated towards the east rather than south and would benefit from rear private amenity space. The rear gardens fulfil the requirements of the SPD in terms of private amenity space which exceeds 70sqm. The garden depths are approx 9m rather than the recommended 10.5 but the peripheral boundary of the site benefits from established trees and hedges. In terms of the relationship between the residential and commercial buildings, office no. 1 is located towards the frontage of the site with limited impact on the residential properties. Plots 1 and 9 are located close to office No. 2 but the landscaping plans detail the provision of hedges and landscaping to protect the amenity area of these properties. There is also an additional area of landscaping to the rear of office No. 1 (formerly 10 Old Birmingham Road). The Energy Efficiency Statement accompanying the application outlines a range of measures including insulation, solar panels and low energy illumination in accordance with the advice of the SPD. The proposed housing mix, with eight of the nine dwellings being two or three bedroom properties would accord with policy BDP7 of the BDP.

Highways

In respect of highways, policy BDP16 of the BDP and the NPPF advise that applications for development should:

- o give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible to facilitate access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services and appropriate facilities that encourage public transport use;

- o create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

National Highways and Worcestershire Highways initially raised some concerns about the application in 2021. The concerns related to the geotechnical impact of the proposal on the stability of the J1 eastbound sliproad embankment, the impact on the motorway arising from drainage arrangements on the site and the potential impact arising from congestion at the junction both during and post construction. The applicant has provided a Transport Technical Note, a Road Safety Audit, Bank Stability and Cross Sections. There are no objections from Worcestershire Highways or National Highways subject to conditions. The consultees have requested a detailed Construction Environmental Management Plan (CEMP) incorporating a Construction Traffic Management Plan (CTMP) condition.

Site-specific access and the internal road layouts have been assessed and presented in the Highways Technical Note accompanying the application. Whilst the internal roads will not be offered up for adoption by the Local Highways Authority, and will remain private, the proposed development still seeks to meet LHA standards in terms of the specification of the access road.

It has been agreed that a yellow box will be introduced as part of the off-site highways mitigation package to ensure congestion is kept to a minimum at the motorway junction. The existing site access which historically served No. 10 Old Birmingham Road, will be extinguished as part of the proposals. There will be a separate agreement required under Section 278 of the Highways Act 1980 to carry out these works.

WCC Highways have requested conditions in relation to visibility splays, travel plans, cycle parking and EV points. There would be 2 car parking spaces for each of the proposed 2/3 bed dwellings and 3 car parking spaces for the 4 bedroom dwelling. There would be 30 car parking spaces provided to serve the proposed offices in accordance with WCC parking requirements.

WCC have requested a contribution of £2070 towards community transport and NHS Herefordshire and Worcestershire CCG have requested a contribution of £3910 towards additional primary healthcare services. However, the funding is sought for general provision of healthcare/community transport rather than being considered necessary to address specific deficiencies arising from the development. Therefore, the requests would fail to comply with reg.122(2) of the CIL Regulations 2010.

Noise

The site is located immediately to the north of the M42 in close proximity to Junction 1 and the proposal has been accompanied by a Noise Impact Assessment dated March 2023. It is noted that the M42 is in a cutting of approximately 8m at this point, with the

junction roundabout at the same ground level as the site. Members should note that noise mitigation has informed the layout of the proposed development. The residential part of the development has been set back on the site as far as possible with the commercial units forming an acoustic envelope in closer proximity the motorway. There will be a 3m acoustic fence along the remaining sections of the southern boundary as outlined on the Boundary Treatment Plan and proposed photomontage. The Landscaping Plans show that effective screening of the proposed barrier will be provided to mitigate any detrimental impact and therefore the impact of the acoustic fence on the character of the streetscene is considered acceptable. The Noise Assessment demonstrates that an acceptable level of internal and external noise can be achieved through the use of an appropriate specification of noise attenuation barrier and acoustic glazing with trickle vents to achieve a sound reduction index of 34dB. The specification for the proposed acoustic fences for the private amenity areas are considered acceptable. A condition will be imposed in terms of the acoustic specification for the main acoustic fence and for the proposed buildings. There are no objections from WRS (Noise) subject to the imposition of such a condition.

Ecology

The application is accompanied by an updated Bat Survey which confirm that there is an active bat roost in Building 1 (former No. 10 Old Birmingham Road) and a bat mitigation development license from Natural England will be required. Members should note the building will be retained in these development proposals and the habitat will potentially remain. Appropriate conditions have been attached in relation to the Bat License and appropriate ecological mitigation.

Other Matters

The site falls within Lickey End Air Quality Management Area (AQMA) and the proposal has been accompanied by an Air Quality Assessment in accordance with policy BDP19 of the BDP. The report concludes that assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout activities are predicted to be not significant. Furthermore, it was concluded that future residents would not be exposed to excessive levels of air pollution (estimated to be below $40 \mu\text{g}/\text{m}^3$). There are no objections from WRS (Air Quality) in relation to the updated Air Quality Assessment.

There have been no objections from NWWM, WRS (Contaminated Land) or the Councils Tree Officer subject to conditions. No third party representations have been received.

Conclusion

The proposal amounts to the beneficial use of previously development land within a sustainable urban location. The site has a number of constraints, notably the noise impact arising from the proximity of the M42 and the location of the site access on Old Birmingham Road with respect to J1. After a series of amendments, your Officers consider that an acceptable scheme is possible on the site which complies with the requirements of the BDP and the High Quality Design SPD whilst addressing the noise constraints of the site. In the absence of a 5 year housing land supply, the tilted balance of the NPPF is engaged and the proposal is recommended for approval.

RECOMMENDATION:

(1) Minded to **APPROVE FULL PLANNING PERMISSION**

(2) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to determine the full planning application following:

(a) The expiry of the consultation period on 18 September 2023 and in the event that representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.

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:

Drawing No. 100 Rev D Site Location Plan
Drawing No. 102 Rev F Proposed Site Plan
Drawing No. 1970_076_PL01 Rev C Proposed Landscaping Plan
Drawing No. 300 Rev B Proposed Coloured Site Plan and Streetscene
Drawing No. 301 Rev B Proposed Streetscene
Drawing No. 103 Rev C Proposed Demolition/Civils Plan
Drawing No. 400 Rev C Existing/Proposed Sections
Drawing No. 101 Rev C Existing Site Plan
Drawing No. 202 Rev C Proposed Access Plan?
Drawing No. 401 Rev D Proposed Boundary Treatment Plan?
Drawing No. 200 Rev D Proposed Detailed Site Plan 1 of 2?
Drawing No. 201 Rev D Proposed Detailed Site Plan 2 of 2?
Drawing No. 203 Rev A House Type A - Proposed Elevations and Floorplans
Drawing No. 204 Rev F House Type B - Proposed Elevations and Floorplans
Drawing No. 205 Rev E House Type C - Proposed Elevations and Floorplans
Drawing No. 206 Rev E House Type D - Proposed Elevations and Floorplans
Drawing No. 207 Rev A House Type E - Proposed Elevations and Floorplans
Drawing No. 208 Rev D Proposed Office Floorplans
Drawing No. 209 Rev E Proposed Office Elevations

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

- 3) No works above foundation level shall commence 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 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: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 4) The permeable paving areas shall be maintained to facilitate the optimal functionality and performance of the surface water drainage scheme. Permeable surfaces shall not be replaced by impermeable surfaces without prior written approval from the Local Planning Authority.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 5) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with Environment Agency's Land contamination risk management (LCRM) guidance.

2. The detailed site investigation and risk assessment must be undertaken in accordance with the approved Scheme and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place.

3. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 6) The following works, namely the demolition of the building identified as 'B1' on the Building Assessment Plan Figure 1 dated 06.06.22 of the FPCR Bat Survey Report and Mitigation Strategy shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence
- 7) Prior to construction a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details relating to:
- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
 - b. Heavy goods vehicle and construction traffic routing plan (including details of any temporary signage);
 - c. Timing of heavy goods vehicle movements during the construction phase;
 - d. A named point of contact for overseeing construction works and their contact details;
 - e. The location, layout and design of temporary site compounds (including access control, areas for loading/unloading and storing plant, materials and deliveries used in constructing the development), temporary lighting and signage;
 - f. Construction site access location, control and construction haul routes;
 - g. The parking of vehicles of site operatives and visitors;
 - h. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

Development shall be carried out in compliance with the approved Construction Management Plan.

Reason: To ensure the safe and efficient operation of the Strategic Trunk Road at the M42 and junction 1 circulatory.

- 8) Prior to occupation of the development hereby approved, detailed plans showing the proposed location and design of ecological enhancement measures (in accordance with the Mitigation Strategy, outlined in paragraph 1.1 of the Focus Environmental Bat Survey Report Ref 2156 dated March 2023) including bat boxes and a sensitive lighting scheme, shall be submitted to and approved by the Local Planning Authority.

Within 3 months of the occupation of the development, photographic evidence and a post-development ecological field survey and assessment shall be submitted to and approved by the Local Planning Authority to demonstrate the delivery of the ecological enhancement and protection measures is in accordance with the approved measures and in accordance with Chartered Institute of Ecology and Environmental Management (CIEEM) standards. The development shall accord with the details as approved and retained for the lifetime of the development.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and the mitigation and adaptation to climate change.

- 9) Prior to the commencement of the development hereby approved, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted AMS shall provide sufficient detail in accordance with the recommendations set out in paragraph 4.5 of the submitted BS5837:2012 Arboricultural Survey and Impact Assessment (AIA) dated March 2023.

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

- 10) All retained trees and their Root Protection Areas must be protected during clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. No storage of plant/materials within the Root Protection Areas of any retained trees.

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

- 11) The Development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

- 12) 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.

- 13) The Development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an 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.

- 14) The proposed offices hereby approved shall not be opened to the public until 4 electric vehicle charging spaces has been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority. Such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To encourage sustainable travel and healthy communities.

- 15) 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 to serve the residential and office elements in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

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

- 16) The Development hereby approved shall not be occupied or be brought into use until the visibility splays shown on drawing 24007 - 02 Rev B have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety.

- 17) The Development hereby approved shall not be occupied or be brought into use until the existing vehicular/pedestrian access shall be permanently closed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe and free flow of traffic using the adjoining highway.

- 18) The Development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan using Modeshift STARS Business. They must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation.

Reason: To reduce vehicle movements and promote sustainable access

- 19) The Development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of occupation.

Reason: To reduce vehicle movements and promote sustainable access.

- 20) Prior to development commencing, full details of proposed noise mitigation measures including the acoustic fencing and glazing shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason: In the interests of residential amenity and in accordance with National Planning Policy Framework.

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