

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 2ND OCTOBER 2017, AT 6.00 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones (during Minute No. 36/17), M. T. Buxton, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer, L. J. Turner (substituting for Councillor S. J. Baxter) and P. J. Whittaker

Officers: Mr. D. M. Birch, Mr. D. Kelly, Mrs. T. Lovejoy, Mrs. J. Smyth and Mrs. P. Ross

32/17 **APOLOGIES**

Apologies for absence were received on behalf of Councillors S. J. Baxter, C. A. Hotham and M. A. Sherrey. Councillor L. J. Turner was confirmed as Councillor Baxter's substitute for the meeting.

33/17 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

34/17 **MINUTES**

The minutes of the meeting of the Planning Committee held on 4th September 2017 were received.

**RESOLVED** that the minutes of the meeting be approved as a correct record.

35/17 **2017/0761/FUL - RESIDENTIAL DEVELOPMENT OF 148 DWELLINGS (AMENDMENT TO 2015/0687) - FORMER POLYMER LATEX SITE, WESTON HALL ROAD, STOKE PRIOR, WORCESTERSHIRE - MR MARK ELLIOT**

Officers provided additional information in relation to the proposed residential development, with regards to: Highway, Contaminated Land, Air Quality Matters and Urban Design matters, further to additional comments received from Highway Consultant Mott McDonald, Worcestershire Highways Authority and Worcestershire Regulatory Services; proposals for amending Conditions 6 and 7; with the addition of seven further Conditions; and amended Section 106 contributions towards the provision of enhanced education facilities at Stoke Prior First School, Shared Aston Fields and St John's Middle and South

Bromsgrove High, all as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting. Officers also provided a verbal update on comments received from the Council's Drainage Engineers who had no objections to the development.

The Committee then considered the Application, which had been recommended for approval by Officers. Having considered the Officer's report and Update, Members queried why there was no mention in the Section 106 details for the provision of wheelie bins for the proposed development; and that funding should be sought from the developer. Officers explained that this had been omitted from the application as approved in 2015 but could be rectified through the amended S106 agreement should Members be minded to approve the Application. In response to Members queries, Officers also provided clarification as to why the NHS had not sought contributions under the original or this amended Application.

**RESOLVED** that

- 1) Planning Permission be delegated to the Head of Planning and Regeneration to determine the planning application, subject to the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
  - i. the provision of 21 affordable housing units;
  - ii. a contribution of £285,685.61 towards the provision of enhanced education facilities at Stoke Prior First School, Shared Aston Fields and St John's Middle and South Bromsgrove High;
  - iii. a contribution of £23000 towards public transport improvement measures including bus stops on Shaw Lane and cycle provision at Ryefields Road;
  - iv. the provision and maintenance in perpetuity of the proposed on site public open space, Local Equipped Area of Play and areas for habitat enhancement;
  - v. the provision of and maintenance in perpetuity of the proposed drainage facilities on the site (including the balancing ponds and pumping station); and additionally
  - vi. a contribution of £61.40 per dwelling for the provision of wheelie bins and a separate contribution of £1632 per apartment block for the provision of communal bins.
  
- 2) the Conditions as detailed on pages 14 to 18 of the main agenda report, but with Conditions 6 and 7 being amended to read as follows:
  6. The remediation of the site must be carried out in accordance with the Georisk Management Geoenvironmental Assessment; Report ref: 14247/1 and the Georisk Management Remediation Method Statement & Validation Plan; Report ref: 14247/3, Dated: July 2017

prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority;

7. Following the completion of the measures identified in the Georisk Management Geoenvironmental Assessment; Report ref: 14247/1 and the Georisk Management Remediation Method Statement & Validation Plan; Report ref: 14247/3, Dated: July 2017, 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 dwellings.

3) the following additional Conditions as detailed on pages 4 to 5 of the Update Report, as detailed below:

14) No other development (hereby permitted) shall commence until visibility splays have been provided on each side of the proposed access on a line joining a point 2.4 metres back from the nearside edge of the adjoining carriageway measured along the centreline of the access, to a point 54 metres west and 59 metres east measured along the nearside edge of the carriageway from the centre of the new access. Nothing shall be planted, erected and/or allowed to grow which exceeds a height of 0.6metres on the triangular area of land so formed in order not to obstruct the visibility described above.

Reason: Required as a pre commencement condition in the interests of highway safety.

15) Prior to the first occupation of any dwelling hereby approved the existing vehicular access onto the adjoining highway shall be permanently closed. Details of the means of closure and reinstatement of this existing access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on the development hereby approved.

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

16) The development hereby permitted shall not be occupied until the accesses shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with the Worcestershire Highways Design Guide and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 17) Prior to the first occupation of any dwelling hereby permitted the residential unit shall be fitted with an electric vehicle charging point in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the charging point shall be keep available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities.

- 18) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing residential travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

Reason: To reduce vehicle movements and promote sustainable access to the site.

- 19) No dwelling hereby permitted shall be occupied until the applicant has submitted to and had approved in writing a welcome pack that promotes sustainable travel for future residents with the Local Planning Authority.

Reason: To reduce vehicle movements and promote sustainable access to the site.

- 20) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;  
0730 to 1800 hours Monday to Friday  
0800 to 1300 hours Saturdays  
and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring occupiers.

36/17

**ADDITIONAL ITEM - DIVERSION OF PUBLIC FOOTPATH NO. AV-528 (C) - ASH LANE, HOPWOOD, BROMSGROVE**

(The Chairman agreed to the consideration of this item as a matter of urgency because a decision was required thereon before the next meeting of the Committee.)

The Committee considered a report which detailed the withdrawal of Public Path Diversion Order 2014 (Bridleway, No AV-528 (C) (Part)),

Ash Lane Bromsgrove (the "Order") made under s257 of the Town and Country Planning Act 1990.

Members were asked to note that there was a typographical error in the order in that it should have been Public Path Order 2017 and not 2014.

Officers drew Members' attention to Appendices 1 and 2 to the report and provided clarification on matters raised. Officers explained that because of the scale of amendments required, they were proposing to deal with the amendment by a new order rather than by modifications at confirmation stage.

Members were asked to approve the withdrawal of the Order so that it could be replaced by a more comprehensive order.

**RESOLVED** that the withdrawal of Public Path Diversion Order 2014 (Bridleway, No AV-528 (C) (Part)), Ash Lane Bromsgrove (the "Order") made under s257 of the Town and Country Planning Act 1990, be approved.

The meeting closed at 6.40 p.m.

Chairman