



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

THURSDAY 31ST OCTOBER 2019, AT 6.00 P.M.

PARKSIDE SUITE / COMMITTEE ROOM, PARKSIDE

SUPPLEMENTARY DOCUMENTATION

The attached papers were specified as "to follow" on the Agenda previously distributed relating to the above mentioned meeting.

3. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting) (Pages 1 - 8) – UPDATE 2

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

31st October 2019

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Bromsgrove District Council Planning Committee

Committee Update 2 31 October 2019

Application Number: 16/1132

Site Address: Land at Whitford Road/Albert Road, Bromsgrove

Further Representations

201 additional representations received objecting to the scheme

- No new matters or issues raised above those contained in the published report

2 additional representations received supporting the scheme

- No new matters or issues raised above those contained in the published report
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Catshill and North Marlbrook Parish Council

Views received 29 October 2019:

Firstly, observations on the comments made by WCC's Transport Planning and Development Management Team (see letter from Stephen Hawley dated 26 September 2019):

- 1 On page 1 WCC's Transport Planning and Development Management Team claim to have made a full assessment but there is no mention of Catshill or the Parish Council's area. Much of the report is identical to the evidence submitted by the developers which suggests that they have done little investigation and research themselves.
- 2 Page 10 - In terms of contribution, there is an allocation for the junctions of Barley Mow Lane and Golden Cross Lane with the A38 (Birmingham Road) but no allocation for elsewhere in Catshill that will have to contend with extra traffic from this development. The report appears to focus on the majority of traffic generated from the site and heading north via the A38. That will not be the case and most of the traffic will travel along Perryfields Road and through Catshill. The predicated traffic flows should be amended accordingly.
- 3 Page 11 - The proposal for a Western Distributor to construct a by-pass around Bromsgrove/Catshill by-pass is dismissed in one paragraph without any supporting evidence. This solution would be the most effective for the Parish.

- 4 There is no reference to the possibility of building a new motorway junction on the Kidderminster Road that would have a significant impact on traffic volumes through the Parish.
- 5 There is no mention of the expected increase in pollution levels. The Parish Council has access to reports and methodologies, if WCC's Transport Planning and Development Management Team is unaware of how to conduct such a study.
- 6 A considerable part of the reports refers to initiatives and expenditure which are irrelevant to the application e.g. Hagley railway station, devaluing the merit of the report.
- 7 The report refers to changing behaviours to encourage use of public transport, shorter journeys, cycle travel and walking. There is insufficient evidence that such initiatives will achieve the desired benefits and the study done so far is inconclusive, based on a small sample size and yet to be evaluated.

Catshill and North Marlbrook Parish Council Recommend:

- 1 That the decision is deferred on the following grounds:
 - a. There will be a measurable increase of traffic from this site travelling through the Parish particularly along Meadow Road, Gibb Lane, Golden Cross Lane, Wildmoor Lane and Woodrow Lane. The developers in conjunction with the Highways Department should investigate road improvements to mitigate the impact of the extra journeys on the Parish
 - b. There is no mention of expected increases in pollution levels. A full report should be commissioned.
 - c. An investigation to be carried as to the cost and feasibility of a Western Distributor road and installing a junction on the M5 at Kidderminster Road.
- 2 Should the Planning Committee be minded to approve this application then the following actions to be taken:
 - a. A sum of money to be allocated for road improvements in Catshill south of the A38 to the Barnsley Hall Roundabout to mitigate the effects of the increase in traffic.
- 3 The application should be refused:
 - a. If evidence cannot be supplied that confirms that there will no increases in pollution levels
 - b. If no road improvements are carried out to either reduce or mitigate the impact of extra traffic volumes through the Parish

A full version of this document is available on the District Council website under the document tab relating to the application (16/1132):

<https://publicaccess.bromsgroveandredditch.gov.uk/online-applications/>

Councillor Luke Mallett

Views received 30 October 2019:

Agenda Item 3

- I write as the District and County Councillor for the area within which both the Greyhound and the Whitford schemes are located. I am responding further to my holding objection of 2016. I confirm that my position remains one of objection to this scheme, and I would wish to speak at Planning Committee on Thursday as the ward member.
- The vast majority of residents I represent entirely understand and accept the local housing requirements and the need for affordable homes. However, what is very clear from the information and community response to this application, and its predecessor, is that the developers and highways authority have done little to address the real and growing concerns about traffic in our town, and the risk these proposals will make things significantly worse.
- It is very apparent that there is still significant missing information and inaccuracy in the latest documents from both the Developer and also from WCC Highways (WCC) / Mott McDonald (MM), despite many requests from the community and local organisations for these things to be provided and addressed. The impact of development on the local highway network does not appear to have been fully assessed.
- As the Planning Inspector for the Applicant's previously refused application concluded this is something that is not supported by National Planning Policy Framework.
- At the end of the day a developer can promise Bromsgrove all manner of things as recently put out in the press and via a paid social media campaign promoting "Whitford Green" as a done deal, before the Planning Committee have even had the chance to meet. The truth is however these promises could amount to very little if they are not a) achievable, b) appropriate and c) in line with what other developers are proposing.
- I will address I will address these concerns fully at the Planning Committee – but they remain principally in relation to traffic, transport and road infrastructure:

Highways

- **The impact of rat running and through traffic** – in particular through Millfields, The Town Centre (including key junctions), All Saints and Victoria Roads, and the refusal to model the impact on Catshill at all (aside the Barnsley Hall roundabout) and with it the failure to make contributions to improve or mitigate traffic impacts in these locations.
- I note the recent concerns raised by Catshill and Marlbrook Parish in this respect.

Viability (short and longer term) and impact of the proposed roundabout at Fox Lane/Rock Hill

- It is really unclear how this represents a sustainable mitigation of the development traffic impacts – which de facto, on the basis of the upheld previous refusal, if unmitigated are severe. Likewise the safety of other key junctions and access points within the proposal.

- **The impact of this roundabout on the Select and Save shop** – both in terms of the risk to this local business but also the impact on practicalities of operating a busy shop such as deliveries etc.
- The **absence of information as to parking provision on the former Greyhound site** and the risks with this of a loss of parking amenity on Albert Road (as a result of the access being cut through onto the road) and of overspill parking on narrow residential roads.

Air Quality

- I note the comments and consultation feedback regarding **air quality and air pollution**. I do think this is still a major issue. The site will undoubtedly impact on the AQMA areas – most notably the Worcester Road – where there will be regular queueing and idling traffic, hugely understated due to the approach taken by WCC & Developer to recording queue lengths. As a Council we have repeatedly identified air quality as a huge concern and yet we now have an application that will generate significant extra volume of traffic across highly sensitive sites and it is met with no objection from WRS.

Western Relief Road

- It is hugely concerning that the ‘once it’s gone’ opportunity of a **Western Relief road** for Bromsgrove is discounted in a few sentences within the papers. The WRR is the only long-term solution to the traffic problems, existing and new, on the west side of Bromsgrove. If this development goes ahead the opportunity to cost effectively have such infrastructure will be lost to our town for good.

Other Concerns

- **The sustainability of the scheme** – I am deeply concerned about the approach of identifying a school site, dependant on the approval of a different development application, some 2km from the Whitford site (we know that existing local schools cannot absorb this development).
- **The impact on health services and the deliverability of the public transport commitments.**

The nearest GP is further away still, the original sustainability assessment of the site was done at a time the St John’s GP practice was at the Waitrose roundabout. This site would now fail this same sustainability assessment if it was repeated, yet a specific GP provision is not included.

I noted the comments from Worcestershire Public Health that now seem to have been removed from the planning portal and replaced with a response from the Strategic Planning Team essentially saying the public health team were not a formal planning consultee. Surely we need to pay some heed to concerns from both WAHT and the Public Health function on issues such as funding for hospitals, GP surgeries and the impact on public health of air pollution, road safety et al? It seems very peculiar that we have the health bodies raising significant concerns that reflect the experience of local residents, and then other non-health departments of the Council (and lawyers) seeking to counter these views, responding at the request of BDC. As I have mentioned it appears the

actual submission from Worcestershire's Public Health Directorate has been removed from Public Access and now only appears in an email trail from strategic planning rebutting it.

- **The Greyhound Inn** – The Greyhound represents a key historic asset within our community, as so clearly articulated within the submission from the Bromsgrove Society and our Conservation Officer. I believe we should look to restore and retain the façade in any potential housing use of the site, at least we must ensure that a full conservation/historic survey is completed. It is unfortunate the developer despite repeated requests from the Police and Council have failed to keep this historic site in good order (only in the last few weeks putting in place proper protection). They will no doubt now argue that due to the state of the site they are doing Bromsgrove a favour by entirely removing the former Greyhound building from our streetscape. What cannot be removed is the willow tree to the front. I would urge members, following on from my comments over about the realistic viability of the roundabout, to consider this also in the context of the obligations to protect this tree and its routes. We really need to see in full detail how such a roundabout could be achieved.
- **Sustainable Urban Drainage and Flood Risks** – I have had much representation from local residents – particularly in light of recent (over the past 12 months) flooding and raised brook levels – despite the works in the park to slow flows downstream. I would be concerned that SUDS modelling is really capturing the current challenges and also the impact of future climate changes on downstream flood risk.

A full version of this document is available on the District Council website under the document tab relating to the application (16/1132):

<https://publicaccess.bromsgroveandredditch.gov.uk/online-applications/>

Report Clarification

Highway Matters

Amended Site Plan (SK 7033-SK-006 Rev E) received 31 October 2019 which shows how the footpath can be extended to 'tie in' with the existing pedestrian crossing facility.

For the reference of Members, the extension of the footpath to the south will result in potentially some loss to the existing hedgerow in that location.

Paragraph 4.6 of the submitted Environmental Statement (Appendix 11.1) Ecological Appraisal.

“Results of the hedgerow survey indicated that none of the hedgerows on site were important under the Hedgerow Regulations 1997 or classified as between moderately high to very high value for nature conservation. However all hedgerows were dominated by native species and as such are classified as Habitats of Principal Importance. As such it is recommended that these hedgerows are retained if possible. The reinstatement of outgrown hedgerows through management and gap planting with native species local to the area is also recommended were feasible.”

The hedgerow along Whitford Road is shown as H2 on Figure E2 and the assessment summary can be found in the table on page 12 of the Appraisal.

The suggested conditions address hedgerow retention and protection. The applicant has confirmed that ‘reinstatement’ can be added to this if Members deemed that was required.

Section 106 Agreement

Retail Unit

In lieu of the suggested condition set out on page 71 relating to the trigger point for the retail unit, a further Heads of Term within the Section 106 Agreement will relate to the securing of the retail unit provision, together with a suitable trigger point for the provision of this facility to be agreed (if following further discussions, the trigger point of 200 units is not deemed to be viable given the phasing of the development and relevant occupier marketing process).

The other suggested conditions relating to the retail unit will remain as set out in the report.

The Heads of Terms will be added to as follows:

- (xii) The provision of the retail unit, with associated suitable trigger point for construction and occupation

Report Corrections

Paragraph 29.5 (page 68) Timing of Reserved Matters submissions

Circular 08/05: Guidance on Changes to the Development Control System

This document was withdrawn on 7 March 2014 and replaced by the new planning practice guidance launched on 6 March 2014. Time limits are dealt with in the section entitled Use of Planning Conditions. This states:

The relevant time limit for beginning the development is not later than the expiration of:

- 3 years beginning with the date on which the permission is granted, or;

- such other period (whether longer or shorter) as the local planning authority may impose.

The local planning authority may wish to consider whether a variation in the time period could assist in the delivery of development. For example, a shorter time period may be appropriate where it would encourage the commencement of development and non-commencement has previously had negative impacts.

The national planning policy framework encourages local planning authorities to consider imposing a shorter time period to ensure that proposals for housing development are implemented in a timely manner. A longer time period may be justified for very complex projects where there is evidence that 3 years is not long enough to allow all the necessary preparations to be completed before development can start.

Paragraph 8.6 (page 43) Bus Services

The 98 bus service is no longer in operation.

Revised Recommendation:

(a) MINDED to APPROVE OUTLINE PLANNING PERMISSION

- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following (based on the maximum of 505 units):

(i) Mitigation for the additional demand on the transport network generated by the development

- £2,057,388.72

This contribution will specifically contribute to the following highway infrastructure:

- | | |
|--|-------------------|
| • Market Street/St Johns Street: |] Combined total: |
| • St Johns Street/Hanover Street/Kidderminster Road: |] £744,681.79 |
| • A38 route enhancement works: £1,312,706.93 | |

(ii) Sustainable Infrastructure

- Cycleway between Whitford Road and Kidderminster Road via Sanders Park: £560,000.00
- Town Centre active travel infrastructure: £148,252.55
- Public transport services: £223,822.71 (up to £350,000.00)

(iii) Personal Travel Planning

- £101,000.00

(iv) Education Infrastructure

- A contribution of 9/60ths towards the build cost of a new two form entry First School and Nursery to be constructed in Perryfields Road, Bromsgrove: £885,000

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- A contribution towards either North Bromsgrove High School or South Bromsgrove High School based on the cost per open market dwellings as per the following tariff:
 - £867 open market 2 or more bedroom flat
 - £2,168 open market 2 or 3 bedroom dwelling
 - £3,252 open market 4 or more bedroom dwelling
- (v) **Off-site teen and adult play and sports facilities and play pitch improvements in Sanders Park, Bromsgrove: £154,592**
- (vi) **The improvement of the Scout and Guide Huts on Kidderminster Road, Bromsgrove located adjacent Sanders Park: £20,612**
- (vii) **Waste Management Contribution**
Waste and recycling bins calculated as follows:
 - £25.49 per 240 litre standard capacity grey receptacle (waste)
 - £26.75 per 240 litre standard capacity green receptacle (recycling)
 - £252.43 per 1100 litre communal usage receptacle
- (viii) **Planning Obligation Monitoring Fee:**
Financial figure to be confirmed

And:

- ix) **The securing of a 40% provision of on-site affordable dwelling units**
- x) **The provision and future maintenance in perpetuity of the SuDs facilities**
- xi) **The provision and future maintenance in perpetuity of the on-site play space and open space provision**
- xii) **The provision of the retail unit, with associated suitable trigger point for construction and occupation**

And:

- (c) **That DELEGATED POWERS be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the report**
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