

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

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

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), S. J. Baxter, A. J. B. Beaumont, S. P. Douglas, M. Glass, S. G. Hession, C.A. Hotham (substitute), J. E. King, P. M. McDonald and P.L. Thomas

Invitees: Mr. O. Hague and Mr. T. Sheach, Mott MacDonald

Officers: Mrs. R. Bamford, Mr. D. M. Birch, Mr. M. Dunphy, Mr. A. Hussain, Mr S. Hawley, Ms. K. Hanchett and Ms. E. Barker, Worcestershire County Council, Highways, Mr. R. Williams, Worcestershire Regulatory Services and Mrs. P. Ross

45/19 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

An apology for absence was received from Councillor A. English, with Councillor C. A. Hotham present as substitute.

46/19 **DECLARATIONS OF INTEREST**

Councillor C. A. Hotham declared an other disclosable interest in respect of Minute No. 48/19 stating that his wife was a General Practitioner (GP).

47/19 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)**

The Chairman confirmed with Members that they had received and read the two updates which had been published and circulated prior to the commencement of the meeting.

48/19 **16/1132 - OUTLINE PLANNING APPLICATION FOR: SITE A (LAND OFF WHITFORD ROAD) PROVISION OF UP TO 490 DWELLINGS, CLASS A1 RETAIL SHOP (UP TO 400 SQUARE METRES), TWO NEW PRIORITY ACCESSES ONTO WHITFORD ROAD, PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE URBAN DRAINAGE; AND SITE B (LAND OFF ALBERT ROAD) - DEMOLITION OF GREYHOUND INN PUBLIC HOUSE, PROVISION OF UP TO 15 DWELLINGS, NEW PRIORITY ACCESS ONTO ALBERT ROAD, PROVISION FOR A NEW ROUNDABOUT, LANDSCAPING AND SUSTAINABLE DRAINAGE -**

**LAND AT WHITFORD ROAD/ALBERT ROAD, BROMSGROVE -
CATESBY ESTATES LIMITED AND MILLER HOMES LIMITED**

The Development Management Manager explained the format of the meeting, as agreed with the Chairman prior to the commencement of the meeting, as follows:-

- As Case Officer, he would present his report and presentation slides.
- Public Speaking, which the Chairman had extended to 15 minutes per category as follows:-
 - Objectors
 - Applicant
 - Ward Member
- As agreed with the Chairman, a ten minute comfort break would follow.

Members would then have the opportunity to seek any points of clarification from Officers of the Council, Worcestershire County Council Highways Authority and Worcestershire Regulatory Services and representatives from Mott McDonald; should clarification be needed.

The Development Management Manager reported that the Application had been submitted in outline, with internal access, layout, scale, appearance and landscaping reserved for subsequent approval. The development related to an Outline Planning Application for:

Site A (Land off Whitford Road), which was currently used as agricultural land; the provision of up to 490 dwellings, Class 1A retail shop (up to 400 square metres), two new priority accesses onto Whitford Road, public open space, landscaping and sustainable urban drainage; and

Site B (Land of Albert Road), demolition of the Greyhound Public House, provision of up to 15 dwellings, a new priority access onto Albert Road, provision for a new roundabout, landscaping and sustainable drainage. There was a separate frontage onto Albert Road which also included a now disused point of access.

At this point in the proceedings, the Chairman announced an adjournment, due to technical issues being experienced with the live streaming of the meeting, into the Committee Room and Room 54, Parkside.

The meeting stood adjourned at 18:11 hours to 18:50 hours.

Having reconvened, the Chairman announced that members of the public seated in the Committee Room and Room 54, Parkside, had been unable to hear the Development Management Manager's report or see the presentation slides clearly. Therefore the Development

Management Manager would start his report and present the slides from the beginning, as detailed in the preamble above.

Following on from this, the Development Management Manager further reported that although access for Site A and Site B was being considered in detail, the application contained a substantial amount of information on the proposals for site development, including an illustrative site layout plan.

Members' attention was also drawn to paragraph 2.6 in the report, which provided further clarity for Committee Members, detailing what the proposed development would consist of; and paragraph 2.8 in the report, which detailed the highway mitigation measures external to Site A and Site B.

The Development Management Manager drew Members' attention to page 36 of the main agenda report, which detailed the relevant planning history. Paragraph 4.11 in the main agenda report stated that "This application as it relates to Site A, seeks to address the concerns raised by the Inspector in the appeal, principally in the context of striking a balance between:

1. The need for housing; and
2. The need to provide adequate transport infrastructure, including reasonable standards of safety and ease of movement, for both future and existing residents."

The Development Management Manager highlighted that with regard to all matters except access, that the Master Plan should be treated as purely illustrative but if necessary, other elements could be secured by suitable conditions.

Members' attention was drawn to pages 41 to 52 of the main agenda report, which provided specific details on Site A and Site B, Planning Appraisals.

The Development Management Manager reported on:-

Committee Update 1 - 30 additional representations had been received objecting to the scheme. There were no new matters or issues raised above those already contained in the published report. Mott MacDonald (acting as Transport Planning Advisors to Bromsgrove District Council) had provided a further Technical Note and that further comments had been received from The Bromsgrove Society; as detailed in the published Committee Update 1 Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

Committee Update 2 - 201 additional representations had been received objecting to the scheme. There were no new matters or issues raised above those already contained in the published report. 2

additional representations had been received supporting the scheme, no new new matters or issues raised above those already contained in the published report. Comments had been received from Catshill and North Marlbook Parish Council and further comments from Councillor L. Mallett, District and County Councillor. Report clarification with regard to highway matters. Section 106 agreement, report corrections and a revised Recommendation, as detailed in the published Committee Update 2 Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

At the invitation of the Chairman, Mr. A. Bailes (on behalf of Whitford Vale Voice) addressed the Committee in objection to the Application. Mr. P. Brocklehurst, Mr. D. Dixon and Ms. K. Young, acting as the Applicant and Councillor L. Mallett, District Councillor and County Councillor, in whose Ward the Site was located also addressed the Committee.

The meeting stood adjourned at 19:50 hours to 20:00 hours, in order for Committee Members to take a comfort break.

Having reconvened and at the invitation of the Chairman, Officers from Worcestershire County Council Highways Authority provided clarification on the following matters:-

- Road safety audits;
- Section 278 agreement;
- Transport Technical Note 4 and Cumulative Assessment Report, which provided clarity in respect of the comments received from third parties;
- Mitigation measures, which had been comprehensively audited;
- Contribution to specific highways infrastructure, which included the Town Centre active travel infrastructure;
- Loss of parking spaces in front of the existing shop on Rock Hill;
- 'Standalone assessment' for the Whitford Road scheme;
- Cumulative impact of all sites (BROM2, BROM3 and Foxlydiate); and
- Rat running.

At the invitation of the Chairman, Mr. T. Sheach, Mott McDonald further explained that they had considered all of the evidence presented and each and every point raised by Whitford Vale Voice, Worcestershire County Council Highways Authority and the Applicant. They had taken a balanced approach and had concluded that the residual impact was not severe and that there were no grounds for objection on highways and transport related matters in respect of the Application.

The Committee then considered the Application, which had been recommended for approval by Officers.

Members raised further questions with regard to Road Safety Audits and a Section 278 (S278) agreement.

Officers from Worcestershire County Council, Highways Authority provided further clarification and highlighted that Road Safety Audits were conducted under guidelines and following best practice and that Road Safety Audits were only mandatory on trunk roads and motorways, as specified within the Design Manual for Roads and Bridges (DMRB). Should Members be minded to approve the Application a Road Safety Audit would be conducted, however, there was no requirement at this point in time to conduct one.

All junctions would be safety audited through the technical approval process associated with a S278 agreement should the development be granted approval.

The new roundabout at the junction of Fox Lane / Rock Hill had been through a Stage 1 and 2 safety audit, as the junction had been technically approved, as the developer had submitted detailed designs through the Worcestershire County Council, Highways Authority, Early Technical Approval process.

Further debate followed whereby Members expressed their concerns that they were being asked to consider an 'Indicative' Masterplan and not a detailed plan. Approval was being sought for access (ingress and egress) to the proposed site on the 'Indicative' Masterplan; and that, as highlighted by the Development Management Manager, the Application had been submitted in outline with all matters except access reserved for future detailed applications.

Members also debated and expressed their concerns with regard to the extensive views received from Worcestershire Acute Hospital NHS Trust, with specific reference to paragraph 11 on page 17 of the main agenda report.

With the agreement of the Chairman, the Development Management Manager responded and reported that the Council had sought Counsel's advice with regard to the planning obligations requested. It was determined that such requests did not meet the Community Infrastructure Levy (CIL) Regulations 2010 Regulation 122 tests, as detailed on page 62 of the main agenda report.

The Committee questioned if a tripartite discussion was possible with regard to seeking funding for the Worcestershire Acute Hospital NHS Trust.

Members briefly questioned the comments made by the Urban Designer with regard to paragraph 5.3.7 of the Design and Access Statement, which proposed that the land form in some parts of the site should be regraded, as detailed on pages 9 and 35 of the main agenda report.

In response to further questions from Members, the Development Management Manager clarified that a number of representations had made reference to the Application constituting inappropriate development in the Green Belt. Site A was taken out of the Green Belt and identified as an Area of Development Restraint (ADR) in the 2004 Bromsgrove District Local Plan. With the subsequent adoption of the Bromsgrove District Plan in 2017, the site was then confirmed as a residential development site.

Officers from Worcestershire County Council, Highways Authority provided further clarification with regard to MOVA (Microprocessor Optimised Vehicle Actuation), the Transport Assessment carried out in January 2018; and responded to questions from Members with regard to the Western Relief Road.

The Development Management Manager reported that the proposed open space would not be adopted by the Council's Leisure Services.

Members raised concerns with regard to the location of the proposed open space area and questioned if this would prevent any future development of the Bromsgrove Western Distributor/Bypass; and if the proposed location of the open space area could be moved to the top area of the development.

Having considered all of the information provided, the Committee agreed to defer further consideration of the Application. The Committee had raised an extensive number of concerns during the course of the meeting and were of the opinion that further detailed information was required.

Members reiterated that, as stated during the course of the meeting, that they were being asked to approve an 'Indicative' Masterplan and not a detailed plan. Members were therefore minded that the matter be deferred for the reasons and concerns raised during the course of the meeting.

Officers sought clarification from the Committee with regard to the Committee continuing with the meeting in order to consider other aspects of the Application, as detailed on pages 43 to 51 of the main agenda report, which included: Air Quality, Noise, Geology, Ecology etc.

Members clarified that the Application be deferred and that the Application would be considered in its entirety alongside the detailed information as requested by the Committee during the course of the meeting.

RESOLVED that

- a) this matter be deferred in order for further discussions to take place between Council and Worcestershire County Council Highways Officers, Mott McDonald, the Applicants and other third parties as

necessary; in order to seek further detailed information to address the concerns raised by the Committee during the course of the meeting, as detailed in the preamble above; and

- b) the detailed information, as requested by the Committee be provided to a future meeting of the Planning Committee.

The meeting closed at 9.47 p.m.

Chairman