

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Miller Homes	Reserved Matters (Layout; scale; appearance and landscaping) to outline planning permission 16/1132 (granted on appeal APP/P1805/W/20/3245111) for the erection of 120 dwellings with associated car parking, landscaping and other infrastructure within the northern section of Site A.	18.12.2023	23/00993/REM
	Land At, Whitford Road, Bromsgrove		

### RECOMMENDATION:

- (a) Minded to **APPROVE** the Reserved Matters of layout, scale, appearance and landscaping
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning and Leisure to determine the Reserved Matters of layout, scale, appearance and landscaping following the receipt of a suitable and satisfactory legal mechanism in relation to affordable housing type and mix.
- (b) And that **DELEGATED POWERS** be granted to the Assistant Director for Planning and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report

### Consultations

#### Worcestershire Highways - Bromsgrove

- No objection.
- Recommends conditions: turning /parking facilities; visibility splays; cycle parking; CEMP
- The proposed road layout accords with the adopted Streetscape Design Guide. Forward visibility at the bends (25m) and junction visibility at all the side roads (25m) will be provided in accordance with the required standard. The full extent of the visibility splays are provided within the extents of the future adoptable public highway.
- All proposed footways adjacent to properties are 2m wide. The proposed turning heads are designed in accordance with the Streetscape Design Guide and there are 1m service margins provided at the back of all turning heads.
- The proposed 20mph design speed will be achieved across the site by appropriate horizontal alignment with the exception of the western roadway. On this road, the 20mph design speed will be controlled by the use of priority build-outs forming a continuous and compatible arrangement where the roadway joins the consented phase 1 parcel.

- There is a deficit of four spaces across the site. Whilst this is not ideal, it is noted that these plots are dispersed across the site and are away from pinch points such as bends in the roads.
- A series of footpath connections through the public open space - Please note that this will not form part of the future adoptable highway extents. At the northern, the supporting plan shows an indicative access to Timberhonger Lane. The Local Planning Authority have confirmed that this arrangement is indicative and will be subject to more detailed technical evaluation as part of a future Discharge of Condition planning application (Condition 32) where this will be supported by details of surfacing, visibility splays and a supporting Road Safety Audit 1 / 2.

### **National Highways**

- No objection.

### **Housing Strategy**

- No objection.
- Agreeable to proposed amendment to affordable housing type and mix. Pepper potting of affordable units around the site is acceptable. Supportive of amended layout which increases private garden areas and vehicle manoeuvring space for affordable units.
- Supportive of revised internal layout of 'Peyton' which provides improved useable space and privacy.

### **Place Services (Urban Design)**

- The layout for the scheme is largely in accordance with the indicative masterplan, the development areas parameters plan and the principles described in the Design and Access Statement.
- The layout has much improved with built form and active frontage now being provided in continuous perimeter blocks as set out in the masterplan, and with much reduced parking dominance to the Main Street and Green Edge Character Areas
- There is also a clear difference in the typologies proposed in each of the three character areas, with the Main Street and Green Edge providing detached dwellings, the Neighbourhood providing semi-detached and terraced properties and the Landscape Edge forming largely continuous terraces which work in concert with the positive proposal for a landscaped bund and acoustic fence to guard against the noise pollution from the M5.
- We commend the introduction of the coach house at plot 105 to ensure the rear parking court is well observed. We would strongly recommend that the second poorly observed parking court to the rear of plots 64 to 67 is securely gated and a key fob operation or equivalent is instigated for safety and security reasons.
- Unable to support the architecture for the Landscape Edge; there is a missed opportunity to establish and maintain a fully coherent rhythm between the higher and lower dwellings and there is a missed opportunity to fully express the gables of the taller properties by ensuring that the ridgeline runs from front to back. Instead, by running the roof pitches from front to back and projecting a lower gable from them, the gables remain subservient to an overall higher ridge line, leading to a roof dominant composition.

- It is unfortunate that the first-floor fenestration of the Peyton Village house type remains imbalanced, being a two-window range, and is therefore not expressive of the main bedroom it is serving. There is a missed opportunity to provide a central, generously proportioned single window to line through with the smaller window above. It is also considered that the relationship of the single second-floor window has an uncomfortable relationship with the first floor and the ungenerous gable roof above.

#### **WRS - Noise**

- No objection
- The revised proposed layout appears satisfactory in terms of minimising noise levels in the rear external amenity areas and is in line with the approved Outline layout. In terms of the acoustic barrier(s), in line with the approved Outline plan the barrier should extend further in a northeasterly direction in order to minimise noise impacting the most northerly dwellings.

#### **WRS - Contaminated Land**

- No objection
- WRS would raise no adverse comments in respect of this Reserved Matters application but would highlight that the stated contaminated land condition still applies to the outline application for this area of the site.

#### **WRS - Air Quality**

- No objection

#### **North Worcestershire Water Management**

- No objection
- Since conditions 11, 16 and 17 of the outline planning permission 16/1132 cover the CEMP, SuDS maintenance and drainage I do not believe it is necessary to request that information now, however I would like to point out that condition 17 is a pre-occupation condition.
- Suggest replacement pre-commencement condition for surface water drainage

#### **Severn Trent Water Ltd**

- No objection
- The submitted Drainage Strategy Addendum – 17th December 2021, surface water is to discharge to a nearby ditch course, to which we would have no comment and advise discussing with the LLFA. Foul sewage is shown to discharge to the public foul sewer, please note the pumped rate and frequency will need to be agreed with STW via the connections application.
- Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991.

#### **Environment Agency**

- No objection
- Refer to existing conditions attached to the outline (9, 10, 11 and 20) and highlight clarification should be provided over the use of materials to make up site levels.

### **Arboricultural Officer**

- Consulted: views awaited on the revised Arboricultural Assessment and landscape plans that have been submitted.

### **Community Safety Manager**

- Recommends use of 'secure by design'.
- Supportive of: the speed restriction that is built into layout; the closed cul-de-sacs; the positive block design with gardens abutting one another. Recommends maximising natural surveillance between the site and Timberhonger Lane (including through the existing landscaping). Natural surveillance generally good. Prefers parking that is well lit dusk to dawn/overlooked.

### **Waste Management**

- Clarification awaited regarding bin collection points located in different positions on different plans, otherwise OK from a waste perspective.

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

- The land (northern parcels) for which this Reserved Matters application relates has not yet been archaeologically investigated (parcels to the south underwent archaeological evaluation and targeted excavation in 2022). A condition for a programme of archaeological works has been conditioned as part of planning application 16/1132 - (granted on appeal APP/P1805/W/20/3245111) and therefore no development should take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing, as per the condition wording for planning application 16/1132.

### **Worcestershire County Council Countryside Service**

- No comments.

### **Publicity**

1017 letters sent 22 September 2023 (expires 16 October 2023)

Site Notices displayed 27 September 2023 (expire 19 October 2023)

Press Notice published 29 September 2023 (expires 16 October 2023)

8 representations received raising the following principal concerns:

- Object to housing development on the site
- Gridlocked traffic and roadworks
- A Western bypass is required.
- Difficulty in obtaining doctors appointments/dentist appointments/school placements.
- Impact on flora and fauna / re-consider the land use from housing to re-wilding

- No compensation for existing local residents for upheaval and devaluing of their houses
- Houses should be designed and built to include energy efficiency measures; should provide fewer car parking spaces.
- Lack of community areas.
- Concern at impact on existing soakaway on the site that serves existing dwellings.
- Concern at possible flooding.

### **The Bromsgrove Society**

- Please regard the comments as being a neutral representation.
- The Society identifies some of the gardens are less than minimum standards of HQDSPD. Mitigation of noise from the M5 should be given substantial weight when the acoustic barrier proposals are considered.

### **Cllr David Hopkins**

Wishes to speak at Planning Committee due to the important nature of the plans.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP3 Future Housing and Employment Development  
BDP5A Bromsgrove Town Expansion Sites  
BDP7 Housing Mix and Density  
BDP19 High Quality Design  
BDP21 Natural Environment  
BDP24 Green Infrastructure

#### **Others**

National Planning Policy Framework (2023)  
National Planning Practice Guidance  
National Design Guide  
Bromsgrove High Quality Design SPD

### **Relevant Planning History**

The application site forms part of a larger site that was the subject of a planning appeal (APP/P1805/W/20/3245111). The appeal was allowed in 2021 granting outline planning permission for:

*site A—(land off Whitford Road), provision of up to 490 dwellings, class A1 retail local shop (up to 400sqm), two new priority accesses onto Whitford Road, public open space, landscaping and sustainable urban drainage; on site B (Albert Road), demolition of the Greyhound public house, provision of up to 15 dwellings, an new priority access onto Albert Road, landscaping, and sustainable drainage*

The Planning Inspector also considered and allowed the Reserved Matter of Access. This included consideration of traffic movement and highway safety together with a proposed mitigation package and approved 2 vehicular access points into the site from Whitford Road.

The appeal was allowed subject to a s106 Obligation that secured a number of contributions and mitigation measures and conditions that set out a number of requirements to be addressed as part of the Reserved Matters application.

s106 Obligation contributions and mitigation measures including:

- Provision of Affordable housing;
- Healthcare contribution;
- Education contribution towards improving/providing First School and High School education provision;
- Provision of Public Open Space within the development site;
- Scout and Guide Contribution;
- Contribution for improvements to Sanders Park;
- Waste Management Contribution;
- Financial contribution towards the cost enhancement of pedestrian & cycle links through Bromsgrove Town Centre and capacity and infrastructure improvements on key corridors including Market Street;
- A38 Bromsgrove Route Enhancement Contribution to deliver improvements and upgrade works to the A38 corridor between the junction of the A38 Eastern Bypass (Lydiate Ash) and the B4094 Worcester Road to the South and M5 junction 4 to the north Hanbury Turn; junction improvement works at Market Street/St Johns street and St Johns Street/Hanover street/Kidderminster Road;
- Personal Travel Plan contribution to promote more sustainable means of travel
- Public Transport Contribution;
- Sustainable Infrastructure contribution towards the Active Travel Infrastructure and Whitford Road Cycle Route.

Condition requirements to be addressed as part of the Reserved Matters submission:

- Condition 4 of the outline consent requires development to be carried out in accordance with composite location plan 16912/015; location plan for Whitford Road 16912/1004, proposed site access Whitford Road (north) 7033-SK-032 rev A, proposed site access Whitford Road (south) 7033-SK-032 rev A, informal pedestrian crossing Whitford Road ref 7033- SK-033 rev A; potential toucan crossing location ref 7033-SK009 rev B; Fox Lane/ Rock Hill schematic proposed arrangement 7033-SK-005 rev F; potential mitigation for Rock Hill/Charford Road mini-roundabout ref 7033-SK-013 rev E; potential A448 signalised crossing ref 7033-SK-105 rev A, Whitford Road/Perryfields Road proposed junction arrangement ref 461451-D-014.
- Condition 5 of the Outline permission requires that the Reserved Matters accord with the indicative masterplan 16912/1012 rev B, development parameters plan 16912/1017B and the principles described in the DAS dated 7th January 2016 and the addendum dated 3rd January 2018. This condition requires that any RM application shall include a statement providing an explanation as to how the design of the development responds to the relevant DAS.
- Condition 6 requires the reserved matters submitted to be in accordance with the maximum scale parameters for buildings as set out in paragraph 5.5.4 of section

5.5 of the Design & Access Statement. 5.5.4. The majority of the built form will be two storeys (approximately 5m to eaves, 8-9m to ridgeline), with opportunities to consider rising to two and a half storeys where variations in building heights will help create a more interesting street-scene. Conditions 12 and 21 stipulate that the first RM relating to layout shall include a plan identifying the number and location of open market and affordable housing units which should also identify the size, type and tenure.

- Condition 14 necessitates details of facilities for the storage of refuse to be provided.

### Recent Applications

22/00090/REM	Reserved Matters (layout; scale; appearance and landscaping) to outline planning permission 16/1132 (granted on appeal APP/P1805/W/20/3245111) - for the erection of 370 dwellings with associated car parking, landscaping and other infrastructure within the southern section of Site A Non Material Amendment to condition 1 landscaping drawings of Reserved Matters approval 22/00090/REM: Replacement of translocated hedge. New hedge planting along Whitford Road	Approved 08.07.2022
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24/00150/REM	Reserved Matters application (Layout, Scale, Appearance and Landscaping) to outline planning permission 16/1132 (granted on appeal APP/P1805/W/20/3245111) for the erection of a retail unit and associated infrastructure within Site A.	Delegated by Planning Committee 08.08.2024 Awaiting Legal Agreement
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### Other applications currently under consideration on Site A

24/00117/S73	Variation of condition 25 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132): FROM: No part of the development shall be occupied until the junction of Fox Lane/ Rock Hill has been altered in accordance with the scheme for a roundabout shown on the plan Fox Lane/ Rock Hill schematic ref 7033-SK-005 revision F. AMEND TO: No more than 39 dwellings shall be occupied until the junction of Fox Lane/Rock Hill has been altered in accordance with the scheme for a roundabout shown on the plan Fox Lane/Rock Hill schematic scheme ref 7033-SK-005 revision F
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<p>24/00516/S73</p>	<p>Variation of condition 22 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132):            FROM: 22) No dwelling shall be occupied until the acoustic fencing on the north-western part of the site has been erected in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The acoustic fencing shall be retained thereafter.            AMEND TO: 22) No dwelling shall be occupied on the north-western part of the site Phase 2 (Miller Homes Area) as indicated on drawing number 16912/1004 N01 until the acoustic fencing on the north-western part of the site to which it relates, has been erected in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The acoustic fencing shall be retained thereafter. In relation to the remainder of the site, Phase 1 as indicated on drawing number 16912/1004 N01 (Bellway Homes Area) a noise mitigation measures scheme shall be submitted to and approved in writing by the local planning authority. (enclosed with this application)</p>
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### **The Site and its Surroundings**

The site forms part of the Bromsgrove Town Expansion Site BROM3 allocated for development in the District Plan. It comprises approximately the northern third of part of a larger site (Site A) granted outline planning permission by The Planning Inspectorate on 9<sup>th</sup> February 2021.

It is located to the south and west of Timberhonger Lane, to the east of the M5 and north of the site of residential development approved under 22/00090/REM in 2022 (Bellway Homes Ltd) and the site of a proposed retail unit and associated infrastructure (24/00150/REM) both within Site A.

The topography of the site is undulating; the site slopes from the south west by the motorway to the north east (Timberhonger Lane). Topographical information submitted with the application shows a levels difference of approximately 23m across the site. An existing water main crosses the site from north to south through the western section. It enters the site approximately half way along the north western boundary and leaves the site at the southernmost tip just above the hedgerow with the Bellway Homes part of Site A. The site is mostly grass with trees and hedgerow to most of the site boundaries.

### **Proposal**

Following the granting of outline planning permission and the approval of the Reserved matter of Access by the Planning Inspector, this application seeks consent for the remaining 4 Reserved Matters for the erection of 120 dwellings together with associated car parking and other infrastructure on the northern third of site A.



The 4 Reserved Matters to be considered relate to:

- **Layout** - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- **Scale** - the height, width and length of each building proposed within the development in relation to its surroundings.
- **Appearance** - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; and
- **Landscaping** - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
  - (a) screening by fences, walls or other means;
  - (b) the planting of trees, hedges, shrubs or grass;
  - (c) the formation of banks, terraces or other earthworks;
  - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
  - (e) the provision of other amenity features.

For clarity, the matter of external **Access** has already been determined and approved, thus does not fall to be considered as part of the current application.

The proposed layout and landscaping are such that Green Infrastructure forms a horseshoe around the western, northern and eastern edges of the site with the residential dwellings contained within this area and sharing an existing hedgerow to the southern edge with the Bellway Home development beyond.

Sustainable Urban drainage, pedestrian / cycle access to Timberhonger Lane and noise mitigation are indicated within the proposal, though details on these matters and levels are to be addressed under conditions attached to the outline planning permission by the Inspector.

A mix of 1, 2, 3 and 4 bed units are proposed with a combination of terraced, semi-detached, detached, apartments and bungalows as set out in the table below, along with information on tenure. Most dwellings are 2 storey in height, with some 2.5 storey (3 floors) and 6 bungalows are proposed.

The development is arranged in 3 character areas:

- Landscape Edge – faces onto natural green space along the western side of the site and forms part of the acoustic barrier to the M5.
- Neighbourhood – central elements and typically includes the tertiary street network.
- Main Street Green Edge – incorporates north edges and the central primary street.

The following table sets out the housing mix and tenure:

Housing Mix and Tenure	Tenure	No. of Bedrooms	Dwelling Type	Total of Each Dwelling Type	Combined Total Each Dwelling	Total Affordable Housing by type	Overall Total				
Market Housing	Private	2	L255 Delmont	13	13		72				
			3	L356 Denton	22			39			
		L358 Whitton		4							
		L361 Braxton		5							
		L363 Hampton		8							
		4	L459 Glenwood	12	20						
			L463 Cherrywood	2							
			L464 Chesterwood	6							
		Affordable Housing	Shared ownership	2	201 Greymontsp			3	8	19 shared ownership	48
					201 Finstall			1			
AL22 Shermont	4										
3	AL31 Peyton			11	11						
Social rent			1	AL11 Bungalow	2	6	29 social rent				
				AL12 Bungalow	4						
			2	201 Greymontsp	2	9					
				201 Finstall	1						
				L256 Glenmont (FoG 3 per)	2						
				AL22 Shermont	4						
			3	AL30 Hayton	7	12					
				AL31 Peyton	5						
			4	AL40 Taywood	2	2					
		Market housing + affordable housing								120	

## **Assessment of Proposal**

### **Principle of Development**

The principle of the proposed development has been established through the granting of outline permission 16/1132 allowed on appeal. The proposal for 120 dwellings plus the 370 dwellings already approved under 22/00090/REM complies with the number of dwellings (granted by the outline planning permission up to 490 dwellings on Site A). Thus, I have attached very little weight to objections raised by residents with regards to the release of this site for housing provision, traffic and highway issues external to the site, the impact on infrastructure including schools, doctors and dentists, drainage and flood risk and wildlife issues, as the principle of development on this site has already been established by the outline permission. These matters were addressed by the Planning Inspector and cannot be reconsidered under this Reserved Matters application.

Therefore, the issues for consideration by Members are limited to matters of the internal vehicular access arrangement, layout, scale, appearance and landscaping.

### **Phasing**

The proposal relates to approximately one third of what is referred to in the appeal as Site A. In determining the appeal, the Inspector anticipated development taking place on a phased basis and this is reflected in the wording of many of the conditions. The submission of a RM application for only part of site A is acceptable.

### **Layout**

The outline planning permission granted on appeal is subject to a condition that the Reserved Matters shall be in accordance with the indicative masterplan and the development areas parameters.

Public open space is proposed to the western boundary and continues in a horseshoe arrangement around the edges of the site, development is set back behind landscaping along Timberhonger Lane, a SUDS pond is proposed within a landscaped area to the eastern section of the site and the hedgerow along the southern boundary is shown as retained. These accord with the masterplan.

The terrace form of housing along the western edge together with an inner Neighbourhood Area and dwellings looking outwards towards the horseshoe arrangement of the open space also accords with the masterplan. The use of a primary loop road, with Main Street Green Edge, connecting with the Bellway site and the incorporation of a hierarchical highway network again reflects the masterplan.

There are some differences in the proposal compared with the master plan and parameters plan, for example in the position of the terrace. Dwellings are generally set further back from the western boundary with the M5 in the current proposal, resulting in a wider area of green space. The greater distance is considered to offer more scope for an acoustic mitigation scheme that integrates more sympathetically with the streetscene and offers the potential for an improved outlook for residents living along the western Landscape Edge. The masterplan indicates 2 sections of 4m high acoustic fencing located directly opposite

dwellings. Whilst performing an important acoustic function there is a risk that a 4m high acoustic fence could appear prominent and alien in the streetscene and adversely impact on the outlook for those dwellings. It is considered that this helps in achieving a well-designed and beautiful plan as required by the NPPF and policy BDP19.

In the north-west corner, development does extend slightly closer to Timberhonger Lane compared to the masterplan and parameters plan. However, it is aligned with the northern part of the Main Street Green Edge and sits comfortably within its setting. This also has the benefit of enabling more generous rear gardens for plots at this part of the site. This aspect of the proposal is considered acceptable.

In summary, the differences between the current proposal and the masterplans and parameters plan are not considered to be significant and overall the proposed is considered to meet those requirements.

There is a variety of garden sizes and not all meet the 70sm size set out in the High Quality Design Guidance. The gardens of 42 out of 120 dwellings have rear gardens of less than 70sqm and this relates to both market and affordable units. Several are just below, and others have gardens that exceed this figure. The topography of the site is challenging, there is ready access to open space immediately adjoining the residential dwellings and overall, the proposal does comply with the masterplan. On balance and taken as a whole, any identified shortfall is considered acceptable.

Although details of levels are to be dealt with under planning conditions, it is clear from the information submitted with the application that some retaining structures will be required. This is most evident in part of the site where the natural levels fall away quite steeply – close to the hedgerow that divides the Miller Homes site from Bellway Homes and between plots 68-75 and the dwellings in the row behind (plots 35-40). This is in part due to the existing topography and also the need to secure satisfactory highway levels. The information submitted indicates a retaining wall of up to approximately 5m. This affects a mix of both market and affordable plots. The Inspector did not restrict the use of such retaining walls. Due to topography, retaining walls are also employed on the adjoining Bellway Homes site. Relatively few dwellings would be affected though it will appear as a substantial structure at the end of those gardens. It will simultaneously provide privacy and it is considered that daylight and sunlight would still permeate the gardens of those dwelling due their orientation. On balance this is considered acceptable.

The layout includes a variety of parking arrangements, some are on-plot, others are within rear parking courts. The spaces are located relatively close and the properties and there is gated access between the individual gardens and the parking at the rear. This arrangement has the benefit of enabling a strong streetscene, particularly along the western Landscape Edge where it ensures a consistence with the position of buildings with the Bellway site and enables the creation of a terrace form of development that is integral to noise mitigation for rear gardens as per the masterplan. The parking courts would be overlooked by windows from the residential properties themselves and solid gates are shown across the entrances through vehicular gaps in the ground floor of the terraces. In the case of the parking court to the rea of plots 103-108, a dwelling would be located within the parking area providing direct surveillance. Whist there are some sections of the neighbourhood where several parking spaces are located in a line, this is for relatively short stretches and on balance is considered acceptable.

The layout plan includes an indicative link onto Timberhonger Lane. This accords in principle with planning condition 32. However, full details will be required under that condition. The Highway Authority has stated within its comments that technical details surfacing, visibility splays and a supporting Road Safety Audit 1 / 2 will be required as part of the condition submission.

### Scale

Condition 6 requires that the Reserved Matters accord with the maximum scale parameters for buildings as set out in paragraph 5.5.4 of section 5.5 of the Design & Access Statement. This states that the majority of the built form will be two storeys (approximately 5m to eaves, 8-9m to ridgeline), with opportunities to consider rising to two and a half storeys where variations in building heights will help create a more interesting street-scene. The majority of proposed dwellings are 2-storey and comply with the heights specified. A selection of house type plans has been included in the officers presentation however elevations and floor plans for all proposed house types are available to view on the Council's website under the application reference.

The Peyton house type is 2.5 stories. As a result, it is taller than the specified heights (approximately 10m high). It performs an important role in mitigating noise from the M5 permeating rear garden areas. This is a material planning consideration. This function is envisaged in the masterplan layout and the resultant height is considered acceptable in the street scene. A tall roof is a feature of some of the house types and this is again related to noise mitigation. The majority of the dwellings meet the heights specified, those that are taller serve an important role in noise mitigation. In this context and on balance the scale of the dwellings is considered acceptable.

### Appearance

The Council's Urban Design Consultant is supportive of the different character areas. As can be seen from the house type table above there are several different house types. For a development of this size, it is considered that this ensures sufficient variety in the streetscene yet enough similarities to ensure a consistent and coherent design for the development.

It is intended that key corner plots be occupied by rendered dwellings while others will be brick. There is a variety in roof forms: hips and gables to maintain interest and quality in the streetscenes. No material samples have been provided and although a materials plan has been submitted the information of the products is limited. Therefore, a condition is proposed to require samples to ensure the satisfactory appearance of the development. This is consistent with the approach taken in the adjacent Bellway scheme.

With regard to the Peyton house type, the Council's Urban Design Consultant has expressed a preference for a single window at first floor to reflect the fact that this is one room. They have also expressed a preference that the orientation of the roof of this dwelling type be switched from parallel with the highway to running front to back with the front gable being fully expressed. Whilst the aesthetic benefits of this approach are acknowledged, the applicant as explained such a roof orientation would reduce the amount of built form to the detriment of the noise strategy set out under the outline scheme. This is a material planning consideration. The house type has been amended to improve both the internal layout and to increase the gable height to improve the elevation and in turn the appearance of the

terrace and as a consequence the streetscene. The orientation of the roof design is considered acceptable given the implications for satisfactory noise management. The window sizes have been adjusted in the revised design and align with the ground floor windows and doors. This is considered acceptable. The use of 2 windows to serve one room is not unusual and in the context of the external appearance of other house types is not considered harmful.

Subject to a materials condition the external appearance of the dwellings is considered acceptable.

### Housing Mix

Policy BDP5A7.a) states that a high portion of 2- and 3-bedroom properties are required to be provided to reflect local need. A total of 73 units of 2-3 bedroom are proposed as part of the development; the proposed housing mix is acceptable and accords with the policy.

The applicant has proposed an amendment to the affordable housing type and mix and shown in the table below. This will require a Deed of Variation to the existing s106 Legal Agreement attached to the outline planning permission. The Housing Officer has advised the proposed change is acceptable. The proposed change will still secure the same number of affordable units – the existing mix would change as set out, however there is need for these properties and following advice from the Housing Officer, the change is considered acceptable.

Tenure	Type	Mix (no. of units) existing	
		Existing proposed to be changed	Proposed
Social rent	1 bed 2 person flat	18%	2 units
	1 bed 2 person bungalow	4%	6 units
	2 bed 3 person bungalow	4%	0
	2 bed 4 person house	30%	7 units
	3 bed 5 person house	39%	12 units
	4 bed 7 person house Instead provide 4 bed 6 person house	5%	0 2
Shared ownership	2 x 4 person house	40%	8 units
	3 x 5 person house	60%	11 units

### Landscaping

The location of the public open space and main green infrastructure is in accordance with the masterplan.

The boundary treatment plan shows a combination of wall and fence to most corner plots. The exception is plot 96. It is considered appropriate that this should also be provided with a wall/fence to ensure consistency throughout the development, and that it appears satisfactory in views into the site from Timberhonger Lane. The detailed design of boundary treatments will be subject to a condition to ensure these are satisfactory and a high quality development is achieved.

A bund is indicated on the submitted drawing within the western area of open space. Whilst there is no objection in principle, full details will be subject to conditions. There are existing conditions on the outline planning permission which are relevant with regard to engineering (condition 20) levels (30) and an acoustic scheme (condition 22).

The Council's Arboricultural Officer has indicated that the range of planting will provide a suitable degree of seasonal interest and the size of stock and density of planting to give suitable degree of landscape structure to the site. The applicant has submitted a revised Arboricultural Assessment to address the indicative proposal for a pedestrian /cycle link onto Timberhonger Lane to accord with condition 32 of the outline approval and has amended the landscape plans accordingly. The Tree Officer is currently reviewing the submission, and I will update Members at the meeting on this issue.

The hedgerow between the application site and the Bellway Homes site to the south is to be retained as indicated on the submitted plans and section drawings. The section drawings suggest that retaining walls may be required either side of the hedge adjacent to plot 75. However, full details are not currently available and clarification is required on the implications for the hedgerow. It is noted that the masterplan does include for the removal of part of the hedgerow. I will update Members at the meeting on this issue.

### Ecology

The applicant's Ecologist has stated that the hedgerow will still provide connectivity through the site along the hedge for wildlife to use for commuting purposes although inevitably the presence of the dwellings will make this route less desirable. There is, however, suitable and adequate connectivity to the brook via the Green Infrastructure and open space on the site, and therefore there is more than one opportunity in addition to the hedgerow for wildlife including protected species to use on site. This is an allocated housing site with outline planning permission. The required LEMP under condition 29 and the suitable mechanism via Natural England Licensing will ensure satisfactory protection for protected species.

The applicant has stated that their ecologist is monitoring protected species known to visit the site and will apply to Natural England for any necessary licences to ensure suitable protection is in place. Natural England is the appropriate authority to issue any necessary licences in relation to protected species and it is usual that a planning permission (outline plus Reserved Matters) is required to be in place to support such Licence applications

### Drainage

NWWM has requested a condition in place of condition 17 of the outline planning permission as this is a pre-occupation condition. However, conditions 16 and 17 attached to the outline planning application address drainage matters. These were imposed by the Inspector and it is not considered reasonable to impose more onerous conditions on Reserved Matters submission without clear justification. The imposed conditions state:

- 16) No development shall take place on a particular phase of site A or on site B until a sustainable urban drainage system (SUDS) has been constructed on that land in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The scheme shall include measures to secure the on-going maintenance of the SUDS following the completion of the development. Thereafter, the SUDS shall be maintained in accordance with the approved scheme.
- 17) No dwelling shall be occupied on a particular phase of site A or on site B until a drainage system for the disposal of foul and surface water on that land has been completed in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.

Condition 16 in particular requires no development until the SUDS has been constructed. These are considered satisfactory and the requested condition from NWWM is not deemed to be necessary.

### Impact on the Amenity of Existing Properties

There are 2 existing dwellings along Timberhonger Lane. These pre-exist both the allocation for the site for development in the District Plan and the granting of the outline planning permission.

Under the current application no dwellings are proposed to abut these properties. Instead, an area of open space is proposed. In both the masterplan and the current proposal, a SUDS pond is proposed to be located within the area of open space. There is no concern in this arrangement. One of the residents has referred to an existing soakaway that serves the properties and which is located on the proposed open space. This is a civil matter between the landowners and any easement which may exist.

Details of the proposed drainage and the SUDS arrangement will be dealt with under conditions 16 and 17 arising from the appeal decision and this may include revised arrangements for the existing soakaway.

There is also an adjoining parcel of land that originally formed part of Site A in the outline planning permission. It fronts onto Timberhonger Lane. That land is currently used for grazing and is itself subject to a planning application for three dwellings (23/01224/OUT). There is no concern regarding the impact of the development on this adjoining land.

There is no concern regarding the impact on the amenity of properties along Whitford Road or Deansway given the distance. The relationship between the proposed dwellings and those on the Bellway Homes site is considered acceptable and raises no concerns.



Overall, the impact of the development on the amenity of future residents is considered satisfactory.

### Highways and Parking

The Highway Authority has been consulted and following the submission of amend plans has raised no objection. The layout is deficient in 4 parking spaces when assessed against the WCC parking standards. However, the Highway Authority has raised no concerns given the location of the affected plots dispersed around the site and away from key junctions. This slight deficiency is not considered to cause a level of harm that itself would justify a refusal and is therefore considered acceptable.

The WCC Highway Officer has recommended conditions. The conditions relating to the approved plans and requiring the provision of the turning area, parking facilities and visibility splays are considered appropriate. However, there are existing conditions attached to the outline planning application that address the other matters raise (cycle parking and CEMP). These are not considered necessary to impose.

### Other Matters

Members will note that Waste Management are seeking clarification on bin collection points. I will update Members on this issue at the meeting.

### Conclusion

This is an allocated development site and outline planning permission with the Reserved Matter of Access has been allowed on appeal. Whilst it is acknowledged that some of the plots will be impacted by sizable retaining walls, the Inspector did not restrict this and, given the site topography, it is not unexpected. Similarly, some of the private rear gardens are less than the spacing standard set out in the High Quality Design SPD. However, when assessed holistically against the policies of the District Plan the proposal is considered to comply.

The four Reserved Matters under consideration are found to comply with the relevant conditions imposed by the Planning Inspector and to adhere to the masterplan, the principles of the Design and Access Statement and to the NPPF.

In the planning balance and taking account of material planning considerations, the development as a whole is considered to be acceptable and subject to the conditions set out below, is recommended for approval

### **RECOMMENDATION:**

- a) Minded to **APPROVE** the Reserved Matters of layout, scale, appearance and landscaping
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning and Leisure Services to determine the Reserved Matters of layout, scale, appearance and landscaping following the receipt of a suitable and satisfactory legal mechanism in relation to affordable housing type and mix.

- (c) And that **DELEGATED POWERS** be granted to the Assistant Director for Planning and Leisure Services to agree the final scope and detailed wording and numbering of conditions as set out in the summary list at the end of this report

**Conditions to include**

- Timing condition
- Plans
- Provision of parking/turning/visibility splays
- External materials
- Details of boundary treatments
- Details of bund

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