BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

THURSDAY 13TH FEBRUARY 2020
AT 6.00 P.M.

FAIRFIELD SUITE, HOLIDAY INN BIRMINGHAM BROMSGROVE,
KIDDERMINSTER ROAD, BROMSGROVE, B61 9AB

PLEASE NOTE: THERE IS A SEPARATE ENTRANCE TO THE FAIRFIELD SUITE, PLEASE USE THIS ENTRANCE AND NOT THE MAIN HOTEL ENTRANCE. PUBLIC PARKING IS AVAILABLE.

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

Updates to the Reports of the Head of Planning and Regeneration Services will be available in the Council Chamber one hour prior to Meeting. You are advised to arrive in advance of the start of the Meeting to allow yourself sufficient time to read the updates.

Members of the Committee are requested to arrive at least fifteen minutes before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting.

AGENDA

1. To receive apologies for absence and notification of substitutes

2. Declarations of Interest

   To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)

4. 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 (Pages 1 - 84)

5. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

5th February 2020

B R O M S G R O V E D I S T R I C T C O U N C I L

PLANNING COMMITTEE

Information for Members of the Public

The Planning Committee comprises 11 Councillors. Meetings are held once a month on Mondays **at 6.00 p.m.** in the Parkside Suite, Parkside, Market Street, Bromsgrove, B61 8DA - access to the Parkside Suite after 5pm is via the main entrance door on the Stourbridge Road. The nearest available public parking for the new premises is Parkside (Market Street) Pay and Display. .

The Chairman of the Committee, who is responsible for the conduct of the meeting, sits at the head of the table. The other Councillors sit around the inner-tables in their party groupings. To the immediate right of the Chairman are the Planning Officers. To the left of the Chairman is the Solicitor who provides legal advice, and the Democratic Services Officer who takes the Minutes of the Meeting. The Officers are paid employees of the Council who attend the Meeting to advise the Committee. They can make recommendations, and give advice (both in terms of procedures which must be followed by the Committee, and on planning legislation / policy / guidance), but they are not permitted to take part in the decision making.

All items on the Agenda are (usually) for discussion in public. You have the right to request to inspect copies of previous Minutes, reports on this agenda, together with the background documents used in the preparation of these reports. Any Update Reports for the items on the Agenda are published on the Council's Website at least one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are available in the public gallery. The Chairman will normally take each item of the Agenda in turn although, in particular circumstances, these may be taken out of sequence.

The Agenda is divided into the following sections:-

- Procedural Items

  Procedural matters usually take just a few minutes and include: apologies for absence, approval of the Minutes of the previous meeting(s) and, where necessary, election of a Chairman and / or Vice-Chairman. In addition, Councillors are asked to declare whether they have any disclosable pecuniary and / or other disclosable interests in any items to be discussed. If a Councillor declares a disclosable pecuniary interest, he/she will withdraw from the meeting during the discussion and voting on that item. However, it is up to the individual Councillor concerned to decide whether or not to declare any interest.

- Reports of the Head of Planning and Regeneration

  (i) **Plans and Applications to Develop, or Change of Use** - Reports on all applications will include a summary of the responses received from

consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the District Council's website www.bromsgrove.gov.uk. Recent consultee and third party responses will be reported at the meeting within the Update Report.

Each application will be considered in turn. When the Chairman considers that there has been sufficient discussion, a decision will be called for. Councillors may decide that, in order to make a fully informed decision, they need to visit the site. If this is the case, then a decision on the application will be deferred until the next meeting of the Committee. Alternatively, a decision may be deferred in order that more information can be presented / reported. If the Councillors consider that they can proceed to making a decision, they can either accept the recommendation(s) made in the report (suggesting any additional conditions and / or reasons for their decision), or they can propose an amendment, whereby Councillors may make their own recommendation. A decision will then be taken, usually by way of a show of hands, and the Chairman will announce the result of the vote. Officers are not permitted to vote on applications.

Note: ***Delegation*** - All items are presumed to be matters which the Planning Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply, an appropriate indication will be given at the meeting.

Any members of the public wishing to make late additional representations should do so in writing, or by contacting their Ward Councillor(s) well in advance of the Meeting. You can find out who your Ward Councillor(s) is/are at **www.writetothem.com**.

Members of the public should note that any application can be determined in any manner, notwithstanding any (or no) recommendation being made to the Planning Committee.

(ii) **Development Control (Planning Enforcement) / Building Control** - These matters include such items as to whether or not enforcement action should be taken, applications to carry out work on trees that are the subject of a Tree Preservation Order, etc.. 'Public Speaking' policy does not apply to this type of report, and enforcement matters are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Reports of the Head of Legal and Democratic Services

  These reports relate to, for example, cases where authority is sought to commence legal proceedings for non-compliance with a variety of formal planning notices. They are generally mainly concerned with administrative and legal aspects of planning matters. 'Public Speaking' policy does not apply to this type of report, and legal issues are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Urgent Business

In exceptional circumstances, and at the discretion of the Chairman, certain items may be raised at the meeting which are not on the Agenda. The Agenda is published a week in advance of the meeting and an urgent matter may require a decision. However, the Chairman must give a reason for accepting any "urgent business". 'Public Speaking' policy would not necessarily apply to this type of report.

- Confidential / Exempt Business

  Certain items on the Agenda may be marked "confidential" or "exempt"; any papers relating to such items will not be available to the press and public. The Committee has the right to ask the press and public to leave the room while these reports are considered. Brief details of the matters to be discussed will be given, but the Committee has to give specific reasons for excluding the press and public.

Public Speaking

The four classes of speaker (with each class defined as a party) who may exercise the opportunity to speak publically at Planning Committee are:

1) Objector (or agent / spokesperson on behalf of objectors)
2) Applicant (or representative) or supporter
3) Parish Council (if applicable)
4) Ward Councillor

Where persons have registered to speak, the item will be dealt with in the following order (subject to the discretion of the Chairman):-

- Introduction of item by the Chairman;
- Officer's presentation;
- Representations by objector;
- Representations by applicant (or representative) or supporter;
- Parish Council speaker (if applicable)
- Ward Councillor;
- Consideration of application by Councillors, including questions to officers.

All public speakers will be called to the designated area by the Chairman. Public Speakers will have a maximum of 15 minutes per party to address the Committee.

NOTES

Councillors who have not been appointed to the Planning Committee but who wish to attend and to make comments on any application on the attached agenda are required to inform the Chairman and the relevant Committee Services Officer before 12:00 noon on the day of the meeting. They will also be subject to a fifteen minute time limit.

Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officer(s) in order to avoid unnecessary debate on such detail at the meeting. Members of the Committee are requested to arrive at least one hour before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting. Councillors should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.

Councillors are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to Committee for determination where the matter cannot be authorised to be determined by the Head of Planning and Regeneration Services.

In certain circumstances, items may be taken out of the order than that shown on the agenda and, therefore, no certain advice can be provided about the time at which any item may be considered. However, it is recommended that any person attending a meeting of the Committee, whether to speak or to just observe proceedings and listen to the debate, be present for the commencement of the meeting at 6.00 p.m.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - SECTION 100D

1. All applications for planning permission include, as background papers, the following documents:-

   a. The application - the forms and any other written documents submitted by the applicant, the applicant's architect or agent, or both, whichever the case may be, together with any submitted plans, drawings or diagrams.

   b. Letters of objection, observations, comments or other representations received about the proposals.

   c. Any written notes by officers relating to the application and contained within the file relating to the particular application.

   d. Invitations to the Council to comment or make observations on matters which are primarily the concern of another Authority, Statutory Body or Government Department.

2. In relation to any matters referred to in the reports, the following are regarded as the standard background papers:-

   Policies contained within the Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

BDP	-	Bromsgrove District Plan 2011-2030
SPG	-	Supplementary Policy Guidance

NPPF - National Planning Policy Framework

NPPG - National Planning Practice Guidance

3. Any other items listed, or referred to, in the report.

Note: For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 100D will always include the Case Officer's written report and any letters or memoranda of representation received (including correspondence from Parish Councils, the Highway Authority, statutory consultees, other 'statutory undertakers' and all internal District Council Departments).

Further information

If you require any further information on the Planning Committee, or wish to register to speak on any application for planning permission to be considered by the Committee, in the first instance, please contact Pauline Ross, Democratic Services Officer, at p.ross@bromsgroveandredditch.gov.uk, or telephone (01527) 881406

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Name of Applicant	Proposal	Expiry Date	Plan Ref.

Application Number: 16/1132

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

Proposal: 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.

Applicant: Catesby Estates Limited and Miller Homes Limited

Procedural Update

A1 At the request of Members of Planning Committee, this application was deferred at the meeting of Planning Committee on 31 October 2019 in order for further discussions to take place between the main parties (defined as: Bromsgrove District Council, Worcestershire County Council Highways Officers, Mott Mcdonald, the applicant and other third parties as necessary (with specific reference to Whitford Vale Voice (WVV) and Councillor Mallett)) in order to seek further detailed information to address the concerns raised by the Committee during the course of the meeting.

A2 The District Council received notification from the applicant on 2 December 2019 of an intention to appeal against the failure of the Local Planning Authority to make a decision on the application within the statutory time period and in the absence of a written agreement of the parties to extend the decision-making period (this being 7 November 2019). The District Council subsequently received notification on 17 January 2020 that the applicants had exercised their right to appeal against the non-determination of the application. The District Council formally received notification from the Planning Inspectorate on 30 January 2020 that the appeal was valid and the appeal process has now commenced.

A3 Given the appeal notification detailed above, Bromsgrove District Council is unable to formally determine the outline planning application and no decision can now be issued.

A4 Members will note the two appendices attached to this report:
Appendix One
Tabulated Response to Deferral Reasons Arising From 31 October 2019 Planning Committee Meeting:

(1) Whitford Vale Voice
(2) Worcestershire County Council (acting as Highway Authority)

Appendix Two
Tabulated Response to Deferral Reasons Arising From 31 October 2019 Planning Committee Meeting:
(1) Catesby Estates Limited and Miller Homes Limited
(2) Mott Macdonald (acting as Transport Planning Advisors to Bromsgrove District Council)

A5 The information contained in the table in Appendix One and Appendix Two has been provided by the respective parties at the request of Bromsgrove District Council. The initial table was prepared in response to the deferral reasons put forward at the 31 October 2019 Planning Committee meeting. It was prepared to distil the comments made at the Committee into a list of issues for further discussion by the main parties (as defined in Paragraph A1). The intention was that all parties would meet to discuss the content of these documents. Following the Committee meeting, it became clear that all parties were not willing to do so. In addition, separate documents were submitted by WVV highlighting additional perceived issues resulting from the Planning Committee meeting held on 31 October 2019.

A6 The notice of the intention to appeal from the applicant on 2 December 2019 effectively stalled any joint discussions and made it difficult for Officers to progress matters as any report would be inconclusive to Members. However, in the absence of no immediate formal appeal from the applicants, Officers were progressing with collating the differing views from all parties and planned to present these to Members to advise on what (if any) further information Members would be required to allow them to determine the application. Now that the applicant has lodged a formal appeal, many of the issues that Officers were hoping to provide clarity on to Members remain unresolved. Consideration of these matters will now rest with the Planning Inspectorate through the appeal process.

A7 Based on the available information, the views of Members are now sought (ie. what would be the decision of the District Council if the Planning Committee Members were able to determine the application under normal circumstances) and arising from these discussions, a subsequent resolution. This resolution will then be carried forward to form the District Council's case at the forthcoming planning appeal to be held via the Public Inquiry procedure.

A8 This report incorporates the information contained in the original report forming the 31 October 2019 Planning Committee Agenda, Update Sheet One and Update Sheet Two issued to Members on 31 October 2019, together with additional representations received by the District Council after the Planning Committee meeting held on 31 October 2019.

A9 Members are requested to have regard to the content of the table contained in Appendix One and Appendix Two when considering matters. However, following consideration of the additional information as detailed, the Head of Planning and

Regeneration is of the view that there has been no alteration to the recommendation of minded to approve outline planning permission.

RECOMMENDATION:

(a) **MINDED to APPROVE OUTLINE PLANNING PERMISSION** subject to 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
- 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) Medical Infrastructure

- A financial contribution towards Worcestershire Acute Hospitals NHS Trust to help support the provisions of acute primary healthcare:
  £TBC

(vi) The management and maintenance of the on-site play space and open space provision by Bromsgrove District Council:
£TBC

(vii) The management and maintenance of the on-site SuDs facilities by the appropriate body (North Worcestershire Water Management/Bromsgrove District Council):
£TBC

(viii) Off-site teen and adult play and sports facilities and play pitch improvements in Sanders Park, Bromsgrove:
£154,592

(ix) The improvement of the Scout and Guide Huts on Kidderminster Road, Bromsgrove located adjacent Sanders Park:
£20,612

(x) 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

(xi) Planning Obligation Monitoring Fee:
£TBC

And:

(xii) The securing of a 40% provision of on-site affordable dwelling units

(xiii) The provision of the on-site play space and open space provision, with associated trigger points for adoption

(xiv) The provision of the on-site SuDs facilities, with associated trigger points for adoption

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

Consultations

Worcestershire Highways

Consulted – final views received 1 October 2019

- No objection subject to Conditions and financial obligations.
- The applicant has submitted additional reports to address matters of clarity from comments of third parties. These reports are titled *Transport Technical Note 4* and *Cumulative Assessment Report* dated 7 May 2019.
- These reports seek to provide comfort and sensitivity testing of the transport assessment to determine that mitigation schemes could be implemented to the A38 corridor to address the impact of the development should the Highway Authority's major scheme improvements not come to fruition.
- These additional reports do not alter the conclusion of the Highway Authority nor change the recommendation previously submitted in terms of the suggested conditions or planning obligations. The comments previously submitted by WCC on 29 May 2018 therefore remain.
- This planning application has been assessed alongside the Perryfields Road application to ensure a holistic approach has been taken to assessment.
- The full benefits will only materialise if both applications are consented, however the evidence base for this application as a standalone proposal provides sufficient mitigation to address the developments impact and critically it provides it in advance of when it would be required.
- Previous issues identified in the appeal relating to 13/0479 and the use of the Highway Authority's strategic model has been resolved. A comprehensive mitigation package

has been provided addressing access to the site by all modes which include major junction reconfigurations and planning obligations. The application addresses local and national policy requirements and it helps to enable network wide improvements to the A38 improvement project.

- The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties, the Highway Authority concludes that there would not be a severe impact and therefore there are no justifiable grounds on which an objection could be maintained.
- Suggested Conditions and Obligations:

  Conditions:
  - The development hereby approved shall not be occupied until the following works have been constructed and completed:
    - Site access arrangements to serve Site A
    - Site access arrangements to serve Site B
    - Roundabout at junction of Fox Lane/Rock Hill
    - Signal controlled crossing on Whitford Road
  - The 100th dwelling shall not be occupied until the following highway improvements/off-site works have been constructed and completed:
    - Signal controlled crossing on A448 Kidderminster Road near junction of Dawson Road
    - Signal controlled junction Kidderminster Road/Whitford Road/Perryfields Road
  - The 250th dwelling shall not be occupied until the following highway improvements/off-site works have been constructed and completed:
    - Roundabout Improvements at the Junction of Charford Road/Rock Hill/ Worcester Road

  Planning Obligations:
  - **Highway Infrastructure**
    - Market Street/St Johns Street:] Combined total:
    - St Johns Street/Hanover Street/Kidderminster Road:] £744,681.79

    Triggers:
    - 1/3 prior to first occupation
    - 1/3 prior to the occupation of 129th dwelling
    - 1/3 prior to the occupation of 258th dwelling
    - A38 route enhancement works: £1,312,706.93 to consist of:
      - A38/Birmingham Road
      - A38/A448 Oakalls
      - A38/New Road
      - A38/Stoke Road/Charford Road
      - A38/Golden Cross Lane/Braces Lane
      - A38/M42 Junction 1

    Triggers:
    - Prior to the occupation of the 258th dwelling
  - **Sustainable Infrastructure**
    - Cycleway between Whitford Road and Kidderminster Road via Sanders Park: £560,000.00
    - Town Centre active travel infrastructure: £148,252.55

    Triggers:

- Prior to the occupation of the 62nd dwelling
- Public transport services: £223,822.71 (up to £350,000.00)

Triggers:

- Prior to the first occupation of any dwelling
- No later than the 4th year anniversary of the contribution being made, a bus service review is held between the applicant/Highway Authority. This will consider other contributions from nearby sites, build rates of the Whitford Road development and the patronage/ finances of the service at that time. If the result of the bus service review is that additional support is needed then further contributions will be provide up to a value of £126,000 (combined maximum of £350,000).
- If agreement cannot be reached an arbitrator will be provided to resolve the position, at the expense of the applicant.

- Personal Travel Planning: £101,000

Triggers:

- 25% prior to first occupation
- 25% prior to the occupation of the 129th dwelling
- 25% prior to the occupation of the 258th dwelling
- 25% Prior to the occupation of the 386th dwelling

Mott Macdonald (MM)
(Acting as Transport Planning Advisors to Bromsgrove District Council)
Multiple documents submitted. Final comments received 28 August 2019:

- As a result of our comprehensive audit of all submitted documents MM conclude that there are no grounds for an objection on highways and transport related matters in respect of the application.

Stand Alone Assessment
Stourbridge Road/Barnsley Hall Road

- WSP has corrected input errors assigned in the WSP model, which is now addressed and the results are accepted by MM. The resulting report on the 'standalone assessment' for the Whitford Road scheme highlights that the junction has sufficient capacity to accommodate traffic from the Whitford Road scheme. Therefore, the junction would continue to operate within capacity with minimal queueing observed in the peak hours.

Perryfields Road/Stourbridge Road

- This junction will be fundamentally changed should the Perryfields site gain planning approval and an alternative mitigation scheme will be provided. A cumulative assessment of the impact of both schemes on this particular layout is not appropriate as a consequence and is accepted. The standalone impact of Whitford Road development trips demonstrate that the junction would continue to operate within capacity with minimal queueing and delays observed in the peak hours.

A38 Junctions

- Assessments relating to the impact of the Whitford Road scheme on the proposed A38 improvements demonstrate that:

A38/A448/Regents Park Road Roundabout

- The roundabout exceeds capacity in both future year scenarios; with and without development and assessments demonstrate queueing and delays on the southern and western arms of the existing junction. The mitigation options identified by WCC as part of the improvement works to the corridor show that the realigned roundabout improves

capacity through more efficient traffic circulation and can accommodate the additional traffic generated by the Whitford Road development.

A38/New Road Junction

- The capacity of the existing layout is predicted to exceed acceptable limits in the future baseline scenario (i.e. without development) and whilst development of the Whitford Road scheme does not have a significant impact, this position would worsen if not improved and warrants mitigation. Junction capacity assessments demonstrate that the mitigation proposed by WCC considerably improves this position, such that additional traffic generated by the Whitford Road scheme can be accommodated.

A38/Charford Road Junction

- The capacity of the existing junction is predicted to exceed acceptable limits in the future baseline scenario (i.e. without development) and whilst development of the Whitford Road scheme does not have a significant impact, this position would worsen if not improved, particularly in the AM. The mitigation scheme proposed provides some additional capacity and can accommodate development related traffic and provides a better than nil-detriment solution.

TAA Junction Review

Kidderminster Road/ Hanover Street

- This demonstrates that the overall impact from the Whitford Road site is small, and the junction will operate within recommended thresholds. The mitigated scheme is accepted as offering a marginal improvement in both peak periods.

Rock Hill/Charford

- The revised modelling results reflect a slight worsening in performance of the junction. MM accept that the assessments provided by WSP proposal are appropriate and the mitigation put forward by WSP is reasonable given the constraints.

Kidderminster Road/Perryfields Road

- The capacity of the proposed junction traffic will experience delay and queuing, notably in the AM Peak, although the PM peak results are marginally better. Signalisation as part of the mitigation package to support development on the Whitford Road site provides a marked improvement above the existing arrangement and the proposed arrangement and is accepted.

Cumulative Assessment

- WSP have provided a comprehensive cumulative assessment as a sensitivity test, accompanying their ‘standalone’ assessment of the Whitford Road scheme, addressing requests from Mott Macdonald between late October and mid-December 2018, thorough to summer 2019.
- The cumulative assessment demonstrates that the Whitford Road development and its consequent mitigation measures, will not prejudice the delivery of the Perryfields site and Mott Macdonald confirm that on this basis there are no matters for objection to the Whitford Road scheme on the grounds of cumulative impacts.
- MM note that there are ongoing discussions with WCC and the two applicant teams for the Perryfields and Whitford Road sites in respect of financial contributions to highways and transport schemes required to mitigate the various impacts of development. BDC / MM will need to seek confirmation from WCC that contributions to deliver the required mitigation measures have been agreed and therefore that the delivery of the highway improvements which are relied upon is assured.

Conclusions

- Following the withdrawal of BaRHAM a robust approach was taken and agreed by all parties to enable the TA and sensitivity tests for the Whitford Road scheme to be completed to a satisfactory level.

- Formal scoping discussions were held with the applicant which involved Bromsgrove District Council (the Planning Authority), Worcestershire County Council (the Highway Authority) and MM (in their role as transport planning advisors to Bromsgrove District Council). Subsequent sensitivity tests were agreed to test the standalone and cumulative impact of the proposals and these were subsequently signed off by all parties and MM confirmed that we were satisfied by the overall approach taken.
- Following the submission of TTN4 and TTN5 and technical review of the associated models, the applicant has demonstrated the extent of development impacts on the A38 corridor and where their impacts were significant, appropriate mitigation measures have been put forward.
- These mitigation measures were comprehensively audited, and MM were satisfied that all of the issues raised were satisfactorily addressed.

Technical Note received 25 October 2019

- Whitford Vale Voice (WVV) have provided a further letter of objection which sets out 19 themes of objection, summarising and providing additional comment on a range of points that have been made previously in WVV Technical Notes 1-49.
- This Technical Note provides a response to each of the 19 themes of objection.
- This report provides a commentary on the issues noted in:
  - WVV Letter of Objection (12 October 2019);
  - WVV Technical Note 48 (Development Impact on Catshill: October 2019); and
  - WVV Technical Note 49 (TEMPro Growth Logic Check: October 2019).
- It identifies where objections have been responded to previously and provides further information or comments as necessary. The report also presents comments on new matters.
- The structure of this report presents each point made by WVV in full followed by the MM response.

Highways England

Consulted – views received 21 December 2016:

- No objection

Environment Agency

Consulted – views received 9 January 2017:

- No objection
- It is noted that the application now includes land off Albert Road (Site B) in addition to the previously refused Site A but that Site B is not covered by the Environmental Statement. We would have no comment to make on Site B and would offer the following comments and conditions with regards Site A.
- The site falls within Flood Zone 1 on our Flood Map which is defined in Table 1 of the NPPF Technical Guidance as land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). The Battlefield Brook runs in an easterly direction to the north of the site on the opposite side of Timberhonger Lane.
- As the site itself is safe in flood risk terms, the key flood risk issue is to ensure that surface water drainage on site is dealt with in a sustainable manner to ensure that third parties are not impacted upon, particularly as sites of this size have the potential to increase run-off rates dramatically, both post development and during construction.
- We have no objection in principle to the proposal to utilise infiltration techniques for surface water drainage. However, these systems must be carefully located, designed

and maintained in order to ensure the protection of the underlying principal aquifer and nearby potable water abstractions.

- Conditions:
  - Construction Environmental Protection Plan
  - Site investigation scheme based on the Preliminary Risk Assessment and Environmental Site Assessment

North Worcestershire Water Management

Consulted – views received 4 January 2017:

- No objection subject to Conditions relating to:
  - A scheme for foul and surface water drainage
  - Finished floor levels
  - The use of porous surfaces for driveways and any private access roads
  - The use of silt traps are fitted to all highway gullies, and that oil interceptors are fitted to any car parking areas in order to maintain water quality
  - SuDs management plan, which will include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework

Severn Trent Water

Consulted - views received 19 January 2017:

- No objection subject to condition relating to the following:
  - Drainage plans for the disposal of surface water and foul sewage

Worcestershire Regulatory Service: Air Quality

Consulted – views received 30 December 2016:

- No objection
- WRS are satisfied with the findings of the report and we have no adverse comments
- Suggest informatives on any outline consent granted to promote the inclusion as conditions on any subsequent Reserved Matters application:
  - Domestic electric vehicle charging points
  - Secure cycle parking
  - Low emissions boilers

Worcestershire Regulatory Service: Noise

Consulted – final views received 18 June 2019:

- No objection
- For all parts of the development, detailed noise modelling [at the Reserved Matters stage] will be required giving precise detail of noise levels in private amenity areas and detailing glazing and ventilation requirements.
- I would recommend that in the Miller Homes part of the site a further noise assessment, to include further noise measurements, should be undertaken as part of any Reserved Matters application.
- Due to the close proximity of existing residential properties to the proposed development care should be taken during the construction phase to reduce any adverse impacts caused to local residents. I would therefore recommend that the applicant follow Worcestershire Regulatory Service's Code of Best Practice for Demolition and Construction Sites.

Worcestershire Regulatory Service: Contaminated Land

Consulted - views received 30 December 2016:

- No objection subject to the following Conditions:
  - Submission of full standard tiered risk assessment
  - Submission of further ground gas monitoring

Waste Management

Consulted – views received 4 October 2019

- No objection at this outline stage
- Full details of bin storage facilities and bin access arrangements (including Site B) will be scrutinised at the detailed Reserved Matters stage

Building Control

Consulted - views received 8 December 2016:

- No objection subject to condition relating to the following:
  - Full engineering design solution of the specification, extent and methodology details of the cut and fill works
- We are aware of subsidence having been experienced in both Quarry Lane and Fox Lane however these incidents are some 300m or more away from the site and local to a known area of quarrying. We are not aware of any quarrying local to or within the bounds of the application site. We did have significant subsidence issues around 10 years ago in Fox Lane however that was due to a fractured 300mm diameter water main. We do know of very poor ground conditions within the Paget Close area on the Kidderminster Road side of Battlefield Brook however we suspect this is because the spoil from the Friarscroft Estate appears to have been dumped in that locality prior to Paget Close estate being built rather than natural issues.
- The reports submitted are quite comprehensive and based on trial holes and bores (not just a desk study). The reports conclude traditional foundations would be acceptable which is what I would expect in the area. My own experience of projects on the opposing side of Whitford Road confirms the reports assertion that undisturbed good bearing ground and sandstone is present
- Given the contents of the documents submitted and our local knowledge I do not consider subsidence to be an issue on this site. Naturally one would expect geotech designs to accompany a building regulations design package.

North Worcestershire Economic Development and Regeneration

Consulted – views received 19 January 2017:

- No objection
- The proposed reduction in retail floorspace from 1,500sqm to 400sqm continues to highlight that the proposed function of the retail element is ancillary to the development as a whole.
- It remains under the threshold identified in the NPPF for considering retail impact and we are satisfied this part of the proposal would not have an adverse impact on the main town centre of Bromsgrove and would provide a useful local facility for the new residents of the area.
- It is understood that the demolition of the Greyhound Inn Public House is part of the revised proposal is proposed in order to facilitate suitable highways infrastructure and unlock the wider strategic site.
- Whilst it is always disappointing to lose any facility that has the potential to provide jobs, this needs to be considered in the wider context of the potential benefits that the

strategic site will bring. It is also worth noting that the building in question is currently closed and therefore isn't currently providing any economic benefit for the town.

- In addition, it is anticipated that the jobs that were lost when the public house closed will be compensated, to some extent, by the retail facility proposed in the wider development site.

Strategic Housing

Consulted – views received 22 February 2017:

- No objection subject to compliance with the following:
- Policy compliant provision of 40%
- Proposed Mix & Tenure:
  - **Social Rented (60%)**
  - 10% x 1 bed flats - own entrances, no communal staircases)
  - 10% x 1 bed 2 person houses
  - 40% x 2 bed 4 person houses
  - 30% x 3 bed 5 person Houses
  - 10% x 3 bed 6 person houses.
  - **Shared Ownership (40%)**
  - 50% 2 Bed houses
  - 50% 3 Bed houses

West Mercia Constabulary Crime Risk Manager

Consulted - views received 6 January 2017:

- No objection

Urban Designer

Consulted – views received 21 December 2016:

Site A

- Although only access is being considered in detail, the application contains a substantial amount of information on the proposals for site development, including an illustrative site layout plan.
- Assuming a development of 490 dwellings, the proposal represents a residential density of 21 dwellings/hectare. This is a low figure, which does not represent sustainable development. However, the illustrative site layout does contain a substantial amount of open space. If this is excluded, the density calculation would be significantly higher.
- Highways considerations restrict the formation of vehicular access to that part of the site boundary bounded by Whitford Road (about one quarter of the total). There are two access points designated. The consequence of this is that, in order to connect all parts of the site, the proposed movement pattern is very indirect, which will necessitate an excessive amount of vehicle movement.
- Paragraph 5.3.7 of the Design and Access Statement proposes that the land form in some parts of the site should be regraded, with cut and fill producing a less pronounced topography. It is suggested that this is necessary in order to produce adoptable street gradients. I am surprised if this is so, and it would be regrettable, as the existing topography is distinctive, and if approached with imagination in the placement of houses and the selection of house-types, is capable of contributing towards equally distinctive placemaking.

- The shop is proposed to be located on the edge of the development next to Whitford Road, making it accessible to residents of existing development. This is sensible.

Site B

- The submitted Heritage Statement concludes that The Greyhound has limited heritage value, insufficient to justify its retention. I see no reason to depart from this conclusion.
- The loss of a large part of the site in order to create a larger traffic junction restricts the choices of site layout which are possible. A single cranked row of buildings, facing Fox Lane and the junction, is probably all that is possible, and this is what is shown on the indicative site layout.
- 15 dwellings on a site of 0.277 hectares produces a residential density of 54 dwellings/hectare, which is a very respectable density. The largest proposed mass, of three-storey flats, is appropriately located facing the junction.
- The one problem is that with the only feasible vehicular entrance point being on Albert Road, all of the 15 dwellings will be approached from the rear. For the two buildings containing ten flats shown on the indicative site layout, this is not a problem. But the five houses shown on the plan need to have their front doors facing Fox Lane.
- Therefore there needs to be pedestrian access points, of an attractive design, connecting the car park with Fox Lane, in order to connect backs and fronts, and enable convenient and legible pedestrian movement.

Leisure Services

Consulted - views received 21 December 2016:

- No objection
- An offsite payment to be made towards adult/teen provision in Sanders Park to an agreed financial value and a further contribution of an agreed financial value towards sport pitch improvements. The provision is not to be specific in terms of equipment to give us flexibility in to alter provision on a residential needs basis.
- The trigger point for payment of the above should be prior to occupation of an agreed number of dwellings, due to time lapse in consultation, member approval, procurement and installation, in order to ensure provision is in place allowing for residential use/benefit.
- Although we are not yet at detail design stage of the POS, Leisure Services would like to ensure that the on-site linear park is of sufficient quality provision. We would request that we have final approval/input of the on-site scheme/design to ensure it conforms to other Bromsgrove Play Designs and appropriate to the size of the development. We would be happy to be involved in the designing of the scheme.

Sport England

Consulted – views received 21 December 2016:

- No objection subject to securing the required contributions to help to meet the demand created by residents of the proposed development

Worcestershire Wildlife Trust

Consulted - views received 23 February 2017:

- No objection subject to the following Conditions:
- A CEMP. This should cover the matters raised in Chapter 11 of the ES including pollution control, tree and hedge protection, dust suppression, construction lighting and traffic etc. It will be particularly important to make sure that the significant cut and fill

required on site does not mobilise silt or other contaminants which are then able to enter the Battlefield Brook.

- A LEMP. This will be essential ensuring that retained and created habitats persist into the future and that the management is suitable for the biodiversity enhancement proposed. Mechanisms to secure funding and other resources will be essential and should be covered by heads of terms at the outline application stage. Interpretation of the habitats retained and created on site will be important and demonstrating why integration of biodiversity into the site-wide GI (drainage, access and recreation space etc.) is of value to the public should be captured in the LEMP and site literature so as to help promote understanding amongst new residents.
- SUDS. This is a fundamental part of the application and it is imperative that a suitable drainage strategy is brought forward, both to provide onsite flood attenuation and important landscaping but also to ensure appropriate flow and water quality improvements for the receiving watercourse. Careful consideration should be given to design exceedance as well as the standard attenuation requirements so that we can be sure that any failure of the system will not lead to significant adverse effects on the Battlefield Brook. Long term management of the SUDS will be required and it would be sensible to link this to the open space management covered by the LEMP above.
- Lighting. Careful attention should be paid to the lighting strategy for the site so that dark corridors can be maintained for bats and badgers. This should be incorporated into the site wide LEMP with clear statements about where dark corridors will be retained and how features such as 'hop-overs' (mentioned in the ES) will be used to allow continued foraging and commuting route for bats in particular.

Additional comments received 11 June 2019:

- We note the additional information submitted and in particular the findings presented in the ecological update by FPCR. With small exceptions it seems that there has been very little change on site since the last series of surveys and our resulting response.
- Accordingly, we are content to reiterate the comments we submitted in February 2017, with the additional proviso that appropriate commentary in relation to the badger sett and demonstration of biodiversity net gain (now reinforced by guidance in the revised NPPF – see paragraph 170 for example) will need to be included in the recommended CEMP and LEMP.

Landscape and Tree Officer

Consulted – views received 19 January 2017 and 23 February 2017:

- No objection subject to Conditions relating to:
  - Tree and hedgerow protection measures during construction phase
  - Full topographical and design details are submitted for the installation of the roundabout road feature at the junction of Fox Lane and Rock Hill
  - Development on Site B in accordance with the submitted Arboriculture Method Statement

Worcestershire County Council Landscape Officer

Consulted - views received 13 January 2017:

- No objection subject to a Condition relating to:
  - A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all hard and soft landscape areas (other than small, privately owned, domestic gardens)

Conservation Officer
Consulted – views received 16 February 2017:
- Objection
- I cannot support the loss of this heritage asset and would prefer to see the scheme amended to retain this building.
- The existence of the Greyhound from at least the early part of the 19th century, with its original form and later development being reasonably discernible, would clearly indicate that the building is a heritage asset
- It is a historical survival from a time when Rock Hill was sparsely developed, and clearly outside the town of Bromsgrove. It marks a clear boundary between the earlier and later character of Rock Hill

Worcestershire County Council Archaeological Service
Consulted - views received 22 December 2016:
- No objection
- Suggested conditions:
  - The submission of a programme of archaeological work
  - Written scheme of investigation

Hereford and Worcestershire Earth Heritage Trust
Consulted - views received 12 December 2016
- No objection

Worcestershire County Council Minerals and Waste
Consulted – views received 13 January 2017:
- No objection
- Suggested condition:
  - Details of how excavated materials, especially subsoils produced during construction, will be managed to ensure that "landscaping" does not become an inappropriate disposal of waste in subsequent Reserved Matters applications.

Worcestershire County Council Countryside Service
Consulted - views received 14 December 2016:
- No objection
- Bromsgrove footpath BM-587 runs just outside the red line site for Site A, adjacent to the southern boundary and is marked on the submitted plans. There are no existing public rights of way on the definitive map within the red line boundary of/or directly adjacent to Site B.

Ramblers Association
Consulted – views received 21 December 2016:
- In respect of Site B we have no comments to make.
- In respect of Site A you will recall that Ramblers commented on application 13/0479 in 2014. As far as we are concerned changes between that application and the present one are not sufficiently different for us to change the nature of our response.
- Relevant sections of our letter of the 24th July 2014 are quoted for your convenience, as follows:
- "We note that the site is included for residential development in the District Local Plan and we are therefore not concerned by the principle of development."

- "Public Footpath BM-587 passes along the southern boundary of the site of the development but outside its confines so that the path is not physically affected by the proposal. Visually it will be affected but for the better. We are particularly pleased to see that the master plan shows a landscaped area along that boundary with residential access drives beyond and dwellings facing towards the footpath. For walkers using the path this will ensure that their outlook will be pleasant and that the houses will provide an element of surveillance. If the dwellings had backed to the footpath, outlook and safety would be reduced considerably. We know that master plans are only indicative but we hope that you will ensure that this feature carries through to the reserved matters stage. If it does then we believe the quality of this footpath and its usage will be improved."
- "We are also pleased to see that the Master Plan incorporates two major footpaths within the site. We see these as important assets for walkers and hope you will secure their provision by the imposition of suitable conditions. We also wonder whether the applicants could be prevailed upon to enter into creation agreements with the Council to dedicate the footpaths as public rights of way. ……... Both of these footpaths provide access to Footpath BM-587 at the south east corner of the site. This will enhance the value and usage of the existing footpath as a link between the town and the countryside for recreational walking."
- "The more westerly of the new footpaths will provide access to Timberhonger Lane from Footpath BM-587 and the new residential area. This will ensure easy links to the extensive footpath network in Dodford and Grafton Parish. It will also facilitate circular walks back using Footpath BM-587. The other footpath provides ready access to Sanders Park and then to the Town Centre. In our view this development will enhance walking links between the town centre and residential areas and from the town to the countryside."
- "The link to the town centre across Sanders Park could be further improved if the path near the stream through the Park (not a Public Right of Way) could be provided with an all-weather surface of some sort. People walking into town for work, shopping or social reasons will be deterred by the poor conditions underfoot after heavy rain. Perhaps you could talk to the Park managers and see if this would find favour and if it does seek a Section 106 Agreement to fund the work. This would be a very sustainable link encouraging people to leave their cars at home."

Worcestershire County Council Education Service

Consulted - views 16 August 2017:

- The proposed development will sit in the catchment area of Millfields First School, St Johns CE Middle School Academy and South Bromsgrove High School.

First School Phase

- A contribution towards first school infrastructure will be requested. As a result of further housing development in the area the contribution from this development site will be based on a percentage of the build cost of a new build 2 form entry first school and nursery (equating to a new 60 place (per year) First School.
- The total build cost for a 2FE first school and nursery is currently estimated to cost £5.9 million. A contribution of 9/60^{ths} will be sought. It has been agreed that uplift as at November 2016 will be applied.

Middle School Phase

- Wider analysis of middle school pupil numbers has identified that there will be sufficient capacity at neighbouring middle schools within an acceptable distance to accommodate in area pupil numbers and absorb the likely impact of the development.

- No contribution will be sought for the middle school phase of education.

High School Phase

- A project will be sought to support a Form Entry expansion at either North Bromsgrove High School or South Bromsgrove High School to mitigate the impact of this development.
- The contribution for the high school phase is requested on a cost per open market dwelling basis and will reflect the housing mix submitted to the planning authority at the Reserved Matters stage.

Additional comments received 29 August 2019:

- The planning application came forward before the adoption of the new Education Planning Obligations Policy Worcestershire 2019, therefore the tariff as previously agreed at the 2016/2017 rate will remain. Agreement has already been made to uplift the costs in line with inflation as at the base date of the tariff.

NHS Redditch and Bromsgrove Clinical Commissioning Group

Consulted – final views received 29 July 2019:

- The development would have an impact on primary healthcare provision in the area but this is containable within existing provision at BHI Parkside (Churchfield and St John's Surgeries).
- In its capacity as the primary healthcare commissioner, Redditch and Bromsgrove CCG has identified that the development will not give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.
- The above refers only to capacity within primary care premises and does not take account of needs arising from the development in the NHS Acute Hospital Trust or the Health & Care Trust which will respond separately if they have identified a requirement.
- Assuming the above is considered in conjunction with the current application process, Redditch and Bromsgrove CCG would not wish to raise an objection to the proposed development.

Worcestershire Acute Hospitals NHS Trust

Final views received 20 September 2019

- Request a total development financial contribution of £399,534. The money will be spent to meet the marginal costs of direct delivery of healthcare for the additional population. This will include the cost of medical, nursing and other health professional staff, which may be incurred at a premium rate. The money will also meet increases in other direct costs associated with healthcare delivery, for example, diagnostic examinations, consumables and equipment.
- Most emergency demand within Worcestershire flows into Worcestershire Royal Hospital and the Alexandra Hospital. It is highly likely that demand from new housing development will follow these patterns.
- Worcestershire Acute Hospitals NHS Trust (the Trust) is currently operating at full capacity in the provision of acute and planned healthcare.
- It is further demonstrated that although the Trust has plans to cater for the known population growth, it cannot plan for unanticipated additional growth in the short to medium term.
- The Trust is paid for the activity it has delivered subject to satisfying the quality requirements set down in the NHS Standard Contract. Quality requirements are linked to the on-time delivery of care and intervention and are evidenced by best clinical practice to ensure optimal outcomes for patients. The contract is agreed annually

based on previous year's activity plus any pre-agreed additional activity for clinical service development and predicted population growth (this does not include ad-hoc housing developments).

- The following year's contract does not pay previous year's increased activity. The contribution is being sought not to support a government body but rather to enable that body to provide services needed by the occupants of the new development, and the funding for which, as outlined below, cannot be sourced from elsewhere. The development directly affects the ability to provide the health service required to those who live in the development and the community at large. Without the contribution, the development is not sustainable and should be refused.

Additional views received 7 October 2019:
Paragraph 3:

- To say that the Trust does not relate to the land or it is trivial is wholly unfounded, without evidence and misleading.
- The evidence provided in the consultation and in the Trust's subsequent documentation clearly explains how the population of the new development will create an impact on the Trust as follows:
- The Trust holds its own statistics for each activity that takes place in the Trust. This activity is related to each patient's address. Each activity has a standard cost that is used to invoice commissioners. The Trust has taken an average figure for each activity type. The first three columns in Appendix 1 of the evidence demonstrate the total activity and costs per annum in the Trust catchment area. The cost is then related to the specific LSOA of the development. The following columns reflect the activity and the total costs of the activity in the specific LSOA area to get the potential costs and activity for the new development. The last column shows the pressure on the non-elective services.
- The evidence provided is not trivial. The evidence provided is substantially more what the Council relies on when it seeks other contributions, like education contributions.

Paragraph 4:

- The legal advisor has wholly misunderstood what s 106 Obligation is all about? It is absolutely nothing to do with 'benefit sought' as put by the Council's legal advisor.
- The issue is, as explained in the consultation response and in the subsequent documentation, that the new population of this development will create a direct impact on the acute and non-elective services.
- A Section 106 obligation is to mitigate the impact that the development will create. The development will create extra pressure on the Trust's services as explained in the very detailed responses. The Trust provides the care for the new occupants of this development. The impact is carefully calculated and demonstrated.

Paragraph 5:

- The Trust is not seeking financial obligation to make up a revenue shortfall. The Trust is seeking a contribution to mitigate the impact created by the new population of the residential development in the same way as new population increases the pupil numbers in schools.
- The information provided clearly links the occupiers of this development to the Trust. The evidence provided to the Council is detailed and based on clear statistical evidence base as explained above. To say otherwise is wholly irrational.
- Paragraph 6-8:

- The alleged relationship with the development is insufficient because of the funding model. This is nothing to do with the increased new population creating an impact on the Trust's services.
- The gap in the funding is for the purposes of calculation of a suitable contribution to mitigate the direct impact on the acute and non-elective services that the development will create.

The Trust's position in summary is as follows:

1. The CCG commissions planned and emergency healthcare from the Trust and agrees a service level agreement, including activity volumes and values on an annual basis. Contract volumes are negotiated based on historical contract performance. Each year's CCG allocation reflects last year's allocation as stated, with an uplift which is currently determined for growth:

a) Growth reflects the increasing costs of delivering health care, including inflation, growth in demand for certain medical technologies;
b) Local population growth feeds nationally into CCG's target allocations. This is derived from ONS data. However this process takes 3 years to affect growth allocations to CCG;
c) Until this population growth is added to CCG allocations, it does not form part of the contracts between commissioners and the Trust;
d) The Trust does not receive funding retrospectively;
e) The Trust does not get allocated population growth;
f) However, as the properties are occupied, the population growth manifests as a requirement on the Trust to treat more people and thus there is an overspend incurred in treating a larger population than that for which treatment is commissioned. This overspend is wholly within the Trust's balance sheet.

2. There is no option for the Trust to refuse to admit or treat a patient on the grounds of a lack of capacity to provide the service/s;
3. If the Trust fails to meet its performance targets it is penalised through withdrawal of the Provider Sustainability Fund (previously known as Sustainability Transformation Fund) and/or withdrawal of certain income received through the Commissioning for Quality and Innovation payment funding;
4. The increased activity level will affect the standard of service provided;
5. It is not possible for the Trust to predict when planning applications are made and delivered. The commissioning operates based on previous year's performance and does not take into account potential increase in population created by a prospective development. It does not take into account housing land supply, housing need or housing projections;
6. The Trust cannot influence this aspect of the way the commissioning contracts are created between CCG and the Trust;
7. The Trust's hospitals are now at full capacity;
8. The only way the Trust can maintain 'on time' service delivery without compromising quality of care and comply with the NHS quality requirements is that the developer mitigates impact by contributing towards the cost of providing the necessary capacity for the Trust to maintain service delivery during the first to third years of occupation of each dwelling. However, the Trust considers that to request a contribution only for the first year keeps the levels of contribution reasonable;
9. The Trust is an independent legal entity and the Trust is left bearing the cost of actions to mitigate the impact that the development creates until such times as the CCG funding allocation catches up and feeds through into contract values. CCG does not treat people and is no directly involved with the care of the people.

Paragraph 8:

- To say that the Trust has no reason why funding model should not take account projected growth including growth arising from the development is a sweeping statement without any further evidence or expertise to show contrary and is wholly misleading. Please see above explanation from the Trust.

Paragraph 9:

- The Contribution sought to mitigate the impact has absolutely nothing to do with the paragraph 7 of NHS Constitution. The Trust's accountability has nothing to do with s 106 obligation. The education authority, highway authority, local planning authority have all similar accountability requirements.
- The adverse impacts created by the development will negatively affect the ability of the NHS Trust to discharge its statutory obligations.

Paragraph 10:

- If this logic is followed then there would be no contribution towards education, highways and/or social housing to name a few. This is not about funding the Trust but is about mitigating the adverse impact that the development creates like any other impact. More over the approach of the Trust has been endorsed in various appeal decisions including those of the Secretary of State which have been provided to the Council.

Paragraph 11:

- The impact created by a private developer will hinder the Trust in providing the service it is required to deliver. It would be wholly unreasonable that the tax payer would have to subsidise a private developer when it creates a direct impact on the Trust's ability to provide required service. The development will create an adverse impact on the health and wellbeing of the population of the development contrary to the NPPF and local policies.
- To contend that the proposed contribution would not serve a legitimate planning purpose is manifestly absurd.
- There is a total lack of legal reasoning behind paragraphs 9 to 11.

Paragraph 12:

- This paragraph has no relation to the issue in hand. CCG does not treat the occupants of the development. The Trust does. The impact is on the Trust as explained above.

Paragraph 13:

- The CIL analysis based on Counsel's legal advice and statements made is irrational and appears to be absence of proper legal, evidence or policy justification.
- The contribution requested does meet the CIL tests as previous Inspectors have concluded because:
- The contribution is necessary to make the development acceptable in planning terms because, without it, the population increase will be accessing NHS Trust services without any corresponding funding for (at least) one year which will adversely affect the standard of service that can be provided leading to an adverse impact on the health and wellbeing of the population of the Trust's area at large contrary to the NPPF and local policies.
- The contribution is directly related to the development because it is based on the new population of the development's population who will be using the Trust's services. In particular the calculation is based on LSOA for that specific area and type of housing to be developed.

- The contribution is fairly and reasonably related in scale and kind to the development. As above, it is linked to the size of the new population and the particular characteristics of that population.

Council for the Protection of Rural England (CPRE)
Consulted - views received 11 January 2017:

- No objection to the principle of development.
- CPRE always deplores the loss of green fields. However, in view of the housing land situation in the district accepts that this site, lying as it does between the town and M5, is one whose development is less of a loss than many others.
- We welcome the apparent proposal for the developed area to stop slightly below the ridge line so that the development is not visible from south of Breakback Hill, an area of unspoilt countryside that is the setting for the listed Grafton Manor House.
- The findings of the Inspector at the appeal into the refusal of the previous application for this site make junction improvements at the east end of Fox Lane inevitable. If so the loss of the Greyhound Pub is also inevitable. We understand that, when it was operating, the pub appeared to be busy and ought to have been profitable, so that it ought not to have needed to close, save for other reasons (such as the need to alter the junction). However, we wonder whether the loss could be mitigated by a new pub being provided as part of the development at site A.
- Nevertheless, Fox Lane is relatively narrow and winds somewhat, so that the Planning Committee will need to be satisfied that the roads have sufficient capacity, and that the effect of the junction alteration will not merely be to move the traffic jam down the road.
- We are also concerned that proposed development at Site A (Whitford) does not have sufficient community facilities. With 490 houses, this development is likely to become a community of 2000 people, which is larger than some villages that typically have at least a pub and a community hall, whereas the developer only proposes a single shop. The proximity to the western end of Sanders Park should mean that Open Space provision is rather less necessary than in some other cases, this should mean that the developer is more able to afford to provide other facilities. Providing a pub should not affect the viability of the scheme, except in that the space required for one would probably mean a slight reduction in the number of houses to be built. However a Community Hall would require funding of a kind that s.106 is able to provide.
- The developer proposes junction improvements at the cross-roads between Kidderminster Road and Whitford and Perryfields Roads. The last plans we saw for the Perryfields development appeared to show Perryfields Road being closed and a new exit on to Kidderminster Road slightly west of the present crossroads. We questioned that in our comments on that development, as the present line (with a cross-roads) will provide a good link (or spine) road providing a route between northern and western suburbs of the town, reducing the pressure of traffic on congested junctions near the town centre.
- You will also recall that we have advocated a link road from Barnsley Hall Road to somewhere near Lickey End, to provide an exit from the north and west of the town towards M42. Your council ought to be seeking funding from developers for such a road. It is appreciated that this is a considerable distance from this proposed development, but such a road would in fact serve it well.
- This is formally an objection to the present proposal, but (as stated) we are not objecting to the principle of development, only to the detailed description of what is proposed.

Bromsgrove Society

Consulted – views received 19 January 2017:

- It is the Society's intention to lodge a formal objection to the above planning application.
- We are currently examining pertinent documents accompanying the application with a view to preparing a reasoned rebuttal of the developer's resubmission.

Additional views received 24 October 2019:

Historical Aspect

- The Society supports the Conservation Officer's assessment of the merits of adding the Greyhound Inn to the Council's Local Heritage List.
- The Society also supports retention of the Greyhound Inn building
- If the Planning Committee were to approve the Application:
  1. It is the expectation of The Society that full historical and environmental investigation and recording of The Greyhound Inn site be conditioned; and;
  2. The Society consider a condition that the building stone used in the Greyhound Inn and surrounding retaining walls be recovered for reuse in retaining walls or other landscaping features at the Greyhound Inn and / or Whitford Road sites would be appropriate.

Impact of Development on Highways

- The Applicant's Whitford Road site access drawing shows that at the southernmost access junction, visibility to the right for drivers exiting the proposed development does not meet the required standard;
- The Applicant's Whitford Road site access drawing shows an informal crossing point on Fox Lane with restricted visibility for pedestrians attempting to cross the road. Unaccompanied school children will be particularly vulnerable at this location;
- Worcestershire Highways have not requested the Applicant undertakes the Road Safety Assessment necessary to demonstrate that safe access and egress can be achieved for motorised traffic, cyclist and pedestrians at the Whitford Road site;
- No vehicle tracking evidence has been provided to demonstrate that vehicles can achieve safe access and egress to the Greyhound Inn site when cars are parked opposite the proposed entrance. This is frequently the case due to high demand for on-street parking in Albert Road;
- Worcestershire Highways have not requested the Applicant undertakes the Road Safety Assessment necessary to demonstrate that safe access and egress can be achieved for motorised traffic, cyclist and pedestrians at the Greyhound Inn site;
- The Applicant has not demonstrated that on-site parking standards for residents and visitors can be met for up to 15 dwellings at the Greyhound Inn site;
- The Society recognises that the Applicant's trip distribution makes use of an industry standard census journey to work methodology. However, due to the concentration of schools accessed from the Rock Hill / Worcester Road / Hanover Street corridor (Millfields 1st, St Peter's 1st, St John's Middle, South Bromsgrove High & Bromsgrove School), reliance on this distribution methodology alone fails to take account of likely very significant southbound generation of pupil escort trips by car from the Whitford Road site. Consequently The Society considers that for the Whitford Road site the Applicant's highway impact assessments for any vehicle trips that route along Fox Lane north of the Millfield Road/Sunningdale Road mini-roundabout cannot be regarded as being sufficiently robust during the morning peak hour;
- A residential driveway and a parking space at the side of the shop will have direct access to the proposed Rock / Hill roundabout. Any vehicle using a forward gear to

enter the parking space at the side of the shop will have to reverse directly onto the roundabout;

- The so called “detailed design” drawing for the proposed Rock Hill / Fox Lane roundabout that Worcestershire Highways ask BDC to condition under a Section 278 agreement is labelled “to be treated as indicative and is for discussion purposes only”;
- The gradients in Rock Hill and Fox Lane make the junction a challenging location to construct a roundabout that meets relevant design standards. Drainage and the potential for surface water turning to ice are also concerns. Consequently the Section 278 conditioned “indicative” design drawing may require changes. The Society question how Worcestershire Highways will be able to enforce design changes if outline planning consent is granted to build the roundabout to the agreed drawing;
- Construction of the proposed Rock Hill / Fox Lane roundabout requires the removal of parking spaces outside the Select and Save Convenience Store which is likely to have an impact on turnover and consequently the viability of the shop. Removal of the parking spaces requires Traffic Regulation Order (TRO) approval. Such approval cannot be guaranteed, if the TRO is not approved the roundabout scheme could not be delivered and occupation of dwellings at the Greyhound Inn site and occupation of dwellings and a convenience store at the Whitford Road site would be unlawful;
- The Applicant’s assessment of the impact of development traffic at the proposed Rock Hill / Fox Lane roundabout does not take account of observed high frequency use of the signal controlled pedestrian crossing during the morning peak hour, 50 operation in that time according to Worcestershire Highway, and consequential blocking of the roundabout
- The Applicant claims that the proposed Rock Hill / Fox Lane roundabout will reduce queueing and delays in Fox Lane and the number of vehicles wanting to route through Millfields but doesn’t state by how much. If the Applicant is incredibly lucky and everything works just as they hope then the number of cars no longer rat running through Millfields has to be equal to the number of new cars from the Whitford Road development wanting to drop children off at the nursery and First School in Millfields or rat run through Millfields to avoid queues at the Rock Hill / Fox Lane junction and Charford Road roundabout. Otherwise there is either an unmitigated impact on Millfields or additional impacts on both the Rock Hill / Fox Lane junction and the Charford Road roundabout that have not been accounted for in the capacity assessments for these junctions;
- The Society consider that it is unacceptable to reduce the width of the footway adjacent to the Charford Road roundabout when this junction is located in Worcestershire’s latest Local Transport Plan Rock Hill / Worcester Road Key Corridor of Improvement which includes as a deliverable objective “to support enhanced accessibility by walking”;
- The proposed traffic light scheme at Perryfields Crossroads does not meet accepted standards;
- The Applicant’s assessment of the performance of the proposed Perryfields Crossroads traffic light scheme is that during morning peak hour the Kidderminster Road West arm, the Whitford Road arm and the junction as a whole will have Degrees of Saturation (DoS) above 90.0%. DoS values above 90.0% are deemed to be unacceptable.
- Mott MacDonald consider that the main route from the Whitford Road Site to M42 Junction 1 and M5 Junction 4 is through the Town Centre but the Applicant’s modelling for their proposed Waitrose mini-roundabout improvement scheme does not include this traffic;

- Worcestershire Highways request a Section 106 contribution towards improvements to the Waitrose mini-roundabout but it is unclear what scheme will be delivered. The value of the contribution suggests it may be the IDP traffic signal scheme that the Waitrose application showed was unacceptable, it could be the Applicant's mini-roundabout improvement scheme that hasn't been correctly modelled or it could be some other scheme yet to be subject of an impact assessment and public scrutiny. The Society consider that this uncertainty is unacceptable;
- The Society welcomes that Worcestershire Highways request a Section 106 contribution towards improvements to the St John Street / Market Street junction. However we are concerned that the details of the proposed improvement scheme have not been made available nor is a capacity assessment available to demonstrate that the proposed scheme will appropriately mitigate the impact of development traffic;
- The Parkside junction in the Town Centre is regarded as currently operating over capacity. The Society are extremely concerned that while Mott MacDonald consider that the main route from the Whitford Road Site to M42 Junction 1 and M5 Junction 4 is through the Town Centre and there are proposed planning obligations to mitigate the impact of development at the Waitrose mini-roundabout and St John Street / Market Street junction that no assessment of the impact of development has been made at the Parkside junction to determine the improvements necessary to mitigate the impacts of development;
- The Applicant's modelling of the Stourbridge Road / Perryfields Road junction is based on the false premise that vehicles can pass on the left of vehicles waiting to turn right from Stourbridge Road into Perryfields Roads;
- The Society are very concerned that development impact assessments have been made for the Stourbridge Road / Perryfields Road and Stourbridge Road / Barnsley Hall Road junction on the basis that more than 100 Whitford Road development vehicle trips will route through each junction but no impact assessment has been made for the Stourbridge Road / Meadow Road / Westfields junction when there will be more than 100 Whitford Road development vehicle trips will route through this junction too;
- There is no footway on Whitford Road north of its junction with Echells Close. Mott MacDonald has requested that the Applicant considers options to prevent or discourage pedestrians from using this section of Whitford Road. The Applicant offers no proposal on this matter; and;
- Following the cessation of the number 98 bus service the closest bus stops to the centre of the Whitford Road site are 900m away in Rock Hill and 1000m away in Kidderminster Road. Bromsgrove Development Plan Policy BDP5A.7(d) requires a bus service to connect the Whitford Road site to the Town Centre and the railway station. Although WCC suggest a Section 106 contribution to an "intended" bus service, no route has been defined for the service nor has the frequency of service been set consequently there is no guarantee that Policy BDP5A.7(d) will be met.
- On the basis of the points raised above insufficient information has been provided to convince The Society that the impact of development at the Whitford Road and Greyhound Inn sites on highway safety, ease of movement and congestion will not be severe.
- The National Planning Policy Framework does not support schemes that would have severe transport impacts, nor those whose impacts have not been fully assessed. Consequently The Society rightly consider that Application 16/1132 for up to 490 dwellings and a convenience store at site A (Land off Whitford Road) and up to 15 dwellings at site B (Land off Albert Road) should be refused.

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):
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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:

- That the decision is deferred on the following grounds:
  - 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
  - There is no mention of expected increases in pollution levels. A full report should be commissioned.
  - 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.
- Should the Planning Committee be minded to approve this application then the following actions to be taken:
  - 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.
- The application should be refused:
  - If evidence cannot be supplied that confirms that there will no increases in

pollution levels

- If no road improvements are carried out to either reduce or mitigate the impact of extra traffic volumes through the Parish

Publicity

- 359 letters sent 8 December 2016 (expired 29 December 2016)
- Additional letters sent 22 January 2018 (expired 12 February 2018)
- Site notices posted 8 December 2016 (expired 21 December 2016)
- Press notice published 16 December 2016 (expired 30 December 2016)

31 representations **supporting** the scheme on the following principal issues:

- Affordable housing is required for those families to stay in the town they have grown up in
- The scheme provides easy access to the town and is in walking distance. This is important for those without transport
- Bromsgrove needs more housing and this is the perfect location for houses to be sited
- The site is the right area to build on and will prevent building on the Green Belt
- The development will help develop the town centre by bringing investment and people to use the town shops and businesses
- Traffic is not a problem in Bromsgrove

675 representations received **objecting** to the scheme on the following **principal** issues:

Principle

- Site is unsuitable for housing development
- The site is not sustainable
- New development will have a negative impact on Bromsgrove
- Bromsgrove has already had its share of housing with additional sites coming forward
- Development will result in a loss of Green Belt land
- The land should remain arable for farming

Loss of the Greyhound Inn Public House

- The Greyhound Inn Public House is an Asset of Community Value and should be retained
- We are losing too many heritage properties [Public Houses] to housing developers and restaurants
- Local communities require local pubs with history and character

Form of Development

- The design and layout is underwhelming

Air Quality

- The development will exacerbate the problems currently experienced by the Town Centre AQMA (Air Quality Management Area)
- Concerns regarding the increase in air pollution in the AQMA
- Perceived health issues arising from poor air quality

Highways and Access

- Development will add to the already congested roads in this area and through Bromsgrove

- The increased traffic associated with the seven local schools will simultaneously cause extra traffic daily
- Impact on All Saints Road
- Long queues at the Kidderminster Road junction
- Long queues at the Rock Hill junction
- Rat running to avoid the queues at Rock Hill
- Increased traffic and parking on Highfield Road
- High traffic speeds
- Increase in road traffic accidents
- Increased traffic will turn smaller roads into rat runs
- The road surfaces on Millfield Road, Shrubbery Road and Brook Road are already poor and require complete resurfacing. The increase in traffic levels resulting from the development will accelerate the deterioration
- Pedestrian safety concerns (particularly with regard to school children crossing the road and walking along narrow footpaths to get to school)
- Lack of footpath provision on Whitford Road
- Lack of adequate footpath provision on the lower section of Millfield Road
- Concerns regarding waste collection access to Albert Road
- Loss of parking bay in Albert Road
- Increased on road parking on Albert Road
- Loss of layby and parking provision currently serving the shop on Rock Hill
- The roundabout will be less safe for cyclist than the current Rock Hill/Fox Lane junction

Noise and Disruption

- Concerns regarding the increased noise from traffic and development
- Concerns regarding the disruption during development from site traffic and work

Drainage and Flood Risk

- Drainage in the area is not adequate for the development
- Development will increase the risk of flooding in Sanders Park and the Brook Road area

Biodiversity and Trees

- Concerns regarding the removal of tree and hedgerows and the effect this will have on the ecology of the site and wildlife
- Destruction of wildlife habitat
- Impact on protected species, with direct reference to the water vole population in the Battlefield Brook

Infrastructure

- There is a general lack of infrastructure to support the development
- Concerns about the additional number of children seeking places at local schools
- Concerns about the increase in waiting times at dentists and doctors
- Lack of public services

Other Matters

- Subsidence concerns
- Development will increase crime rates

- Loss of grit bin on Albert Road

Whitford Vale Voice

The following documents have been submitted:

- Comments & Observations on the Worcestershire County Council Feasibility Assessment for a Bromsgrove Western Distributor Road: July 2016
- Comments on the Execution of the Traffic Surveys Undertaken for Worcestershire County Council during May 2017
- Comments on the Worcestershire County Council Survey Specification for Tenders to Undertake Traffic Surveys in Bromsgrove: May 2017
- Outline Planning Application Number 16/1132 for: • Site A (Land off Whitford Road) and • Site B (Land off Albert Road) Comments on Noise Impact Assessments for Site A: August 2017
- Technical Note WVV 1 Analysis of the WCC May 2017 Bromsgrove Traffic Surveys: September 2017
- Whitford Vale Voice Objection to Planning Application 16/1132 Land off Whitford Road, Bromsgrove & Land off Albert Road, Bromsgrove (April 2018)
- Planning Application 16/0335 Technical Note WVV2 Perryfields Paramics Traffic Model: January 2018
- Letter dated 18 April 2019: WVV are aware that Axiom Traffic Limited have been using cameras and recording equipment to conduct a traffic survey at the Parkside junction. We believe this is the first attempt since the Local Highway Authority and BDC commissioned surveys at this junction in 2017 to provide a snap shot of traffic flows following the delivery of subsequent growth and regeneration projects. WVV welcome the survey and look forward to the release of the data into the public domain by the commissioning client. However, WVV wish to place on record the context under which the Axiom traffic survey data has been collected as our analysis may be of assistance to Mott MacDonald as they provide support to BDC on planning applications.
- Copy of Bromsgrove Paramics Local Model Validation Report (August 2019) relating to 16/0335

- **Technical Note WVV BDC 1 Perryfields Road Through Traffic: June 2018**
  - This Technical Note presents the WVV position on the use of Perryfields Road by through traffic.

- **Technical Note WVV BDC 2 Whitford Road/Fox Lane and Millfields Residential Area Through Traffic: June 2018**
  - This Technical Note presents the WVV position on through traffic using the Whitford Road / Fox Lane Link and the Millfields Residential Area. This complements Technical Note WVV BDC1.

- **Technical Note WVV BDC 3 Use of the Friarscroft Estate as a Proxy for the Distribution of Traffic from the Proposed Whitford Road Town Expansion Site: June 2018 (Version with Appendices submitted 1 October 2019)**
  - This Technical Note discusses the distribution of vehicular traffic from the proposed Perryfields and Whitford Road Town Expansion Sites (TES).

- **Technical Note WVV BDC 4 Hanover Street – Worcester Road Queue Survey: June 2018**

  - This Technical Note discusses use of fixed cameras to collect queue length survey data.

- **Technical Note WVV BDC 5 Modal Shift: June 2018**
  - This Technical Note presents the WVV position on modal shift

- **Technical Note WVV BDC 6 Development Vehicle Trip Distribution & Assignment: June 2018**
  - This Technical Note presents the WVV position on the issues of development vehicle trip distribution and assignment.

- **Technical Note WVV BDC 7 Impact of Development Traffic in Catshill: June 2018**
  - This Technical Note presents the WVV position on the impact of development traffic in Catshill. It identifies the sources of development vehicle trips that will add to existing traffic flows in Catshill and highlights the absence of assessments of the impact of this development traffic on the local highway network.

- **Technical Note WVV BDC 8 Trip Rates: June 2018**
  - This Technical Note presents the WVV position on non-residential trip rates, applicable to the Perryfields and Whitford Road Town Expansion Sites (TES).

- **Technical Note WVV BDC 9 Double Counting the Benefit of Travel Plans: June 2018**
  - This Technical Note presents the WVV position on the double counting of the benefit of Travel Plans.

- **Technical Note WVV BDC 10 Internalisation of Development Vehicle Trips: June 2018**
  - This Technical Note presents the WVV position on the internalisation of development vehicle trips.

- **Technical Note WVV BDC 11 Committed Development: July 2018**
  - This Technical Note presents the WVV position on committed developments.

- **Technical Note WVV BDC 12 TEMPro Growth Forecasts and the Bromsgrove District Plan: July 2018**
  - The position of WVV in relation to how the National Trip End Model (NTEM) and the Trip End Model Presentation Program (TEMPro) deals with the growth and regeneration identified in the Bromsgrove District Plan (BDP) for the period 2023 to 2030.

- **Technical Note WVV BDC 13 Accounting for Growth Planning Application 16/0335 Land at Perryfields Road: July 2018**
  - In this Technical Note WVV discuss how Planning Application 16/0335 (Land at Perryfields Road) accounts for growth in vehicle trips across the local highway network arising from committed developments and adopted Local Plan allocations.

- **Technical Note WVV BDC 14 Accounting for Growth Planning Application 16/1132 Land off Whitford Road and Land off Albert Road: July 2018**

- How the Transport Assessment (TA) and Transport Assessment Addendum (TAA) account for growth in vehicle trips across the local highway network arising from committed developments and adopted Local Plan allocations. The Applicant's TA and TAA deal only with the traffic generation arising from the proposed Whitford Road site.

- **Technical Note WVV BDC 15 Reconciling the Perryfields Development Vehicle Trip Generation: July 2018**
  - WVV are unable to reconcile the number of development vehicle trips through the site access junctions and the Applicant's total development vehicle trip generation. This technical note outlines the WVV position on this matter.

- **Technical Note WVV BDC 16 Perryfields Spine Road: July 2018**
  - This outlines the WVV position on the proposed Perryfields spine road.

- **Technical Note WVV BDC 17 Queue Survey Methodology and Junction Model Validation: July 2018**
  - This technical note outlines the WVV position on the issue of the methodology used to measure queues at junctions and the use of such surveys to validate junction models.

- **Technical Note WVV BDC 18 Whitford Road TES Site Access Road Safety Audit: July 2018**
  - This technical note outlines the WVV position on the absence of a Road Safety Audit for the proposed site access junctions for Site A (Land off Whitford Road) of Outline Planning Application 16/1132 Site A (Land off Whitford Road) and Site B (Land off Albert Road).

- **Technical Note WVV BDC 19 Bromsgrove Town Centre South Cluster of Junctions: July 2018**
  - This technical note outlines the WVV position on the vehicle interactions at the cluster of junctions in the South of Bromsgrove Town Centre.

- **Technical Note WVV BDC 20 Modelling the Waitrose Junction: July 2018**
  - This technical note refers to the modelling of the A448 Kidderminster Road/A448 St John Street/B4091 Hanover Street (Waitrose) mini-roundabout and discusses further the Manual Classified Counts (MCC) undertaken at this junction and junction modelling.

- **Technical Note WVV BDC 21 Rat Running in the Millfields Residential Area: July 2018**
  - This technical note provides a summary of the WVV position on the issue of rat running in the Millfields residential area.

- **Technical Note WVV BDC 22 Rat Running in All Saints Road and Victoria Road: July 2018**
  - This technical note provides a summary of the WVV position on the issue of rat running on All Saints Road and Victoria Road.

- **Technical Note WVV BDC 23 Peak Hour/Residential Trip Rate Review**: **August 2018**
  - WVV have examined the transportation submissions for planning applications 16/0335 (Land at Perryfields) and 16/1132 and note that the applicants have made different determinations of the time periods for the weekday peak hour when assessing the impact of development vehicle trips on the local highway network. This technical note provides the WVV position on the weekday peak hour issue.

- **Technical Note WVV BDC 24 B4091 Rock Hill/Fox Lane Junction Design Matters: August 2018**
  - WVV have examined the transportation submissions for planning applications 16/0335 (Land at Perryfields) and 16/1132 and note that both applicants propose a mitigation strategy at the B4091 Rock Hill/Fox Lane junction that replaces the current priority T–junction with a hybrid roundabout. This technical note provides the WVV position on the design of the roundabout.

- **Technical Note WVV BDC 25 B4091 Rock Hill/Fox Lane Junction Road Safety Issues: August 2018**
  - WVV have examined the transportation submissions for planning applications 16/0335 (Land at Perryfields) and 16/1132 and note that both applicants propose a mitigation strategy at the B4091 Rock Hill/Fox Lane junction that replaces the current priority T–junction with a hybrid roundabout. This technical note provides the WVV position on the road safety issues at the proposed B4091 Rock Hill/Fox Lane roundabout.

- **Technical Note WVV BDC 26 B4091 Rock Hill/Fox Lane Junction Modelling: August 2018**
  - WVV have examined the transportation submissions for planning applications 16/0335 (Land at Perryfields) and 16/1132 and note that both applicants propose a mitigation strategy at the B4091 Rock Hill/Fox Lane junction that replaces the current priority T–junction with a hybrid roundabout. This technical note provides the WVV position on the modelling of the proposed B4091 Rock Hill/Fox Lane roundabout.

- **Technical Note WVV BDC 27 B4091 Rock Hill/Fox Lane Junction Loss of Parking Spaces: August 2018**
  - WVV have examined the transportation submissions for planning applications 16/0335 (Land at Perryfields) and 16/1132 and note that the applicants have made different determinations of the time periods for the weekday peak hour when assessing the impact of development vehicle trips on the local highway network. This technical note provides the WVV position on the loss of parking spaces at the B4091 Rock Hill/Fox Lane (with specific reference to the layby adjacent the existing junction).

- **Technical Note WVV BDC 28 Site B Land off Albert Road Site Access & Parking: August 2018**
  - This technical note provides a summary of the WVV position on the issue of site access and parking at Site B (land off Albert Road).

- **Technical Note WVV BDC 29 Identifying Total Delays at a Reconfigured Perryfields Crossroads Junction Cluster: August 2018**
  - This technical note provides a summary of the WVV position on the identification of total delays at a reconfigured arrangement of junctions at the existing Perryfields Crossroads.

- **Technical Note WVV BDC 30 B4091 Rock Hill/B4091 Worcester Rd/Charford Rd Roundabout Design Matters: August 2018**
  - This technical note provides a summary of the WVV position on the design of the proposed mitigation scheme at the B4091 Rock Hill/B4091 Worcester Road/Charford Road junction.

- **Technical Note WVV BDC 31 B4091 Rock Hill/B4091 Worcester Rd/Charford Rd Roundabout Junction Modelling: August 2018**
  - This technical note provides a summary of the WVV position on the modelling of the proposed mitigation scheme at the B4091 Rock Hill/B4091 Worcester Road/Charford Road junction.

- **Technical Note WVV BDC 32 B4091 Stourbridge Road/Perryfields Road Modelling the Existing Junction: August 2018**
  - WVV have examined the transportation submissions for planning applications 16/0335 (Land at Perryfields) and 16/1132 and note that the applicants have made different determinations of the time periods for the weekday peak hour when assessing the impact of development vehicle trips on the local highway network. This technical note provides the WVV position on the modelling of the B4091 Stourbridge Road/Perryfields Road junction.

- **Technical Note WVV BDC 33 Whitford Road Town Expansion Site Modelling the Site Access Junctions: August 2018**
  - This technical note provides a summary of the WVV position on the modelling of the site access junctions for the proposed Whitford Road Town Expansion Site.

- **Technical Note WVV BDC 34 Walking & Cycling Strategy Safe Walking Route to Proposed Perryfields First School & Nursery: August 2018**
  - This technical note provides a summary of the WVV position on the provision of a safe walking route from the proposed Whitford Road Town Expansion Site to the proposed new Perryfields First School and Nursery (planning application 16/0335).

- **Technical Note WVV BDC 35 Accounting for the Impact of Greyhound Inn Development Traffic: August 2018**
  - This technical note provides a summary of the WVV position on the impact of Greyhound Inn Public House development traffic.

- **Technical Note WVV BDC 36 Review of the Bromsgrove Paramics Model Addendum Report: September 2018**
  - WVV have previously examined the Bromsgrove Paramics Model Specification Report dated September 2017, provided to support planning application 16/0335 (Land at Perryfields). WVV have subsequently reviewed the Applicant's

Bromsgrove Paramics Model Addendum Report dated 8 August 2018. In this technical note, WVV provide comments on the Addendum Report.

- **Technical Note WVV BDC 37 Funding of Proposed Parkside Junction Improvements: September 2018**
  - This technical note is provided in response to the Worcestershire Highways Section 122 Compliance Statement for Planning Applications 16/0335 (Land at Perryfields Road) and 16/1132.

- **Technical Note WVV BDC 38 Funding of Proposed Junction Improvements: September 2018**
  - This technical note is provided in response to the Worcestershire Highways Section 122 Compliance Statement for Planning Applications 16/0335 (Land at Perryfields Road) and 16/1132.

- **Technical Note WVV BDC 39 A38 Bromsgrove Major Scheme Package 1: October 2018**
  - This technical note is provided in response to the Public Reports Pack provided for the Worcestershire County Council Cabinet meeting held on 27 September 2018.

- **Technical Note WVV BDC 40 Fox Lane and Whitford Road Delays: December 2018**
  - It is the considered opinion of WVV that due to the limitations of the WCC fixed camera traffic survey methodology the one-day data sample reported by WCC for 17 May 2017 understates actual queue lengths and delays at key locations in Bromsgrove. This technical note sets out the position of WVV on this issue.

- **Technical Note WVV BDC 41 Millfields ANPR Analysis: December 2018**
  - In this Technical Note WVV examine data from the Worcestershire County Council (WCC) Automatic Number Plate Recognition (ANPR) traffic survey of 16 May 2017 to examine the behaviour of existing residents that represent a proxy for the behaviour of future residents of the proposed Whitford Road TES.

- **Technical Note WVV BDC 42 Site A Land off Whitford Road Development Vehicle Trip Assignment: December 2018**
  - In this Technical Note WVV examine vehicle trip assignment data and provides an update to technical note WVV BDC 6. WVV revisit the applicant's distribution of development vehicle trips for the purpose of travel to work and provide an alternative assignment of such development vehicle trips to local Middle Super Output Area (MSOA) destinations, assign development vehicle trips for purposes other than travel to work within local MSOA's to the local highway network and revisit the applicant's assignment of development vehicle trips for the purpose of travel to work to a place of employment to the east of Bromsgrove.

- **Technical Note WVV BDC 43 Site A Land off Whitford Road Access to Bus Services: January 2019 (Updated version submitted December 2019)**
  - In this technical note WVV comment on the accuracy and quality of the applicant's TA and TAA statements on existing bus services and discuss the potential for

modal shift from single occupancy peak period development vehicle trips to bus travel.

- **Technical Note WVV BDC 44 Site A Land off Whitford Road Development Vehicle Trip Assignment – Cumulative Assessment: June 2019**
  - In this technical note WVV comment on the assignment of development vehicle trips from the proposed Perryfields TES that is provided within WSP Transport Technical Note 5 (TTN5) – Perryfields Rd Cumulative Assessment dated 7 May 2019 as evidence for the Whitford Road TES.

- **Technical Note WVV BDC 45 Site A Land off Whitford Road Traffic Study Area Review: June 2019**
  - In this technical note WVV identify the extent of the study area initially agreed for the assessment of the impact of development vehicle trips on the local highway network, document the changes made to expand original study area, identify and discuss new evidence supplied by the applicant and make the case for a further extension of the study area.

- **Technical Note WVV BDC 46 Whitford Road TES Assessing the Impact of Development Vehicle Trips at the Parkside: June 2019**
  - In this technical note WVV note the latest evidence on the performance of the A448 Market Street/B4091 Stourbridge Road/Birmingham Road/A448 The Strand – Stratford Road (Parkside) Junction, note the applicant's assignment of development vehicle trips from Site A to the local highway network, provide a critique of the applicant's assignment of development vehicle trips from Site A to the local highway network and note the applicant's addition of the Parkside Junction to the study area where the applicant is required to assess the impact of development vehicular traffic and promote appropriate mitigation strategies.

- **Technical Note WVV BDC 47 Bromsgrove Western Distributor Road: September 2019**
  - In this technical note WVV state the purpose of a Western Bromsgrove Distributor Road, provide a chronological review that demonstrates recognition for significant and long term investment in the local highway network to ensure it is fit for the purpose of delivering growth and regeneration and provide an analysis of the indicative routes and costs given in the Worcestershire County Council (WCC) Bromsgrove Western Distributor Road Feasibility Assessment.

- **Technical Note WVV BDC 48 Development Impact on Catshill: October 2019**
  - Whitford Vale Voice (WVV) have examined the Mott MacDonald (MM) Technical Note – Development Impacts on Catshill dated 21 August 2019 and in this Technical Note, WVV set out to:
    1. Reiterate the WVV position on the MM "Stourbridge Road 100" rule;
    2. Identify the development traffic percentage impact threshold used by the applicant for application 16/1132 (Land off Whitford Road and Land off Albert Road) to trigger a full assessment of the impact of development vehicle trips at a junction using industry standard junction modelling software;

3. Provide an alternative methodology for the assignment of development vehicle trips to viable multiple routes across the local highway network in Catshill accessed from B4091 Stourbridge Road;
4. Apply the WVV alternative Catshill multiple route assignment to provide a summary of the impact of proposed Whitford Road Town Expansion Site (TES) development vehicle trips;
5. Provide a Catshill multiple route summary of the impact of Whitford Road TES plus Perryfields TES development vehicle trips

- **Technical Note WVV BDC 49 TEMPro Growth Logic Check: October 2019**
  - In this Technical Note Whitford Vale Voice (WVV):
  - 1. Provide an overview of National and Regional policy on how Transport Assessments are required to account for the impacts on the highway network of committed developments and Local Plan allocations;
    2. Provide a summary of the progress with committed development and Local Plan allocation construction projects during the period of Local Highway Authority traffic surveys undertaken in May 2017.
    3. Identifies how for Planning Application 16/1132 (Land off Whitford Road and Land off Albert Road) the Applicant has chosen to account for the impacts on the highway network of committed developments and Local Plan allocations;
    4. Provide a logic check to test the validity of the Applicant's methodology used to account for the impacts on the highway network of committed developments and Local Plan allocations.

- **Letter dated 12 October 2019**

Whitford Vale Voice (WVV) has undertaken a comprehensive review of:

- The applicant's transportation submissions
- The transportation submissions for Planning Application 16/0335 (Land at Perryfields) in so much as they impact upon the Whitford Road / Greyhound Inn cumulative impact assessment and school sensitivity test;
- Submissions from Worcestershire County Council (WCC) in their role as Local Highway Authority (LHA); and;
- Submissions from Mott MacDonald (MM) acting in their transportation and highway advisory role to Bromsgrove District Council (BDC). WVV have submitted to the Local Planning Authority (LPA), Bromsgrove District Council (BDC), a series of 49 detailed Technical Notes outlining key aspects of our concerns regarding the Whitford Road/Greyhound Inn application on transportation grounds. This letter provides a summary of the key reasons why WVV consider that the Whitford Road/Greyhound Inn application should be refused, namely:
- 1. Whitford Road site access
- 2. Greyhound Inn site access
- 3. Journeys through the Town Centre to the M42 and the M5 at Lydiate Ash
- 4. Ignoring Pupil Escort Trips by Car
- 5 Ignoring Vehicle Trips to the South East Bromsgrove & Stoke Prior Employment Areas
- 6 Assessment Scenarios and Ignoring Vehicle Trips
- 7 Traffic Survey Concerns
- 8 Accounting for Committed Developments and Local Plan Allocations
- 9 Suppressing Vehicle Trips Generated by Development at Perryfields

- 10 Proposed Rock Hill / Fox Lane Roundabout
- 11 Charford Road Roundabout
- 12 Millfields
- 13 Perryfields Crossroads
- 14 Bromsgrove Town Centre
- 15 Stourbridge Road/ Perryfields Road Junction
- 16 Catshill
- 17 A38 Improvement Scheme
- 18 Whitford Road Bus Service
- 19 Western Distributor Road

Conclusions

- It is the considered opinion of WVV that insufficient information has been provided to convince ourselves and the local community that the impact of development at the Whitford Road and Greyhound Inn sites on highway safety, ease of movement and congestion will not be severe, a test specified in the National Planning Policy Framework (NPPF).
- In respect of transport and highways WVV consider that the proposed developments at Site A (Land off Whitford Road) and Site B (Land off Albert Road) do not comply with Government Planning Policy. The NPPF does not support schemes that would have severe transport impacts, nor those whose impacts have not been fully assessed.
- With regards to Site A (Land off Whitford Road);
- 1. The Applicant has failed to meet the requirement of NPPF Paragraph 108(b) to ensure that safe entry to and egress from the Site for pedestrians and vehicular traffic can be achieved;
- 2. Development will have unacceptable impacts on highway safety, a severe cumulative impact on traffic congestion and ease of movement, and conflicts with Paragraph 109 of the NPPF; and;
- 3. Development fails to meet the requirements of Policy BDP5A.7(d) for the guaranteed provision of bus services.
- With regards to Site B (Land off Albert Road otherwise known as the Greyhound Inn) the Applicant's proposals;
- 1. Have not been shown to meet NPPF Paragraph 108(b) requirements to ensure that safe entry to and egress from the Site for vehicular traffic;
- 2. Do not meet the minimum onsite parking requirements specified in the WCC Streetscape Design Guide; and;
- 3. Do not satisfy the requirements of the BDC High Quality Design Supplementary Planning Document in terms of adequate amenity levels for future occupiers. Consequently development at the proposed Greyhound Inn development is likely to result in increased competition for the existing on-street parking amenity and a detrimental impact on ease of movement and highway safety.

- **WVV Technical Note Summary: October 2019**
  - This document provides a summary of the Technical Notes listed above, with responses received from other parties.
  - The responses are colour coded using the following key:
  - Green: Matters where there is broad agreement between WVV and other parties. Such matters may be material to the WVV conclusion that insufficient information has been provided to convince ourselves and the local community that the impact

of development at the Whitford Road and Greyhound Inn sites on highway safety, ease of movement and congestion will not be severe.
  - Yellow: Matters where no response has been received from another party. Such matters are material to the WVV conclusion that insufficient information has been provided to convince ourselves and the local community that the impact of development at the Whitford Road and Greyhound Inn sites on highway safety, ease of movement and congestion will not be severe.
  - Red: Matters where WVV are not in agreement with the response received from another party. Such matters are material to the WVV conclusion that insufficient information has been provided to convince ourselves and the local community that the impact of development at the Whitford Road and Greyhound Inn sites on highway safety, ease of movement and congestion will not be severe.

- **Information Deficiency Summary: December 2019**
  - This document provides clarity on some of the matters raised by Members during their discussion at Planning Committee on 31 October 2019

- **Clarification of Matters Arising at the Planning Committee Meeting of 31 October 2019: December 2019**
  - This document provides clarity on some of the matters raised by Members during their discussion at Planning Committee on 31 October 2019

- **WVV Response to Request for Comments on LPA Perception of Additional Information Requested by Members: January 2020**
  - This document responds to the deferral reasons put forward by Members at the Planning Committee Meeting on 31 October 2019

The following documents were received on 29 January 2020:
- WVV Submission: BDC Transport Proof of Evidence Rebuttal
- WVV Submission: Catesby Proof of Evidence Volume 1 – May 2015
- WVV Submission: Catesby Transport Proof of Evidence Rebuttal
- WVV Submission: Cuts to 144 Bus Service
- WVV Submission: HCA Representation to BDPM Examination
- WVV Submission: IDP February 2014
- WVV Submission: Local Plan Inspector's Report
- WVV Submission: Local Transport Plan 4 (LTP4)
- WVV Submission: Local Transport Plan 4 (LTP4) – Extract
- WVV Submission: Mott Macdonald Bromsgrove Western Route Review
- WVV Submission: Planning Appeal Decision Letter – Land at Kidnappers Lane, Leckhampton, Cheltenham
- WVV Submission: Proposed Perryfields Bus Route
- WVV Submission: Western Bromsgrove Distributor Road – Comments and Observations
- WVV Submission: WCC Whitford Consultation Response 10 March 2014
- WVV Submission: Whitford Road Appeal Decision 2015

The following documents were received on 30 January 2020:
- WVV Submission: Bromsgrove District Plan Review – Call For Sites: Tables
- WVV Submission: Bromsgrove District Plan Review – Call For Sites: Map Extract

- WVV Analysis of Catesby ANPR Survey 7 October 2014
- WVV Presentation to Planning Committee Meeting 31 October 2019

The following document was received on 3 February 2020:

- WVV Submission: Extract from the Transport Assessment for Planning Application 16/0335 (Land at Perryfields Road) Cumulative Impact Assessment (Perryfields plus Whitford Road) Junction Modelling Outputs Year 2030 Stourbridge Road / Meadow Road / Westfields (Crown Inn) Junction

Members are directed to these documents in full, available on-line on the District Council website via Public Access.

Representation from Hill Top Ward Councillor Luke Mallett

Views received 24 December 2016:

- I write to categorically object to this application as the County and District Councillor for the area covered by the proposed Whitford Road development. It is my view that this application would impact on traffic and roads across Bromsgrove, leaving a severe cumulative impact on our roads, contrary to the NPPF.
- Accordingly, due to the complex nature of the highways evidence please accept this as a holding objection, I will likely wish to submit additional evidence in objection once a detailed analysis of the application is completed by the residents and groups I represent.

Overall Development Context and Sustainability

- Whilst many I speak to recognise the need for housing in Bromsgrove this cannot be at the cost of traffic gridlock. It seems perverse that the Council's previous and emerging local plans earmark the West of Bromsgrove for the majority of development whilst the improvements to road and transport infrastructure are being made to the East of the town.
- The SHLAA assessment carried out to identify this site is now clearly flawed, and were it re-run today the site would have been red flagged on the basis of that same sustainability assessment.
- Following initial discussion with the residents and groups I represent I would make the following early observations - these are subject to a full review of the TA and potential additional traffic analysis:

General Points

- Between 2013 and 2030 WCC expect the number of vehicles on our roads to grow by 13.7% during the morning rush hour and 15.3% during the evening rush hour. That's before adding in any extra traffic from new housing anywhere in Bromsgrove.
- In 2030 WCC forecast that the total length of all the traffic queues across Bromsgrove and Redditch will increase above 2013 levels by 99% in the morning rush hour and 95% in the evening rush hour. These are an average across both towns. The growth in queues will be greatest where new housing is built. That's the West of Bromsgrove.
- BDC has to deliver 7000 new homes by 2030. They don't know yet where they are going to build 2400 of these homes but they want to put most of them in Bromsgrove.
- The Homes and Communities Agency want to build homes on the former Barnsley Hall Hospital site and land on the west side of the Stourbridge Road between Bromsgrove and Catshill is earmarked for housing too.

- WCC's plans for junction improvements are to cope with the first 4600 of the 7000 homes that Bromsgrove needs to build. They have no strategy or plans for how the West of Bromsgrove will cope with the traffic from a further 2400 homes.
- To meet its needs for new homes and jobs Bromsgrove needs a new road to distribute traffic around the west of the town and the only viable route is across the Whitford Road site. Allowing a new estate at Whitford Road would be bad planning and short termism of the worst kind. Build at Whitford Road and you can never have the new road infrastructure Bromsgrove needs for all its 7000 new homes.

The Whitford Triangle

- Even though we have long queues in Fox Lane each morning we all know that it is quicker to get from the Perryfields Crossroads to Rock Hill along Whitford Road and Fox Lane rather than going past the new Waitrose in Town. WCC and the Whitford Road developer know this is true because they kept telling us so during the first Whitford application. However WCC's new traffic model claims the opposite is true. Quite simply any road improvement schemes in the Town Centre and the West of Bromsgrove based on forecasts from the new traffic model cannot be trusted.

Rock Hill /Fox Lane Issues - Greyhound and Local Shop/Junction Alignments

- The Greyhound is an Asset of Community Value.
- Traffic flows in the new model through the junction do not accurately replicate what happens at the moment.
- The proposed roundabout still only has one lane on the approach when travelling south. Drivers will now have to give way to traffic from the right coming out of Fox Lane. Queues in Rock Hill will get longer and are likely to block the Charford Road roundabout. Charford Road roundabout is the start of the Worcester Road AQMA.
- The Fox Lane approach to the roundabout goes from one lane of queuing traffic to two making it more dangerous to cross the road here.
- As you walk down Rock Hill towards town on the Greyhound side of the road when you get to Fox Lane and try to cross traffic coming into Fox Lane is approaching from behind you making it more dangerous to cross here.
- When the light controlled crossing is activated traffic will block the roundabout,
- Loss of parking spaces in front of the shop will mean loss of business and potentially risk the viability of a key community asset in the form of the shop because passing motorists will have less chance of finding a parking space.
- Loss of parking spaces on the east side of Rock Hill may mean buses are unable to pull into the layby due to parked cars thereby blocking back to the roundabout may occur.
- Roundabout does not meet DfT design standards for visibility.

Millfields

- At the Planning Inspection, the Inspector said "Some of the roads through that area are narrow, without footways, and are used by children attending the Primary School at Swift Close. Any significant increase in traffic through this area would therefore be likely to have adverse impacts on pedestrian safety and residential amenity."
- WCC have told the developer that after improvements at Rock Hill they think 56 drivers from the new development will rat run through Millfields each morning and 27 each evening. But they have chosen to ignore these rat runners through Millfields and are not offering any mitigation at all.

Perryfields Crossroads

- Turning movements at the junction in the new model do not replicate the current situation.

- The error in the model about Perryfields to Rock Hill travel times means the model understates the amount of traffic turning into and out of Whitford Road.
- Junction improvements based on the new model cannot be trusted.
- It is likely that eastbound traffic queuing at the new Whitford Road lights will block the proposed new Perryfields roundabout.

Whitford Road

- The proposed junction alignments near Deansway are not safe and risk accidents at this location.

Additional comments received 30 October 2019:

- 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.

Members are encouraged to review all submitted documentation, including the third party letters summarised above. A number of representations have been accompanied by photographs to illustrate traffic and drainage concerns. All submitted information is available to view in full on the District Council website via Public Access.

1.0 The Site and its Surroundings

1.1 The application consists of two sites.

1.2 Site A (Land at Whitford Road)

1.2.1 Site A is currently used as agricultural land and consists of 23.54 hectares.

1.2.2 The site lies on the western side of Bromsgrove. Its eastern boundary is formed by Whitford Road. Between Whitford Road and the town centre are mainly urban land uses, including the Deansway and Millfield housing areas, and Sanders Park, a large area of public open space.

1.2.3 To the south, the site adjoins housing around Sunningdale Road. To the north is Timberhonger Lane, a minor country lane, where there are also two existing dwellings and a pumping station. To the west, there is open countryside and the M5 motorway.

1.2.4 The topography is undulating, and the site is visually contained by the ridgeline on its western boundary. There are some established hedgerows, including one that crosses the site from east to west, but no other features of note. A public footpath runs from Sunningdale Road, alongside (but outside) the site's southern boundary, and gives views over the site.

1.2.5 To the north, Whitford Road joins the main highway network at Kidderminster Road (the A448), forming an uncontrolled staggered cross-roads with Perryfields Road. To the south, Whitford Road becomes Fox Lane, which reaches the main network at Rock Hill (B4091), in an uncontrolled T-junction.

1.2.6 In the adopted Bromsgrove District Plan, Site A is identified as a Bromsgrove Town Expansion Site in Policy BDP5A. Site A is designated as BROM3.

1.3 Site B (Greyhound Inn Public House: Albert Road/Fox Lane/Rock Hill)

1.3.1 Site B amounts to 0.277 hectares. This contains a now closed and vacant Public House, garden area and associated car park.

1.3.2 The site has a frontage and an access onto Fox Lane, with a mix of residential properties including terraced and semi-detached houses and bungalows to the north and east. The public house is located at the junction of Fox Lane and Rock Hill. There is a separate frontage onto Albert Road which also includes a now disused point of access.

1.3.3 In the adopted Bromsgrove District Plan, Site B is located in a designated residential area.

2.0 Proposal

2.1 This development relates to an outline planning application for:

2.2 **Site A (Land at Whitford Road)**
Provision of up to 490 dwellings, Class A1 retail local 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

2.3 The application has been submitted in outline with all matters except access reserved for future detailed applications. The access details proposed comprise for Site A, two new priority accesses onto Whitford Road, and for Site B, a new priority access onto Albert Road.

2.4 To be clear for Members, the only elements of the proposed development that are for consideration at this stage and fixed by the outline application are:

Site A: maximum number of dwellings (490)
the inclusion of a retail unit of a maximum of 400 square metres
the location and form of the two accesses onto Whitford Road

Site B: the demolition of the Greyhound Inn Public House
maximum number of dwelling (15)
the location and form of the access onto Albert Road
part-provision for accommodation of a new roundabout

2.5 Notwithstanding this, the applicant has submitted an Indicative Masterplan indicating the form of the development, with an accompanying Design and Access Statement that details the underlying development principles and addresses the constraints of the site and the surrounding locality. To be clear, with regard to all matters except access, the Masterplan should be treated as

purely illustrative but if necessary, other elements can be secured by suitable conditions.

2.6 To provide further clarity for Members, the proposed development consists of:

SITE A

- Up to 490 dwellings
- Local shop up to 400 square metres floorspace (Use Class A1)
- The creation of two new priority T junctions onto Whitford Road
- The creation of pedestrian and cycle access onto Whitford Road
- The creation of landscaping and open space
- Internal road network
- Car and cycle parking
- Sustainable drainage measures, including surface water attenuation
- Provision of utilities infrastructure
- Earth works and all ancillary works

SITE B

- Up to 15 dwellings
- Demolition of the Greyhound Inn Public House
- The creation of a new priority access onto Albert Road
- The creation of landscaping
- Internal road
- Car and cycle parking
- Sustainable drainage measures
- Provision of utilities infrastructure
- Part-provision of roundabout

2.7 Consideration has been given to the sequential and phased delivery of the scheme at Master Plan stage. This is to ensure that the Miller Homes owned area of the site is provided with access from the Catesby Developments owned area of the site in the first Phase (1A). The subsequent sequential build program envisaged will thus allow development to proceed in a logical order.

2.8 The scheme also includes a programme of highway mitigation measures external to Site A and Site B. These are:

Location	Works
Rock Hill/Fox Lane	Roundabout
A448 Kidderminster Road/Whitford Road/ Perryfields Road	Traffic signals
Worcester Road/Charford Road	Roundabout approach widening
A448 Kidderminster Road/Hanover Street/ St Johns Street	Roundabout approach widening
A448 Kidderminster Road near Dawson Road	Signal controlled crossing
Whitford Road near Timberhonger Lane	Signal controlled crossing
A38 Major Scheme Improvement	Financial contribution
Whitford Road and St Johns Street via Sanders Park	New cycleway
Bus Service	Financial contribution

2.9 The proposed housing mix will incorporate 1, 2, 3, 4 and 5 bedroom units of open market housing, along with affordable housing. On Site A, 490 dwellings equate to approximately 31 dwellings per hectare when calculated against the net residential area (21 dwelling per dwellings if the residential and open space areas are combined). Site B would equate to 54 dwellings per hectare, based on the provision of 15 units.

2.10 The provision of 40% affordable housing is proposed (equating to 202 units based on the maximum provision of 505 units spread across site A and site B).

2.11 The scheme includes some re-grading of levels within Site A. Such re-grading would be limited to the southern and central areas of the site in order to better regularise the steeper land form and valley features. This will be accommodated through a cut and fill basis with no export or import of material. Site A includes a comprehensive Sustainable Drainage System (SuDS) to restrict run-off rates and volumes in. This will take the form of attenuation basins and a central swale. Site B also proposes sustainable drainage measures.

2.12 The application has been subject to an Environmental Impact Assessment (EIA) in relation to Site A only. This has examined the potential effects that may occur in connection with its development. The findings of the EIA are reported in the Environmental Assessment (ES), together with amended information received in January 2018 and updated information received in May 2019.

2.13 Although the proposals for Site B are included within this outline application, they are not assessed within the ES as the proposals do not give rise to any significant environmental effects. Also, Site B amounts to 0.277 ha which sits below the threshold for infrastructure projects as classified by Schedule 2 in the 2011 (as amended) Regulations.

3.0 Relevant Policies

3.1 Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP3 Future Housing and Employment Growth
BDP5 Bromsgrove Strategic Site Allocations
BDP5(A) Bromsgrove Town Expansion Sites
BDP6 Infrastructure Contributions
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP12 Sustainable Communities
BDP13 New Employment Development
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP21 Natural Environment
BDP22 Climate Change
BDP23 Water Management
BDP24 Green Infrastructure

BDP25 Health and Well Being

3.2 Others

High Quality Design SPD
SPG11 Outdoor Play Space
WWCS Worcestershire Waste Core Strategy
NPPF National Planning Policy Framework (2019)
NPPG National Planning Practice Guidance
National Planning Policy for Waste (NPPW)
National Design Guide (September 2019)

4.0 Relevant Planning History

4.1 Site A

4.1.1 13/0479 Residential development comprising up to 490 dwellings and small retail (Class A1) shop; together with two new accesses onto Whitford Road; provision of new public open space; landscaping; and sustainable urban drainage
Refused: 21 August 2014
Appeal APP/P1805/A/14/2225584: Dismissed 3 August 2015

A subsequent application under Section 288 of the Town and Country Planning Act 1990 to quash the planning appeal decision taken by the first defendant, the Secretary of State for Communities and Local Government, by one of his Planning Inspectors, John Felgate BA(Hons) MA MRTPI was dismissed by the High Court of Justice (Queen's Bench Division Administrative Court Birmingham) on 17 March 2016 (reference CO/4421/2015)

4.2 Site B

4.2.1 17/00950 Demolition of existing two-storey building (full planning application)
Refused: 13 November 2017

4.2.2 16/0832 Demolition of existing two-storey building (prior notification)
Prior Approval Required: 4 October 2016
Full Planning Permission Required: 11 November 2016

4.2.3 13/0674 Erection of 7 no terraced houses on rear western car park and opening up of existing driveway on Albert Road to existing car park
Refused: 3 March 2015
Appeal APP/P1805/W/15/3024037: Allowed 24 September 2015

4.3 As detailed above, Site A was the subject of outline planning application (reference 13/0479). This application was refused on 21 August 2014 on highway grounds only. The refusal was subject to an appeal, whereby the Inspector deemed that the overall main issue related to the effects of the proposed development on traffic congestion, ease of movement and highway safety in Bromsgrove. The appeal was subsequently dismissed on 3 August

2015. The Inspector's overall conclusions, with the relevant paragraphs as set out in the appeal decision, are set out in full below (noting that reference is given to Policies from the now superseded Bromsgrove Local Plan (BLP).

4.4 140. For the reasons set out above, I find that the proposed development would have a severe residual cumulative impact on traffic congestion, movement and highway safety. Because of this, it would conflict with the aims of the three most relevant saved policies in the adopted BLP, namely DS13, S7, and TR11. In these respects, the appeal proposal is contrary to the development plan. Even though that plan is out of date with regard to housing provision, these policies have continuing force. In any event, for the same reasons the proposed scheme conflicts with paragraph 32 of the NPPF.

4.5 141. On the other hand, the proposed development would provide a substantial amount of housing, in a district where there is a shortfall in the 5-year housing land supply. The scheme would therefore help to meet housing needs, including a substantial contribution to affordable housing. The appeal site is a proposed housing allocation under draft Policy BDP5A.7 in the emerging District Plan, which is well advanced towards adoption. As such, it is one of the preferred locations for future development, and an important component of the Council's housing strategy. The NPPF places great weight on the need to maintain the 5-year land supply, and on the need to boost housing supply on suitable sites. These are powerful considerations in favour of granting permission.

4.6 142. However, the relevant policies do not seek simply to provide housing at any cost. Policy BDP5A.7 makes clear the need to manage cumulative traffic impact and to take full account of the impact on the wider transport network. The NPPF does not support schemes that would have severe transport impacts, nor those whose impacts have not been fully assessed. In its present form, the appeal scheme and its mitigation proposals do not strike an acceptable balance between the need for housing and the need to provide adequate transport infrastructure, including reasonable standards of safety and ease of movement, for both future and existing residents. To my mind, this does not match the aims of either the BDP or the NPPF with regard to sustainable development.

4.7 143. Refusing permission would delay the delivery of the emerging BDP housing strategy. But equally, granting permission on the basis now sought would run the risk of frustrating the BDP's strategy, by effectively limiting highway capacity in an area where other major developments are planned. In this respect, the scheme would be contrary to the only recognised infrastructure plan that currently exists, the IDP. In all the circumstances, I come to the conclusion that the proposed development would not meet the aims of draft BDP Policy BDP5A.7.

4.8 144. In coming to this conclusion, I have given considerable weight to the stated views of WCC as Highway Authority, who strongly support the

proposed development and its mitigation strategy, but on the balance of the evidence, I find this consideration outweighed.

4.9 145. In addition to housing, the scheme would also have the other benefits identified above, including transport contributions, open space and as a stimulus to the economy. But these do not tip the balance. Having regard to NPPF paragraph 14, I conclude that the proposed development's benefits are significantly and demonstrably outweighed by the harm that it would cause in terms of added traffic congestion and the related issues of movement and safety. As such, it would not constitute sustainable development.

4.10 146. I have taken into account all the other matters raised, but none alter this conclusion. The appeal is therefore dismissed.

4.11 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 the 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

5.0 Appraisal

5.1 Policy Context

5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Members will be aware that the Development Plan for the area comprises the Bromsgrove District Plan (BDP) 2017.

5.3 A number of representations make 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. For the avoidance of doubt, a refusal of this application would not have the effect of restoring the Green Belt designation which once existed. Nor would it alter the District Plan allocation of this site for development.

5.4 Members will also be aware that the application site is one of three which are identified as a Bromsgrove Town Expansion Site. Site A is designated as site BROM3.

5.5 Policy BDP5A.6 states that BROM3 is to include approximately 490 dwellings and associated community infrastructure, including public open space, play facilities, and small scale local retail provision. The other proposed TESs at Bromsgrove are BROM2 at Perryfields Road, just to the north of the application site, which is allocated for 1,300 dwellings and 5 hectares of employment and a

local centre (subject of pending planning application reference 16/0335); and BROM1 at Norton Farm, to the north-east of the town, which is allocated for 316 dwellings in the Plan. Norton Farm has been granted planning permission and is now substantially completed and occupied.

5.6 With regard to all the TESs, Policy BDP5A.7 sets out various requirements for their development. Of relevance to BROM3 are the following requirements:

(c) states that an overall transport strategy will be developed to maximise walking and cycling opportunities;

(d) seeks significant improvements in passenger transport, including integrated and regular bus services connecting the new and existing residential areas with the town;

(e) states that it will be necessary to manage the cumulative traffic impact generated by the developments, with proposals being subject to appropriate appraisal in consultation with Worcestershire County Council as highway authority, and taking full account of the impact on the wider transport network;

(i) The sites will have an overall strategy for green infrastructure (incorporating SuDS and blue infrastructure) that maximises opportunities for biodiversity and recreation throughout and in the case of BROM3, links to Sanders Park;

(j) Important biodiversity habitats and landscape features should be retained and enhanced with any mitigation provided where necessary. There should be no net loss of hedgerow resource within the sites. Full account should be taken of protected and notable species (e.g. badgers, reptiles, water voles and bats);

(k) An appropriate assessment of the pollution risks to controlled waters will be produced taking account of any previous contaminative uses on the sites (including the historic landfill) and the risks associated with the proposed uses;

(l) Flood risk from the Battlefield Brook on BROM3 should be managed through measures that work with natural processes to improve the local water environment addressed through flood management measures to protect and enhance the District's watercourses and enable development;

(m) SuDS proposals must provide an appropriate level of treatment to avoid pollution risks to controlled waters, and be designed to achieve the greenfield rate of runoff and support water levels in the Battlefield Brook. And surface water runoff must be managed to prevent flooding on and around all of the sites through the use of SuDS. In accordance with the objectives of the Water Framework Directive, development should ideally contribute towards the improvement of, but as a minimum not have a deteriorative effect on, the water bodies associated with the site; enhance, or at least not worsen, water quality.

5.7 Site B can be considered as a windfall site given it is a site not specifically identified in the Development Plan.

5.8 The NPPF seeks to promote sustainable development. The achievement of this aim requires consideration of the inter-linked social, economic and environmental dimensions. Pursuing sustainable development involves seeking positive improvements in the quality of the built environment and in the quality of

life; this includes improving the conditions in which people live, work and travel, and also widening the choice of homes (paragraphs 7-8).

5.9 With regard to transport, paragraph 111 of the NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan and the application should be supported by a transport statement or transport assessment so that the likely impact of the proposal can be assessed. Plans and decisions should take account of opportunities for sustainable transport modes; safe and suitable access for all; and cost-effective improvements to the transport network, to limit significant impacts. However, permission should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.10 Paragraph 130 states that permission should be refused for development of poor design, which fails to take opportunities for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

5.11 Using the most up to date monitoring information, at April 2019 Bromsgrove District Council cannot demonstrate a 5 year supply of deliverable housing land sites. This means that paragraph 11(d) of the National Planning Policy Framework is engaged for the reasons set out below.

5.12 Paragraph 11 as a whole sets out a presumption in favour of sustainable development and the second part for decision-taking states:
"For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

5.13 Footnote 7 of the NPPF states that "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer as set out in paragraph 73)". Therefore the presumption in favour of sustainable development is engaged by reason of the inability of Bromsgrove District Council being able to demonstrate a five year supply of housing land.

5.14 The trigger in paragraph 11(d) was perhaps drafted with speculative, non-allocated, windfall sites in mind and it is considered that sites such as Whitford Road (Site A) which benefit from inclusion in a Development Plan were not the intended focus of the test. These sites would be expected to be in accordance with the Development Plan and thus be approved "without delay" (paragraph

11(c)). Nonetheless, the Council does not have a five year supply of housing sites, the site does not fall within an area protected by policies in the Framework as listed at footnote 6 (SSSI, Green Belt, Local Green Space, AONB, National Park etc) and therefore, by default, paragraph 11(d) is engaged.

5.15 However, determination of the application does not rest wholly on paragraph 11(d) of the NPPF. Being mindful of the 5 year housing supply position for Bromsgrove, the considerations under paragraph 11(d) take on added weight.

5.16 This means that planning permission should be granted unless the adverse impact of doing so would significantly outweigh the benefits when assessed against the Framework as a whole, or in specific circumstances where development should be restricted. Local Plan policies continue to be relevant to determining site-specific issues and whether a development can be considered 'sustainable'.

5.17 It is therefore considered that other material factors must be considered and whether the approval of the application would undermine the Bromsgrove District Plan and whether the proposal would ensure a sustainable and well-designed development.

5.18 Members will note that the application is split into Site A (Whitford Road) and Site B (Greyhound Inn Public House). The report deals with the site specific planning issues relating to Site A and Site B separately.

5.19 Issues surrounding the impact on the highway network, education provision, medical infrastructure, community assets and planning obligations that relate to the application as a whole are considered after the two site specific appraisals.

6.0 Site A Planning Appraisal

6.1 In addition to the release of the site for development and housing supply matters as detailed in Section 5.0 *Policy Context* above, the main focus for Members in relation to Site A relate to the following matters:

- Loss of agricultural land
- Sustainability
- Form and density
- Traffic and highway considerations
- Air quality
- Noise
- Geology
- Landscaping and trees
- Open space and play space
- Ecology
- Water management and flood risk
- Education provision
- Medical infrastructure
- Community assets
- Planning obligations

7.0 Site A: Loss of Agricultural Land

7.1 Paragraph 170(b) of the NPPF as amplified by Footnote 53 of the NPPF states that *"Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."*

7.2 There is no evidence that the housing needs of Bromsgrove can be met by avoiding development of such best and most versatile land having regard to the extent of the designated Green Belt. The loss of such land constitutes a dis-benefit of the proposal but not one which would justify refusal when balanced against issues of 5 year housing land supply and the limited availability of land to meet such need.

8.0 Site A: Sustainability

8.1 In paragraph 160 of the Inspector's Report on the Examination into the Bromsgrove District Plan (December 2016), the Inspector concludes that [BROM3] [is] appropriate and deliverable, the detailed requirements for the allocation [is] clear and justified and the boundaries and extent of the [site] [is] correctly defined.

8.2 In relation to Site A, the site is located approximately 800 metres to the west of Bromsgrove Town Centre. The site is well related to local pedestrian facilities, with footways in the nearby residential areas, through Sanders Park and on the local Public Rights of Way network providing opportunities for trips to be made on foot to local facilities and to Bromsgrove town centre.

8.3 Works have also recently been undertaken to construct a new 3.5 metre wide combined walking and cycling path through Sanders Park from Whitford Road to Kidderminster Road. The Section 106 Agreement also secures a financial contribution towards further improvements to the walking and cycling routes located in Sanders Park. The contribution will allow other desire lines to be addressed, the widening of existing routes and potential lighting. These improvements will go some way to addressing the views expressed by the Rambler's Association in terms of connectivity to Bromsgrove town centre, particularly through Sanders Park.

8.4 In order to allow greater connectively I also intend to impose a Condition to create a link between the development and public footpath BM-587 that runs to the southern boundary. The scheme also has the potential to make full use of opportunities for walking on the Monarch's Way to the north of the site, as advocated by Policy BDP5A.7(c).

8.5 Accessibility to cycling routes is very good with National Cycle Routes (NCR) NCR5 and NCR46 passing through Bromsgrove (connects to Crabtree Lane and provides equivalent access to the potential school site as the pedestrian routes and taking approximately 15 minutes to complete), together with Timberhonger Lane immediately north of the Site forming part of NCR46.

8.6 High frequency bus services are provided on Kidderminster Road to the north and Rock Hill to the south. The 144/144a bus service on Rock Hill runs between Smallbrook Queensway, Birmingham and Worcester Crowngate Bus Station. Bromsgrove railway station is located 2 kilometres east of the site. The railway station is accessible by bus via the bus station located in the town centre, including the 42, 43, 145, 145a and 318 bus service. Members will also note that the Section 106 Agreement secures a financial contribution towards a new bus service.

8.7 For development to be sustainable, it must be more than easily accessible and well located for services, facilities and employment. In this respect the site is in a sustainable location. I thus raise no concern on this issue and consider the scheme would comply with the sustainability aims of the NPPF and NPPG.

9.0 Site A: Form and Density

9.1 Members will be aware that the application is submitted in outline, with internal access, layout, scale, appearance and landscaping reserved for subsequent approval. In this respect, the finished design of the development is not set at this outline stage. However, the application contains an Illustrative Master Plan and information on design principles, architectural style, materials and how the development would integrate within the character of the surrounding locality. Members at this stage are thus being requested to determine issues of principle, whilst paying regard to the parameters set out in the Illustrative Masterplan, the Design and Access Statements and the Planning Statement.

9.2 Members will also note that the scheme will involve a degree of re-grading of land through a cut and fill exercise. The re-grade focuses on the central valley plateau. The submitted Design and Access Statements provides an indicative site section of such works. The precise details of these works will form part of the Reserved Matters application if outline consent is granted. The Building Control Officer has raised no objection to this aspect of the scheme, subject to a suitable condition relating to a full engineering design solution of the specification, extent and methodology details of the cut and fill works.

9.3 The site at present has very limited arboreal features, these being three small woodland areas on the western edge of the site and a small number of trees on the south-west and southern edges of the site and three hedgerows (across the centre of the site and to the boundaries with Whitford Road and Timberhonger Lane respectively). The development would result in the loss of open land, but having regard to its design and visibility, I am of the view that the impact of the development on the landscape and visual character would not be demonstrably harmful. There would no material loss of an identified attractive landscape. Enhancement to the site boundaries created by additional planting will also benefit both existing and future residents.

9.4 The development provides a density of 31 dwellings per hectare (net site area). The development of the site is influenced strongly by topography and the retention of the existing screening belts to the southern and western boundaries. The development responds to these identified constraints whilst demonstrating

efficiency in terms of land use. I am of the view that the density is acceptable in this location. The indicative housing mix would be appropriate. Both the density and illustrative housing mix would comply with Policy BDP7 of the BDP. Details of the housing mix would be secured by Condition.

9.5 Members will note the description of the application is detailed as up to 490 dwellings for Site A. If Members are minded to approve the application, this will restrict any subsequent Reserved Matters application to the maximum number of dwellings proposed. This should provide some comfort to those third parties raising concern over future housing numbers on this site.

9.6 Members will note the scheme includes a retail element. The accompanying commentary to Policy BDP5A states that BROM3 will include a minimum of 490 dwellings and associated community infrastructure that should include public open space with play facilities and small scale local retail provision. On this basis, there is policy support for the approach taken by the applicant.

9.7 In terms of the scale of the retail element, the applicant identifies that a unit of up to 400 square metres of floorspace will be developed within this proposal. There is no locally set threshold within the policy framework in which to consider the suitability, or otherwise, of the retail element being proposed and therefore the judgement rests on what is considered to be 'small scale'. The NPPF identifies at paragraph 89 in relation to retail thresholds that *"if there is no locally set threshold, the default threshold is 2,500 square metres"*. The proposed floorspace is under the defined threshold identified in the NPPF and the focus for the unit is to meet local needs and not to be an out-of-centre destination in its own right. The North Worcestershire Economic Development and Regeneration Officer raises no objection to this aspect of the scheme, subject to the imposition of a suitable condition limiting the size of this unit to the maximum 400 square metres proposed.

9.8 I note the concerns of third parties regarding the underwhelming design and layout. I note the views from CPRE regarding the protection of the ridgeline in terms of built form. I also note the views regarding crime.

9.9 Without full details of the proposed buildings, it is difficult to fully assess the impact of the development on the amenities of adjoining residences. However the illustrative layout suggests no significant problems in this respect. I am therefore satisfied that any resultant development can be accommodated without detrimentally affecting existing residential amenities and be able to secure and accommodate an acceptable level of privacy and separation as detailed in the guidance within the High Quality Design SPD. Any overlooking issues can be controlled through a subsequent Reserved Matters application and the imposition of suitable Conditions.

9.10 I am of the view that the general thrust of the Illustrative Masterplan and the Design and Access Statements are sound with regard to sustainable and attractive layouts. However, whilst I am content, this does not preclude alternative layouts coming forward at the detailed design stage. This includes an appreciation of the views put forward by CPRE. The Reserved Matters

submission should thus seek to address the detailed concerns raised by third parties at this stage. Members will note the views of the Urban Designer on such matters.

10.0 Site A: Air Quality

10.1 Members will note the concerns raised by local residents and the Ward Member in relation to the issue of air quality. This is with particular regard to the potential impact on the designated Worcester Road Air Quality Management Area (AQMA) due to the migration of traffic routing into the town centre. To clarify, the application site itself is not located in an AQMA.

10.2 WRS has critically reviewed the March 2019 update of the 2016 and 2018 Air Quality Impact Assessment (which now includes revised cumulative traffic data to take into account the proposed Perryfields development). The report is an appropriate AQA and includes model verification to show that the model had performed satisfactorily. WRS has raised no objections to the development on air quality grounds, subject to Conditions relating to electric vehicle charging points and secure cycle parking. The request for low emission boilers does not meet the Condition test.

10.3 In relation to construction matters, a Construction Environmental Management Plan will enable mitigation of any potential dust nuisance during construction phase. This can be secured through Condition.

11.0 Site A: Noise

11.1 Following consideration of comments from Worcestershire Regulatory Services and an updated noise assessment, the extent of built development in the north western part of the site has been amended. To illustrate this, a revised parameters plan (16912/1017B) has been submitted indicating where the built area will be. This will control and inform the future submission of Reserved Matters submissions.

11.2 A four metre high noise attenuation barrier to mitigate against noise from the M5 is proposed to the north-west of the site, between the proposed built form and open space. This affects the extent of the development area on this part of the site. The location and extent of the barrier is shown on the submitted Development Parameter Plan Reference 16912/1017B. The parameter plan will be conditioned to ensure the delivery of the acoustic fencing. Subject to the imposition of the condition, WRS has raised no objection on noise grounds.

12.0 Site A: Geology

12.1 Members will note that a number of third party representations have referred to concerns regarding incidences of subsidence in the vicinity of the site. I have also been provided with evidence of subsidence issues in the recent past linked to previous development applications.

12.2 The application site has been investigated with a series of trial pits and boreholes that indicates the site has not been quarried or backfilled.

Furthermore, the natural ground has been proved extensively across the site to be underlain by Bromsgrove Sandstone, a competent bed rock and founding strata that is capable of supporting traditional foundations without the need for special measures or treatment, other than to locally deepen through loose weathered material. A small deposit of alluvium runs alongside the Battlefield Brook at the northern edge. The variation in recorded soil types on the site is in part due to the slope and aspect of the location. A geological fault – the Western Boundary of Fairfield Fault – runs adjacent the western edge of the site.

12.3 Although there are no records of any extraction having taken place, there is a record of a landfill immediately adjacent to the western boundary alongside the M5 motorway. There are also records of former building stone quarries located around Hill Top and Fox Lane, to the south of the site. I am also aware through the consultation process that part of the development site has a history as a rifle range. The Contaminated Land Officer has raised no objection to the scheme, subject to the imposition of suitable Conditions, including details of further ground gas monitoring.

12.4 Subject to earthworks and foundations being appropriately designed for the encountered conditions it is thus highly unlikely that settlement issues will be an issue.

12.5 In terms of the re-grading of the site, once final levels have been determined along with the extent of any associated cut and fill operations, further intrusive work will be required to obtain samples for earthworks testing in order that a cut and fill methodology can be provided for the site. As detailed in paragraph 9.2, the Building Control Officer suggests that the developer is requested to offer a geo-technical engineer's design for the cut and fill exercise. This should clarify how undisturbed ground at higher levels is to be retained in a stable manner, together with the foundation design at lower levels. This is proposed to be conditioned.

12.6 In terms of geo-conservation, the site is not designated as being of international or national significance in terms of geological significance. The Hereford and Worcester Earth Heritage Trust (HWEHT) has raised no objection to the scheme, advising that the development will not affect any protected geological exposure.

13.0 Site A: Landscaping and Trees

13.1 The site is not covered by any statutory or non-statutory designations for landscape character or quality. The Tree Officer is of the view that the scheme is able to achieve a good level of new tree planting in sustainable locations and landscape provision. The issue of hedgerow loss needs addressing. These concerns can be addressed at the Reserved Matters stage.

14.0 Site A: Open Space and Play Space

14.1 The Illustrative Masterplan shows the provision of 7.3 hectares of formal public open space. This includes a linear park central to the site that would be

equipped, together with use of the land to the ridgeline to the western boundary for more informal uses. Following discussions that have taken place following the Planning Committee meeting on 31 October 2019, the District Council intends to manage and maintain the on-site open space through the formal adoption process. This will be secured through the Section 106 Agreement. The applicant has agreed to this approach in principle. If appropriate, I will provide a further update on this matter at your Committee.

14.2 Based on the Illustrative Masterplan, the on-site open space requirements of Policy BDP25 of the BDP and the standards set out in SPG11 are exceeded in relation to play space. I accept the scheme would lead to pressure on Sanders Park in relation to youth/adult play space. The applicant has responded to these concerns by agreeing to a commuted sum for enhancements towards adult/teen provision in Sanders Park (equipment provision and sport pitch improvements for junior football).

14.3 The views of the Head of Leisure Services on this issue are noted. The precise details of any equipment will form part of any Reserved Matters submission. Sport England has raised no objection to the scheme.

15.0 Site A: Ecology

15.1 Worcestershire Wildlife Trust (WWT) have raised no objection to the scheme, subject to the imposition of suitable conditions relating to the ecological mitigation and enhancement set out in Section 11 of the Environmental Statement. WWT has also advocated the submission of a Construction Environmental Management Plan (CEMP), a Landscape and Ecology Management Plan (LEMP) to protect existing on-site features and the adjacent watercourse, a lighting strategy and the ecological enhancements for the built environment as suggested by the Environmental Statement. Of particular note is that the SuDS system should involve a new outfall to the Battlefield Brook designed to minimise the risk of scouring to its banks and beds in order to protect the established water vole wetland habitat provision on this watercourse.

15.2 Subject to such conditions, I am therefore satisfied there will not be any direct impact on any identified protected species. I thus raise no issues on ecological grounds.

16.0 Site A: Water Management and Flood Risk

16.1 I note the concerns raised by third parties in relation to flooding. This is with particular regard to flooding on Whitford Road and Timberhonger Lane and further downstream along the Battlefield Brook (with particular reference to Sanders Park and the Brook Road area).

16.2 The application has been accompanied by a Flood Risk Assessment (FRA). The proposed development is located in Flood Zone 1 (little to no risk of fluvial or tidal flood risk) and it is sequentially appropriate. The proposed development is consistent with the appropriate uses for Flood Zone 1, as outlined in Table 1 of the Planning Practice Guidance. The Battlefield Brook is the closest

watercourse and is located outside of the application site to the north. There is no development proposed within Flood Zones 2 and 3 and as a result no flood compensatory works will be necessary.

16.3 The scheme will incorporate a comprehensive Sustainable Drainage System (SuDS) that takes into consideration the current greenfield runoff rates in order to restrict post-development run-off rates and volumes and thus provide betterment. The FRA proposes a combination of SuDS techniques including soakaways for roof water, permeable paving for driveways and a central swale which will connect the development of two attenuation ponds that will discharge via a single outfall to the Battlefield Brook. It is proposed that the flows from the application site will be controlled so that they are maintained at or lower than the existing greenfield run-off rates. This will ensure there is no adverse impact downstream.

16.4 I acknowledge that the hydrogeological setting of the proposed development is highly sensitive. The majority of the site overlies the Bromsgrove Sandstone which is classed as a principal aquifer. The site is also located in close proximity to a public water supply borehole. It is therefore essential to ensure that groundwater quality is protected. The proposed sustainable drainage systems will provide pollution treatment measures to the proposed surface water run-off within the application site and will result in an overall improvement to the water quality of the discharge to the Battlefield Brook.

16.5 The foul sewerage system serving the development will discharge by gravity to the Severn Trent Water foul sewerage system. Severn Trent Water has raised no objection to the scheme.

16.6 Contrary to the views raised by third parties, the Environment Agency and North Worcestershire Water Management (NWWM) have concluded that the proposed surface water drainage strategy will offer significant flood risk betterment compared to the existing greenfield situation and will not increase flood risk elsewhere. NWWM is particularly supportive of the use of the variety of techniques to improve water quality, whilst also managing the quantity of water flowing from the site.

16.7 I therefore raise no objection to the scheme on drainage and flood risk, subject to the imposition of suitable Conditions, including a drainage strategy and details of the finished floor levels of the dwellings.

17.0 Site A: Archaeology

17.1 The development raises no archaeological concerns given the views of the Worcestershire County Council Archaeological Service. Suitable conditions relating to recording will be imposed as appropriate.

18.0 Site B Planning Appraisal

18.1 Site B: Principle of Redevelopment and Form and Layout

18.2 The site is located in a recognised residential area on a brownfield site where the principle of residential development is acceptable. Through the demolition of the Public House, the proposal would lead to the erection of up to 15 residential units. I am satisfied the maximum density at 54 dwellings per hectare is acceptable and makes efficient use of the site. The site is highly sustainable in terms of location given its geographic relationship to Bromsgrove town centre and benefits from good public transport opportunities, including the 144 bus service on Rock Hill, immediately adjacent the site.

18.3 Members will be aware that the application is submitted in outline, with internal access, layout, scale, appearance and landscaping reserved for subsequent approval. In this respect, the finished design of the development is not set at this outline stage. The application contains an Illustrative Master Plan and information on design principles, architectural style, materials and how the development of Site B would integrate within the character of the surrounding locality.

18.4 Without full details of the proposed buildings, it is difficult to fully assess the impact of the development on the amenities of adjoining residences. However the illustrative layout suggests no significant problems in this respect. I am therefore satisfied that any resultant development can be accommodated without detrimentally affecting existing residential amenities and be able to secure and accommodate an acceptable level of privacy and separation as detailed in the guidance within the High Quality Design SPD. Any overlooking issues can be controlled through a subsequent Reserved Matters application and the imposition of suitable Conditions.

18.5 Members will note the description of the application is detailed as up to 15 dwellings for Site B. If Members are minded to approve the application, this will restrict any subsequent Reserved Matters application to the maximum number of dwellings proposed. This should provide some comfort to those third parties raising concern over the number of dwellings on this site.

19.0 Site B: Heritage Considerations

19.1 In terms of the Greyhound Inn Public House, Members will note the views of the Conservation Officer (CO), Whitford Vale Voice, Councillor Mallett and third parties in relation to heritage matters. The CO is of the view that the building is a non-designated heritage asset and would prefer to see the scheme amended to retain this building.

19.2 Following the prior approval application in August 2016 to demolish the property, it became subject to listing as an Asset of Community Value (ACV). The ACV Listing was challenged by the applicant both via an internal review and then at appeal at the First Tier Tribunal. Following a hearing, Judge Peter Lane determined that the appeal was allowed and the Public House did not qualify as an ACV and should be removed from the Listing due to it being found unrealistic that the Public House will be brought back into community use in the next five years. This is a material planning consideration in the determination of this application.

19.3 The business closed in April 2016. Members will note from the planning history that the full planning application to demolish the Public House (reference 17/00950) was refused in November 2017. Members considered the building to be a non-designated heritage asset and in the balancing exercise, took the view that there were no public benefits that would outweigh the loss of the building at the time of determination. The state of the building has deteriorated incrementally since closure and was subject to an arson attack in March 2019. The building remains unoccupied and is currently boarded and secure.

19.4 Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

19.5 I acknowledge the views of the Conservation Officer. I also acknowledge that there are some historical qualities to the building which warrant it being considered a non-designated heritage asset. Members will recall that within the Judge's decision on whether the Public House should be an ACV, he concluded that it was 'unrealistic' to think that the property could ever be re-opened as a Public House again. The allocation of the Whitford Road site as a development site (BROM3) in the adopted Bromsgrove District Plan should also be given substantial weight when considering this application.

19.6 Taking these matters into consideration in the balancing exercise required (including the significance of the heritage asset), I am of the view that the loss of the asset is outweighed by the significant wider benefits of the scheme.

19.7 Worcestershire County Council Archaeological Service has raised no objection to the loss of the building. The applicant is willing to accept a condition that will provide an appropriate level of recording in advance of demolition. This will record details of the asset for archive purposes.

20.0 Site B: Highway Issues

20.1 A new priority access is proposed onto Albert Road. WH has raised no objection to the location and form of the new access.

20.2 The demolition of the Greyhound Inn Public House will enable the necessary highway infrastructure works to be carried out at the junction of Fox Lane and Rock Hill. Site B contains provision to part accommodate a new roundabout. A new priority access is proposed to serve the site off Albert Road. This will replace the existing T-junction. This issue is discussed in further detail in the Traffic and Highways Implications section below.

20.3 I note the third party comments relating to the loss of the one parking bay on Albert Road. This is an informal parking area within the bell-mouth that has arisen from the previous closure of the vehicular access serving the Greyhound

Public House. Worcestershire Highways has not objected to the loss of this space. I also note the perceived concerns from residents regarding increased on road parking on Albert Road as a result of the redevelopment of Site B. Policy compliant on-site parking provision will form part of any Reserved Matters submission.

21.0 Site B: Tree Issues

21.1 The large Weeping Willow tree sited at the front of the site close to the junction of Rock Hill and Albert Road is formally protected under Tree Preservation Order (15) 2016. The Tree Officer has confirmed that the tree should be retained and given full protection in accordance with BS5837:2012 recommendations throughout any demolition, ground or development works on the site. An awareness of this tree and the required protection it should receive is noted within the submitted Method Statement and compliance with this Statement would be conditioned. The Tree Officer has raised no objection, subject to the imposition of this Condition.

22.0 Site B: Protected Species

22.1 A bat survey has been undertaken but concluded that there were no evidence of roosting bats and as such it is considered reasonably unlikely that the building supports a bat roost. I therefore raise no issue with regard to protected species.

23.0 Site B: Other Issues

23.1 The indicative Masterplan for Site B demonstrates that 15 dwellings can be accommodated on the site without detrimentally affecting existing residential amenities and be able to secure and accommodate an acceptable level of privacy and separation as detailed in the guidance within the High Quality Design SPD. Full details will form part of any Reserved Matters submission.

23.2 This site falls entirely within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding. A SuDs approach to drainage matters is proposed. NWWM has raised no objection to the scheme subject to a suitable drainage strategy.

23.3 A number of residents have raised concerns regarding the accessibility of the site for domestic waste collection. Members will note the scheme is in outline and the internal road configuration to serve Site B is not for determination at this stage. Waste Management has raised no objection. The full details of bin storage facilities and bin access arrangements will be scrutinised at Reserved Matters if outline consent is granted.

23.4 The existing grit bin located on Albert Road located at the proposed vehicular access to serve Site B will be relocated in a suitably accessible position in Albert Road through the Section 278 process.

23.5 I have no technical objections in relation to air quality, contaminated land or noise matters arising from the re-development of Site B. The request from WRS

for Conditions relating to electric vehicle charging points and secure cycle parking can be applied to Site B.

24.0 Application Wide Matters

24.1 Traffic and Highway Considerations

24.2 Members will note the internal road network is not for consideration at this stage at either Site A or Site B.

24.3 Members will be aware that the majority of third party representations have raised concern with regard to traffic congestion and highway safety (with particular regard to the Fox Lane/Rock Hill junction and the Whitford Road/Kidderminster Road junction), Town Centre congestion and the potential for rat running on residential roads in the locality of the application site. Members will note the suite of Technical Notes submitted by Whitford Vale Voice for consideration and the consultation responses from Worcestershire Highways and Mott Macdonald on this issue. Where appropriate, the applicant has also responded. Whilst I note the comment regarding the impact on All Saints Road, this particular street is considered to be too remote from the application site to be able to show that there would be an impact from this application to result in a severe impact or an unacceptable impact on highway safety. To be clear, whilst local residents may consider there to be existing issues it is not the responsibility of this development to address these concerns.

24.4 A detailed Transport Assessment (TA) has been prepared by WSP in support of the planning application. The assessment process has been lengthy and detailed to ensure the transportation evidence being used to support this application is robust. The approach adopted has been a traditional approach with engagement between Worcestershire Highways, Bromsgrove District Council and Mott Macdonald, the Council's retained independent highway consultant. This process has also involved some engagement with Whitford Vale Voice. The TA has assessed the impact of development upon the local and strategic highway networks in terms of traffic generation and has also considered the accessibility of the site via alternative modes of travel.

24.5 Given the Site A BROM3 allocation in the adopted Bromsgrove District Plan, Worcestershire Highways is of the view that the principle is considered to be acceptable, subject to detailed design matters and access arrangements. No objection from Worcestershire Highways has been raised to the form and location of the two new accesses leading off Whitford Road or to the new access leading off Albert Road.

24.6 It is accepted that the application represents a major development proposal which will place new demands across the local transport network. In transport terms, this application has been considered both as a standalone proposal and in a holistic manner to ensure the cumulative impacts of this scheme and the pending Perryfields scheme are understood and appropriately mitigated.

24.7 The conclusion of the Planning Inquiry into planning application 13/0479 is a key consideration. Following the decision of the Planning Inspector, a Bromsgrove VISUM transport model was completed, this allowed for highway assignment and the level of demand on junctions to be assessed. Whilst this model considered the impact of this development, it was subsequently deemed to not be sufficiently robust. As a result the conclusions of that model run have been withdrawn and do not form any part of the supporting evidence nor has it influenced the conclusions of the Highway Authority. To address the lack of a strategic assignment model, a traditional approach to assignment has been used and this approach has been agreed by the Highway Authority and endorsed by the Council's retained Highway Consultant.

24.8 The agreed Transport Assessment scope uses a manual assignment based on journey to work data from the 2011 census. This reflects the majority of peak hour movements. Education trips are commonly part of a commuter trip and therefore these do not need a dedicated assessment. The scope also looks to define trip rates. The predominant trip rate for this application is associated with the residential dwellings, and whilst there are several methodologies that can be used to derive it, the Highway Authority has undertaken local data collection on four proxy sites of similar housing mix in the locality. This has enabled a Bromsgrove vehicle trip rate which is considered to be reflective of the future vehicle movements from this site. Additionally this rate has been used by both of the live housing applications to ensure consistency. This approach is considered to reflect good practice and has set a framework.

24.9 The Highway Authority commissioned traffic counts to ensure a consistent dataset was used to assess this application and the Perryfields Road application. These were undertaken in 2017. The Bromsgrove highway network did experience roadworks during this time period, and it is inevitable there would be some disruption during a survey of this scale. To ensure that the data collected was robust, WCC commissioned a series of reports to compare the data to each other and historic data. It has been confirmed that the data collected is robust and reflective of network conditions, and as a result the data has been used to underpin the highway implications.

24.10 The developers have used the data to assess their proposals and to identify an appropriate mitigation package. The highway mitigation works are summarised below.

24.11 Rock Hill/Fox Lane

24.11.1 This junction was a key consideration in 13/0479, with the Inspector concluding the impact was severe and was not appropriately mitigated. The application now includes the demolition of the Greyhound Inn Public House and the introduction of a new roundabout. This solution will lead to the loss of the parking bays located adjacent the retail store on Rock Hill located within the demise of the public highway.

24.11.2 The roundabout has been subject to capacity and safety assessment and is considered to represent a beneficial position to capacity taking into account both

the Whitford Road and Perryfields Road proposals. The Highway Authority has undertaken an early technical approval of the roundabout design to ensure there is certainty on the ability to deliver it. That process has been completed and a detailed design has been provided and fully technically approved. The roundabout will be delivered early in the build programme.

24.12 A448 Kidderminster Road/Whitford Road/Perryfields Road

24.12.1 This junction has been subject to several previous attempts to introduce traffic signals which have not been progressed for reasons of finance and technical difficulties. This application has overcome the previous difficulties and can provide an acceptable signal controlled junction solution. Due to the previous accident record at this junction, the improvement works will be required early in the build programme but recognising that this should not occur at the same time as the Rock Hill/Fox Lane works and it should be at a time to minimise disruption alongside the A38 Bromsgrove Route Enhancement programme. The proposals submitted as part of this application are considered acceptable to mitigate the additional demands that this development will make on the junction.

24.13 Worcester Road/Charford Road

24.13.1 The proposals seek to improve the road width on Charford Road by extending the two lane approach and increasing the junction capacity. This is achieved with a reduction in footway width. This has been carefully considered and concluded that the reduction in width does not impact on pedestrian safety.

24.14 A448 Kidderminster Road/Hanover Street/St Johns Street

24.14.1 These works will involve roundabout approach widening. The financial contribution for these works will be secured through the Section 106 Agreement and be implemented by WCC.

24.15 A448 Kidderminster Road and Whitford Road

24.15.1 It is not possible to provide a new footway on Whitford Road and therefore careful consideration has been given to pedestrian desire lines. A new signal controlled crossing will be provided on the A448 near Dawson Road and on Whitford Road, near Timberhonger Lane. This will provide access to two key routes. Firstly to the existing and proposed primary school on Perryfields Road and secondly to Sanders Park and onwards to Bromsgrove town centre, which also provides for wider transport interchange.

24.15.2 Both crossings with facilitate a safe and convenient route and will encourage walking and cycling trips rather than car trips.

24.16 The A38 Bromsgrove Route Enhancement Programme

24.16.1 A Strategic Outline Business Case (SOBC) was submitted to the Department for Transport (DfT) in July to obtain funds from the Major Road Network (MRN) Fund. The scheme being promoted – the A38 Bromsgrove Route Enhancement

Programme – will deliver a major upgrade of the A38 corridor, (a key part of the MRN network in Worcestershire), between the junction of the A38 Eastern Bypass with the B4094 Worcester Road to the south, and M5 Junction 4 to the north. July DfT Funding of £7.5m has already been secured from the GBSLEP and £2.7m from the Highways England Growth in Housing Fund. Section 106 planning obligations will also help to deliver this scheme with contributions already received from the Norton Farm development and additional contributions expected to be provided from this application, Perryfields and the Foxlydiate development site (subject to approval of the relevant planning applications). Other funding streams will be pursued and infrastructure will be prioritised based on the funds received and expected to ensure scheme delivery.

24.16.2 The application will contribute to the following A38 Bromsgrove Route Enhancement Programme:

Scheme Location	Scheme Description
A38/Charford Road	• Widening of the existing 60m two lane approach to enable vehicles to be able to pass within available stop line width, realignment of approach from Charford Road • Widening of Culvert on Stoke Road to facilitate third lane over structure and realign ahead and right turn movement lane to improve access into the left turn lane to the A38 Southbound • Relocate existing left turn pedestrian crossing on left turn from Stoke Road to A38 South • Enhance pedestrian crossing widths across A38 corridor, to enable provision as toucan crossings • Provision of additional footway from Charford Road to tie in with existing crossing location, and link better with Harvington Road (Scheme 1) sustainable scheme connection • Improve footway connection between A38 North crossing and Warwick Avenue • Optimisation of signal timings to provide network control. Improvements to signal timings, and provision of on crossing detectors
A38/Charford Road	• Widening of the existing 60m two lane approach to enable vehicles to be able to pass within available stop line width, realignment of approach from Charford Road • Widening of Culvert on Stoke Road to facilitate third lane over structure and realign ahead and right turn movement lane to improve access into the left turn lane to the A38 Southbound • Relocate existing left turn pedestrian crossing on left turn from Stoke Road to A38 South

Plan reference

Scheme Location	Scheme Description
	• Enhance pedestrian crossing widths across A38 corridor, to enable provision as toucan crossings • Provision of additional footway from Charford Road to tie in with existing crossing location, and link better with Harvington Road (Scheme 1) sustainable scheme connection • Improve footway connection between A38 North crossing and Warwick Avenue • Optimisation of signal timings to provide network control. Improvements to signal timings, and provision of on crossing detectors
A38 / New Road	• Provision of additional southbound traffic lane on A38 • Realign Northbound A38 corridor to accommodate changes in southbound direction • Provision of wider crossing widths over A38 corridor to support at grade crossing in the future. (Element may need to be reconsidered at OBC stage, if the bridge located to the south is provided – Sustainable Scheme 3) • Optimisation of signal timings to provide network control
A38 / A448	• Provision of two additional flare lanes (30m and 85m) on A38 North approach • Provision of a 61m flare lane on A448 East approach • Provision of longer flare lane (100m) on A38 South approach • Signalisation of A38 and A448 approaches with MOVA controller • Revisions to circulatory road markings and approach lane markings with supporting infrastructure
A38/Birmingham Road	• Provision of upgraded signal controllers, and on crossing detection • Optimisation of signal timings to provide network control
A38/ Golden Cross Lane/ Braces Lane	• Provision of two northbound and two southbound ahead movement lanes on A38 corridor. To provide circa 150m on northbound approach and 125m on southbound approach • Reconfiguration of lane markings southbound to facilitate lane 2 ahead movements. Widening of southbound exit to accommodate two southbound approach lanes • Relocation of A38 northbound bus stop into

Scheme Location	Scheme Description
	B4185 Golden Cross Lane, to remove from unsafe location within existing merge • Relocation of existing bus stop lay-by on A38 Southbound • Consideration to be given to removing lay-by for bus stop at this location at next design stage • Provision of pedestrian crossing facility on A38 South arm • Installation of on crossing detectors on all pedestrian crossing elements of signal junction • Increased pedestrian stagger on A38 North approach, to enable a larger pedestrian refuge waiting area Optimisation of signal timings to provide network control
A38/Birmingham Road to M42 Junction 1	• Improvements along link, to include road marking alterations • Revisions to School Lane junction

24.16.3 It is accepted that the proposals will add additional trips to the network but it is noted that the scheme provides improved infrastructure which addresses this impact.

24.17 Travel Plan

24.17.1 The Highway Authority is now delivering personal travel plans to future residents which involve face to face meetings as well as the sharing of information and incentives. This is considered to be the most effective manner to encourage behavioural change. Personal travel plan initiatives typically report reductions in car use of 7%-15% in urban areas with an overall average of 11%.

24.17.2 Given the potential methods of travel, the improvements promoted within this application and the nearby Perryfields Road development, the Highway Authority has agreed a 12% reduction to single person occupancy vehicle trips is reasonable with the implementation of a personal travel plan. Funding for these provisions will be made using the Section 106 Agreement.

24.18 Mitigation Measures

24.18.1 Whilst this scheme is addressing its immediate impact, it is appropriate for the Whitford Road scheme and the Perryfields scheme to mitigate for the cumulative impacts of both developments. Consideration has also given to the Inspector's decision on application 13/0479 on the use of contributions. Additionally the Highway Authority has revisited the required infrastructure based on the anticipated housing required in this plan period.

24.18.2 The use of contributions to mitigate any harm must be reviewed to show it is a proportionate impact and that the development is not disproportionately remedying issues associated with pre-development traffic, and where existing

issues occur alternative funding streams should be used alongside developer contributions. In this instance it is particularly relevant to the A38 which is subject to a major schemes bid which allows for contributions from emerging development. Additional to this is that additional development traffic does not necessarily lead to the necessity to mitigate and individual junction analysis is also needed. Where a junction continues to operate in capacity with development impact no mitigation is justified.

24.18.3 The contribution approach has been considered based on the impact on this application and Perryfields Road. The cost of the impact has then been shared proportionate to the number of dwelling houses proposed. For this application, the proportionate contributions are listed below:

Location	Contribution
A38/Birmingham Road	£20,716.34
A38/A448 Oakalls	£367,233.01
A38/New Road	£443,048.43
A38/Stoke Road/Charford Road	£289,830.55
A38/Golden Cross Lane/Braces Lane	£82,205.71
A38/M42 J1	£109,672.90
Market Street/St John Street	£425,124.79
St John Street/Hanover Street/Kidderminster Road	£319,556.79
Total	£2,057,388.72

24.18.4 Additional to the above, contributions to improving sustainable access are warranted. Given the Whitford Road and Perryfields developments represent the vast majority of development in the town which are likely to trigger the need for contributions, the total cost of the uncommitted sustainable infrastructure has been split between the sites, the exception being where there is clearly only a relationship to one of the applications and this includes contributions to passenger transport services. These contributions are listed below:

Proposal	Contribution
Town Centre Active Travel Infrastructure	£148,282.55
Whitford Road Cycle Route	£560,000.00
Public Transport Services	£223,822.71(up to £350,000)

24.18.5 Additionally contingency has been made in the event that anticipated contributions from application 16/0335 (Perryfields Road) are not forthcoming in a reasonable time frame. The Section 106 Agreement makes an allowance for up to a further £123,000 to be made following a review of proposed new bus service in terms of patronage and subsidy, in a worst case scenario this will allow the service to operate for 6 years at which point it is anticipated that it would become self-supporting or other contributions would be forthcoming.

24.19 Bromsgrove Western Distributor

24.19.1 There have been calls for a western bypass of Bromsgrove which has seen a high level review undertaken as to where such a route could go and an approximation of cost. This work was undertaken on behalf of WCC by JMP at the request of Bromsgrove District Council. This work has been subsequently reviewed by Bromsgrove District Council's independent consultants who concluded that *it is not considered that the JMP report presents sufficient or adequate evidence to dismiss the case for a western distributor/bypass route for Bromsgrove. It should be noted that the overall conclusion could potentially be correct, but further work would be needed to verify this one way or the other.*

24.19.2 At this time there are no proposals for a Western bypass either in the transport evidence to support the existing development plan or in the recently adopted Local Transport Plan 4. As such there is no policy position requiring such a scheme, any indications of the benefits of such a scheme remain untested, and also sit in isolation from a wider appraisal of all options for future transport infrastructure which the District Council is committed to through its plan review processes. From the work undertaken to date it is clear that such a scheme is not necessary to facilitate the development and that improvements to the existing network, listed above, will address any issues related to this application.

24.20 The Strand Junction

24.20.1 Concern has been raised about the impact that development traffic may have on this junction. The Highway Authority has already collected contributions towards this junction to install MOVA which will optimise signal capacity, but is also developing a junction improvement scheme outside the planning framework to improve capacity and pedestrian facilities. It is not considered that there is sufficient impact from this application to warrant mitigation as part of this proposal.

24.21 Response to Whitford Vale Voice Responses

24.21.1 Members will be aware that WVV has produced 49 individual Technical Notes (plus a summary document) and a formal objection letter dated 12 October 2019 specific to the Transport Assessments for this application. These have been summarised above.

24.21.2 The WVV Technical Notes have been responded to where appropriate by Mott Macdonald (please refer to the document *Mott Macdonald: Whitford Vale Voice Technical Notes Response* received 28 August 2019). This response should be read alongside other Technical Notes prepared by Mott Macdonald to support the process of understanding the transport implications of this outline planning application. These documents are available for inspection on the District Council website via Public Access.

24.22 Conclusions on Highway Matters

24.22.1 This planning application has been assessed both as a standalone scheme and alongside the Perryfields Road application to ensure a holistic impact approach has been understood. Whilst the application is of a significant scale and will

result in an increase in movements across all modes of transport, the application accords with the expected quantum of development in the adopted Bromsgrove District Plan. The access arrangements have been subject to considerable scrutiny and found to be acceptable by the County Highway Authority and the Council's appointed Highway Consultant Mott Macdonald. A comprehensive package of physical works and financial contributions as described by the County Highway Authority are proposed via a Section 106 Agreement to ensure any impacts on the local network are adequately and suitably mitigated and to ensure access to the site by all modes is addressed. It will also enable wider network improvements via the A38 Bromsgrove Route Enhancement Programme.

24.22.2 The application has evolved in terms of clarity on highways issues since its initial submission in 2016 and the design now provides the level of certainty required to determine its acceptability in highway terms. The Highway Authority and Bromsgrove District Council's Highway Consultant have independently undertaken a robust assessment of the submitted TA. Based on the analysis of the information submitted and consultation responses from third parties, the Highway Authority concludes that there would not be a severe residual cumulative impact.

24.22.3 It is also concluded that the proposed development would not cause any unacceptable harm to highway safety. In this respect, the scheme would not conflict with any relevant policies, including those which require transport and safety considerations to be taken into account, and therefore there are no justifiable grounds on which an objection could be maintained on highway grounds.

24.22.4 As a consequence, the highway reason for refusal related to the previous application has been addressed in this current application. It is considered that the proposed development would deliver sustainable development in accordance with the requirements of Policy BDP5A and BDP16.

25.0 Education Provision

25.1 Members will note the views of third parties relating to the impact of the development on existing services and functions. In terms of education demand, WCC has considered the impact of this proposed development on local schools and following further discussion with the main developer for this site Worcestershire County Council will be seeking a planning obligation towards education infrastructure. Taking account of the current and forecast pupil numbers and the anticipated impact of housing growth, the County Council is minded to seek to commission a new 2FE first school at Perryfields Road and a 1FE expansion at high school level. This will create the necessary capacity.

25.2 Subject to the applicant entering into a Section 106 Agreement for education facilities, I raise no objection to the application on such grounds.

26.0 Medical Infrastructure

26.1 I note the views of third parties in relation to the issue of medical facilities to serve the development. Concerns have been raised over the ability of local facilities to accommodate additional medical related demand arising from the development and I understand these concerns. Members will note I have consulted the Redditch and Bromsgrove Clinical Commissioning Group (CCG) on this issue. The consultation response from the Worcestershire Acute Hospitals NHS Trust is also relevant here.

26.2 The CCG accept that the development would have an impact on primary healthcare provision in the area but is of the view that this impact is containable within the existing provision at BHI Parkside (Churchfields and St John's Surgeries). In its capacity as the primary healthcare commissioner, Redditch and Bromsgrove CCG has identified that the development will **not** (**my emphasis**) give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. Redditch and Bromsgrove CCG have therefore raised no objection to the scheme and is not seeking financial contributions given there is capacity in the existing system for the residents of the new development. I therefore raise no issue on this matter.

26.3 In March 2019, the District Council received the first of a series of representations seeking a planning obligation to secure a financial contribution to meet annual shortfalls in Worcestershire NHS service revenue. The request by the Worcestershire Acute Hospitals NHS Trust relates to financial contributions to help support the provisions of acute primary healthcare. The position being taken by the Trust at the present time is that new residential developments place further pressure on the provisions of acute primary health services in the County.

26.4 I have paid regard to all information received from the Acute Hospitals Trust and any relevant additional consultee and have sought two sets of Counsel advice on this issue.

26.5 I accept that there is Bromsgrove District Plan support in principle to support the request being made for the contributions and the request can be considered a material consideration. Each planning application made must be considered on a case by case basis and as a consequence any financial request made by the Trust must be considered in the same manner.

26.6 I am of the view that the request being made by the Trust is supported in principle by Policy BDP6 of the Bromsgrove District Plan and the provisions of the NPPF (Section 8). Following further review, I consider the Trust has demonstrated that a level of contribution is necessary to address the impact of new development because of the current funding mechanism. I am also of the opinion that the request made is directly related to the planning application.

26.7 Paragraph 56 of the NPPF states that planning obligations must only be sought where they meet the tests in Regulation 122 of the CIL Regulations. In this context and taking all of the above points into consideration, I am of the view that the Trust has failed to provide sufficient evidence to demonstrate that the quantum of the contribution request has been fairly and reasonably related in

kind to the development. In an attempt to fully understand the quantum position and to try and reach a conclusion in relation to the position being taken by the Trust on quantum, I have asked further specific questions which should assist to bring this matter to conclusion providing additional information for review and assessment. These discussions are still in progress. I will update Members at your meeting on this issue.

27.0 Community Assets

27.1 It is reasonable to assume that the residents of the 505 dwellings will put additional demand on community facilities in the area including the Scout and Guide Huts, located adjacent Sanders Park on Kidderminster Road and the Millfields and District Social Club on Millfield Road.

27.2 I note that the Millfields and District Social Club is a Member's Club, comprising *circa* 700 members who can bring guests to the club. The club website states that *All new members must be proposed, seconded by two members & inducted into the club.* On this basis, I am of the view that a community contribution towards the improvements to this facility cannot be justified under the CIL regulations.

27.3 However, I have reviewed the facilities available at the Scout and Guide Huts which are within reasonable walking distance of both sites. The premises are available for community use. It is considered that with improvements to these buildings (costs estimated to be £20,612), that further capacity could be created.

28.0 Planning Obligations

28.1 Members will be aware that Section 106 obligations are legal agreements negotiated between Local Planning Authorities and developers in the context of a grant of planning permission. Such agreements are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.

28.2 Policy BDP6 relates to infrastructure contributions. Paragraph 6.1 states that financial contributions towards development and infrastructure provision will be co-ordinated to ensure that growth in the District is supported by the provision of infrastructure, (including Green Infrastructure) services and facilities needed to maintain and improve quality of life and respond to the needs of the local economy.

28.3 Members will note the following Heads of Terms contributions for inclusion in the Section 106 Agreement. These have arisen following consultation with the relevant consultee or body responsible.

28.4 It is considered that the terms of the Agreement set out at the beginning of this report are relevant to planning, considered necessary to make the proposed development acceptable in planning terms, directly related to the proposed

development and are fairly and reasonably related in scale to the proposed development. As such I am of the view that these provisions meet the relevant tests under Regulation 122 of the CIL Regulations. The applicant has not raised any issue of viability due to the requested obligations. I therefore consider the scheme accords with Policy BDP6 of the BDLP.

28.5 The applicant has agreed to this approach and the Section 106 Agreement is currently being drafted. I will update Members at your Committee on the progress of this document.

28.6 The proposed works to the public highway will be carried out through a Section 278 Agreement. It is proposed to secure the works by imposing restrictive Grampian Conditions on any planning consent. Such specific highway improvement works associated directly to the development therefore do not form part of the Section 106 Heads of Terms.

29.0 Conclusions

29.1 Members will be aware that the adopted Bromsgrove District Plan forms the Development Plan for the area, and any decision needs to be made in accordance with these policies, unless material considerations indicate otherwise.

29.2 To remind Members, this outline application is seeking to establish the principle of whether the development of the site for up to 505 dwellings is acceptable. The only elements of the proposed development that are fixed by the outline application are: the maximum number of dwellings at Site A (490) and Site B (15), the inclusion of a retail unit of 400 square metres at Site A, the demolition of the Greyhound Inn Public House at Site B, the location and form of the two proposed accesses onto Whitford Road (Site A), the location and form of the access onto Albert Road (Site B) and lastly the part provision of the roundabout within Site B. All other matters are reserved for future consideration and the Masterplan simply demonstrates how housing, parking provision, landscaping and open space could be accommodated on the two sites. These details will be subject to separate future applications which must be considered on their own merits.

29.3 It is considered that, in the absence of the Council being able to demonstrate a five year housing supply, the policies within the Development Plan with regards to housing supply have to be seen as out of date. In such circumstances the NPPF sets out that the issue to consider is whether the proposal represents sustainable development and if it does there is a presumption in favour of the scheme. Site A is identified as a suitable site for housing development in the adopted Bromsgrove District Plan. It is thus one of the preferred locations for future development and an important component of the Council's housing strategy. Site B, as a windfall site, is considered acceptable for residential redevelopment. The development of both sites would not conflict with the sustainability aims of the NPPF and would contribute 505 dwellings in a sustainable location, which would make an important contribution to meeting local housing needs and making good the current shortfall in the five-year land

supply. The NPPF places great weight on the need to maintain the 5-year land supply and on the need to boost housing supply on suitable sites. These are compelling considerations in favour of granting permission.

29.4 In addition, the scheme would address the shortage of affordable housing in the District by supporting a 40% element of such dwellings. The proposed on-site public open space, the approach to design advocated by the Design and Access Statement, new landscaping and a SuDs approach to drainage would be of local benefit which are factors that weigh in favour of the proposals. The development would also have significant benefits for the local and national economy, in terms of new investment and employment, enhancing the vitality and viability of Bromsgrove town centre and the consequent stimulus to supply-chain industries. This includes the creation of *circa*. 1080 construction jobs (630 direct jobs and 450 indirect jobs).

29.5 Time limits for planning applications are dealt with the section entitled Use of Planning Conditions in the new planning practice guidance launched on 6 March 2014. 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 (paragraph 76). 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.

29.6 In order to address the shortfall in the 5-year housing land supply and to achieve the prompt submission of a Reserved Matters application, Members are recommended to impose a suitable Condition requesting the submission of a Reserved Matters application within 18 months of the approval of the outline scheme and once the Reserved Matters have been determined a similar condition placed on commencing the scheme. This will ensure that the development is delivered swiftly in order to accelerate the delivery of housing supply within the District.

29.7 I am content that taken holistically, Site A and Site B are able to support the erection of up to 505 dwellings in a well-designed manner, which will integrate well with surrounding development and the use of existing natural features. The scheme provides a density for each site that is considered to be appropriate in order to balance the need to make more efficient use of land with the acknowledged constraints. Whilst I am fully aware of the views of third parties in respect of the principle issues raised in relation to highway matters, air quality, noise, drainage, biodiversity and subsidence, Members will note I am not in

receipt of any technical objection to the scheme on these matters from the relevant professional consultees. Any harm arising from infrastructure related concerns has been suitably mitigated, where appropriate, through measures outlined in the Section 106 Agreement. The Agreement will also build in capacity for future growth, with particular regard to education, acute primary healthcare infrastructure and community asset matters.

29.8 It is concluded that the sum of the benefits that would be delivered by the scheme would demonstrably outweigh the sum of harm and that consequently, the material considerations in this case and presumption in favour of sustainable development should apply and planning permission should be granted in accordance with the advice set out in paragraph 11 of the NPPF.

29.9 Having considered all material planning considerations, I am thus minded to recommend approval of outline planning permission.

RECOMMENDATION:

(a) **MINDED to APPROVE OUTLINE PLANNING PERMISSION** subject to 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
- 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) Medical Infrastructure

- A financial contribution towards Worcestershire Acute Hospitals NHS Trust to help support the provisions of acute primary healthcare:
  £TBC

(vi) The management and maintenance of the on-site play space and open space provision by Bromsgrove District Council:
£TBC

(vii) The management and maintenance of the on-site SuDs facilities by the appropriate body (North Worcestershire Water Management/Bromsgrove District Council):
£TBC

(viii) Off-site teen and adult play and sports facilities and play pitch improvements in Sanders Park, Bromsgrove:
£154,592

(ix) The improvement of the Scout and Guide Huts on Kidderminster Road, Bromsgrove located adjacent Sanders Park:
£20,612

(x) 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

(xi) Planning Obligation Monitoring Fee:
Financial figure to be confirmed

And:
(xii) The securing of a 40% provision of on-site affordable dwelling units
(xiii) The provision of the on-site play space and open space provision, with associated trigger points for adoption
(xiv) The provision of the on-site SuDs facilities, with associated trigger points for adoption
(xv) The provision of the retail unit, with associated trigger point for construction and occupation

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For the reference of Members, suitable Conditions that could be imposed relate to:

Time
- Submission of a phasing plan for the development
- Submission of the outstanding Reserved Matters for approval (appearance, landscaping, layout and scale) for the relevant phase within 18 months of the approval of the outline scheme
- Commencement of development timescale (18 months)

Plan and Document Compliance

- Development in complete accordance with the details shown on the submitted plans:
  - Location Plan Land Off Whitford Road 16912/1004
  - Location Plan Greyhound Public House 16912/1014
  - Location Plan Composite 16912/1015
  - Roundabout at junction of Fox Lane/Rock Hill 7033-SK-005 Rev F
  - Proposed Site Accesses [Site A] 7033-SK-006 Rev F
  - Signal controlled crossing on Whitford Road 7033-SK-006 Rev F
  - Greyhound Inn Site – Proposed Access 7033-SK-012 Rev A
  - Roundabout Improvements at the Junction of Charford Road/Rock Hill/Worcester Road as shown on drawing 7033-SK-013 Rev E
  - Signal Controlled Crossing on A448 Kidderminster Road near Junction of Dawson Road 7033-SK-015 Rev A
  - Signal Controlled Junction Kidderminster Road/Whitford Road/Perryfields Road 461451-D-014
- Substantial compliance with the parameters of the Indicative Masterplan, Parameters Plan 16912/1017B and the principles described in the Design and Access Statement (received 7 January 2016) and the Design and Access Addendum (dated 3 January 2018)

Construction Phase

- Submission of Construction Environmental Management Plan (CEMP) (to include a foundation works risk assessment and general details of proposed measures to avoid risks to controlled waters during construction, pollution control measures, tree and hedge protection measures, dust suppression, construction lighting, hours of operation) (Site A and Site B)
- Submission of full engineering design solution providing full specification, extent and methodology details of the cut and fill works, with demonstration how the undisturbed ground at higher levels is to be retained in a stable matter and the type of foundation design at lower levels (Site A)

General

- Material and external appearance finish for each Site A phase + Site B
- Housing mix for each Site A phase + Site B
- External lighting strategy for each Site A phase + Site B
- Boundary treatments for each Site A phase + Site B
- Refuse storage details for each Site A phase + Site B
- Full details of the acoustic fencing to the western boundary (Site A)
- Electric vehicle charging points

A1 Retail Unit (Site A)

- Restriction to a maximum of 400 square metres floorspace
- Materials and external finish
- Refuse storage details
- Car-parking provision
- Landscaping

Highways

- The development hereby approved shall not be occupied until the following works have been constructed and completed:
  - Site access arrangements to serve Site A
  - Site access arrangements to serve Site B
  - Roundabout at junction of Fox Lane/Rock Hill (Site A and Site B)
  - Signal controlled crossing on Whitford Road (Site A)
- The 100th dwelling shall not be occupied until the following highway improvements/off-site works have been constructed and completed:
  - Signal controlled crossing on A448 Kidderminster Road near junction of Dawson Road
  - Signal controlled junction Kidderminster Road/Whitford Road/Perryfields Road
- The 250th dwelling shall not be occupied until the following highway improvements/off-site works have been constructed and completed:
  - Roundabout Improvements at the Junction of Charford Road/Rock Hill/Worcester Road
- Secure cycle parking (Site A and Site B)

Trees and Landscaping

- Submission of soft and hard landscaping scheme with 5 year protection measure for soft landscaping for each Site A phase + Site B
- Boundary treatment with inclusion of hedgehog access gaps where appropriate, for each Site A phase + Site B
- Hedgerow retention, reinstatement, protection and management (Site A)
- Submission of Landscape Management Plan to cover the future life of the development (Site A)
- Protective tree fencing during construction phase (Site A and Site B)
- Full specification for the linear park indicated on the Illustrative Masterplan (to include full planting, equipment and specification of furniture) (Site A)
- Full specification for the areas of informal open space to the western boundary on the Illustrative Masterplan (to include full planting schedules and specification of furniture) (Site A)
- Works in accordance with the submitted Arboricultural Method Statement (Site B)

Ecology and Biodiversity

- Site wide Ecological Management Plan (to include measures to protect the Battlefield Brook located outside the application site) for the long term protection and management of the trees, hedgerows, habitats and species present for each phase (including construction phase) (Site A)
- Landscape and Ecology Management Plan (Site A)
- Full and detailed mitigation strategy based on Section 11 of the Environmental Statement accompanying the application (with appropriate commentary to the badger sett) (Site A)
- Details of bat and bird boxes, including swift boxes (Site A and Site B)

Drainage

- SuDs Management Plan, to include the use of porous surfaces for driveways and any private access roads

- Comprehensive surface water drainage scheme (Site A and Site B) to include the use of silt traps to highway gullies and the use of oil interceptors to any car parking areas
- Scheme for foul water drainage (Site A and Site B)
- Full details of the drainage design to be in compliance with the ecology recommendations set out in Section 11 of the Environmental Statement accompanying the application (Site A)
- Finished ground floor levels for the approved buildings and the finished ground levels for all other areas of the site for each phase (Site A)

Contaminated Land

- Site investigation and detailed risk assessment, to include further ground gas monitoring (based on the Preliminary Risk Assessment and Environmental Site Assessment) (Site A)

Archaeology and Heritage

- Programme of archaeological work to include a Written Scheme of Investigation (Site A)
- An appropriate level of historic recording in advance of demolition of the Greyhound Inn Public House (Site B)

Affordable Dwellings

- Number and location of the affordable housing units to be provided (Site A and Site B)

Footpath Connection

- Full details of the connection of the site to Footpath BM-587 to the southern boundary (Site A)

Case Officer:
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Appendix One
Tabulated Response to Deferral Reasons Arising From 31 October 2019 Planning Committee Meeting
(1) Whitford Vale Voice
(2) Worcestershire County Council (acting as Highway Authority)

	Topic / request	Raised by	WVV response	WCC response
1. Transport, Highways and accessibility				
	Rock Hill Roundabout and environs			
1.1	Number of lanes approaching in all directions	Planning Committee Member	This matter was raised by Cllr Hession. It appears to WVV that this matter arises from a statement in the local press attributable to the applicant that "improvements are set to include a new roundabout with two lane entries on all approaches at the junction of Fox Lane and Rock Hill" when the applicant's indicative drawing 7033-SK-055F shows a single lane entry on the southbound Rock Hill approach.	Rock Hill (south) 2 lanes Rock Hill (north side) 1 lane Fox Lane 2 lanes This is published in the TA which is in the public domain. Approved General Attached
1.2	Technical Approval of roundabout	WVV	Drawing 7033-SK-055F that is described as being fully technically approved by the Local Highway Authority (LHA) is clearly labelled "to be treated as indicative", "for discussion purposes only" and "any designers who progress these proposals further will need to reconsider the proposals based upon the information which subsequently becomes available including potential site hazards". In addition to WVV, the indicative status of the roundabout design was raised by Cllr Hessian, Cllr Baxter referred to the plans for junctions being concepts and indicative and this being something she could not agree to, while Cllr Holtham was concerned about delegating powers to enable final approval of junction designs as being odd and something he had not come across before. Vehicle tracking diagrams have been provided for the concept design but these do not show how vehicles will access and egress from the driveway at number 5 Rock Hill or the parking spaces on both side of the shop. It appears to WVV that in the latter locations, following the loss of parking space for deliveries directly outside the shop, the proprietor may wish to use one or both of these parking spaces for delivery purposes. It appears to WVV that the junction has not been appropriately modelled and comment on the requirements for realistic modelling in Section 4.5 below. On 1st November 2019 Cllr Mallett made a Freedom of Information request to WCC for all correspondence and documents between WCC Officers, Contractors, Advisors and Developers in respect of the proposed roundabout, including all details of safety audits and technical approval, from Feb 2016 to the point at which the request is met. This request was not fulfilled within the required 20 working days' time limit and Cllr Mallett advises that as of 7th January 2020 the request had not yet been met.	Approval issued 21st August 2019 Approval Letter Attached
1.3	Road Safety Audit not provided contrary to NPPF	WVV	With regards to concept drawing 7033-SK-055F the minutes of the meeting state that it "has been through stage 1 and 2 safety audit". However a stage 2 audit has not been made available to Members. It is on the basis of the NPPF requiring Members to consider the safety of the roundabout that WVV consider that concept drawing 7033-SK055F should be advanced to a final 3D design with accompanying road safety audit	Not required in NPPF Normal stakeholder consultation process undertaken RSA has been undertaken as part of the early technical approval process. The document is owned by Catesby so could be released with their agreement.
1.4	Loss of parking space in front of shop	Planning Committee Member	Loss of parking spaces in front of the existing shop on Rock Hill was a matter on which an LHA Officer provided clarification. Cllr Mallett raised the matter of the potential economic impact arising from the loss of passing trade affect the viability of the shop and the social impact if it was forced to close. WVV assume that member clarification was sought in the context of potential loss of passing trade at the shop which could lead to the loss of a valued local amenity. Cllr Hessian expressed concern about the safety of deliveries to the shop. It is the expectation of WVV that this matter will be addressed when concept drawing 7033-SK-055F is advanced to a final 3D design with accompanying road safety audits.	Reduction of layby length of approximately 2 car spaces, this accounts for existing access location. Drawing are in the TA which is in the public domain. This reduction is acceptable to the highway authority.

1.5	Footpath outside shop very narrow	Planning Committee Member	WVV note that Local Transport Plan 4 (LTP) Bromsgrove Package Scheme ID BR6 provides an expectation for Members that enhanced walking and cycling infrastructure will be provided in the Rock Hill / Worcester Rd corridor. Currently, in the vicinity of the Select & Save shop in Rock Hill, it appears to WVV, that on the east side of Rock Hill the width of the footway is sub-optimal south of the shop, near to the pillar box and from the north of the gates at the entrance to 5 Rock Hill to the wall of St Peter's graveyard with the width severely constrained by the safety barrier adjacent to the footpath to Morris Walk. On the west side of Rock Hill it appears to WVV that the width of the footway is suboptimal in the vicinity of the bus shelter. The applicant's proposals in concept drawing 7033-SK-055F show improvement, in part, to the width of the footway in the vicinity of the shop with it still appearing to remaining sub-optimal in places. However north of the southbound stop line at the pedestrian crossing it appears that the width of the footway will remain sub-optimal and there is no proposal to improve the footway in the vicinity of the bus shelter. It appears to WVV that pedestrian safety is compromised through the risk of a collision arising from a vehicle reversing from the parking place at the side of the shop or the driveway of 5 Rock Hill directly on to the roundabout. It is the expectation of WVV that when concept drawing 7033-SK-055F is advanced to a final 3D design it will show footway widths to allow Members to make a fully informed judgement on the safety of the proposed highway scheme for all users.	Not reduced by the proposal. Drawing are in the TA which is in the public domain.
1.6	Pedestrian crossing safety with cars accelerating away from roundabout	Planning Committee Member	It is the expectation of WVV that this is a matter that will be addressed when concept drawing 7033-SK-055F is advanced to a final 3D design with accompanying road safety audits.	Has been considered as part of design. Was reviewed by qualified safety auditor, chartered engineer and has been through a safety audit process. The document is owned by Catesby so could be released with their agreement.
	Western Distributor			
1.7	Western Distributor required	WVV/BDC members	It is the longstanding view of WVV, many BDC Members and the local community that a Western Distributor Road is necessary to alleviate congestion in and around the Town Centre and a prerequisite for the delivery of growth and regeneration in Bromsgrove. A link road between Kidderminster Road and Birmingham Road was a policy in the former Local Plan adopted in 2004 and the Stourbridge Rd / Barnsley Hall Rd roundabout was built in part to facilitate its delivery. The MM review exposed the deficiencies in the WCC feasibility study into a western distributor road including its limitation of considering growth up to 2023 only concluding that there is insufficient evidence to dismiss the case for a WDR.	There is no policy requirement for such a scheme.
1.8	Route for distributor should be protected	WVV/BDC members	LTP4 informs Members that "a longer term transport strategy is currently under development for Bromsgrove District" that will include "the case for a potential Western Bypass for Bromsgrove" which "will be comprehensively assessed" with the outcome "feeding into future versions of the Worcestershire Transport Plan and Bromsgrove Local Plan". On this basis it appears to WVV that it is essential that an appropriate and deliverable route for a Western Distributor Road is protected as failure to do so would be prejudicial to the development of the longer term strategy for transport in Bromsgrove, future version of the Local Transport Plan and future versions of the Bromsgrove District Plan.	There is no policy requirement for such a scheme.
	Other Assessments / Road Safety Audits			
1.9	Assessment of Catshill required	WVV / Cllr Mallet	The impact of development on Catshill is also a matter raised in the representations from Catshill & North Marlbrook Parish Council and The Bromsgrove Society. WVV consider that the decision to extend the original study area to include the Stourbridge Rd / Perryfields Rd and Stourbridge Rd / Barnsley Hall Rd junctions but not to include the Stourbridge Rd / Westfields / Meadow Rd (Crown Inn) junction when the applicant's vehicle trip assignment shows the same proportion of Whitford Rd and Perryfields development vehicle trips at each location is illogical. The decision seems perverse when it is considered that the Stourbridge Rd / Barnsley Hall Rd roundabout, built with foresight to a high standard to facilitate delivery of a western distributor road, has two entry lanes on each of its three arms but the Crown Inn mini-roundabout only has one entry lane on each of its four arms. Alternative routes for development vehicle trips become available at the Crown Inn mini-roundabout. Using the same rationale for the addition of the Rock Hill / Hanbury Rd / Worcester Rd junction to the original study area (proportion of Whitford Rd development vehicle trips forecast to route through this junction) there is a very strong case for assessing the impact of development at multiple junctions across Catshill. Especially so as the main route choice identified by the applicant demonstrates an expectation that drivers will deviate from the B4185 distributor road to rat run through Catshill Village Centre and residential areas.	This is not considered to be significant in the context of the route choices available. Estimated at 75 departures and 33 arrivals in AM peak on Perryfields Road, not all will travel into Catshill. Under a worst case scenario the 75 departures would be split onto 3 routes so 25 trips per hour extra per route. This is an extra vehicle on each route of 1 every 2 minutes 24 seconds on average. This is not considered to be severe. No further analysis is needed.
1.1	Assessment of 'Parkside junction' required	WVV / Cllr Mallet	The impact of development on the Parkside junction is also a matter raised in the objection from the Bromsgrove Society. Development vehicle trips through the Town Centre and the Parkside junction was of concern to a number of Members with a prolonged discussion during the meeting on the implementation of MOVA at Parkside. WVV consider that an assessment of the impact of development at the Whitford Rd / Greyhound Inn and Perryfields sites is required at the Parkside junction with the Whitford Road development vehicle flows based on the route options shown by MM in Table 7 of their WVV Technical Notes Response (Document Reference 378295/023/B Final).	WSP Tech Note 5 shows 19 vehicle heading towards the junction and 8 away on St Johns Street in AM peak over the course of an hour, and 10 towards and 19 away in the PM peak. This level of impact to too small to warrant assessment.

1.11	What funding has been secured for Parkside junction and when does the funding expire	Cllr Mallet	Given the concerns raised at the meeting about the funding of proposed highway schemes to mitigate the impact of development it appears to WVV that Members also require an answer to these questions.	Funding has been secured through a legal agreement from, the Parkside Medical Centre and Norton Farm. 08/0685 - £50,000 - Available until 19/04/2027 12/0709 - £26,000 – Available until 26/03/2025 The congestion improvement proposals being promoting outside the planning application now have a preferred concept plan, but this is still being refined. Discussions will take place with effected stakeholders in the new year and it is anticipated to be delivered in the 2020/2021 financial year
1.12	Why have no Safety Audits been carried out on Albert Road	Planning Committee Member	Members require road safety audits, vehicle tracking diagrams, nonmotorised user audits and access design and compliance reports to make a judgement on if the proposed access from Albert Road to the Greyhound Inn site meets the NPPF requirement that safe and suitable access to the site can be achieved for all users.	Not required, and in context is a disproportionate reaction to the nature of the design. Normal stakeholder consultation process undertaken
1.13	Why has the impact on All Saints Road and Victoria Road not been assessed	Cllr Mallet	Whitford Rd / Kidderminster Rd / Cotton Pool Rd / Cherry Orchard Dr / Willow Rd / Crabtree Ln / Broad St / Providence Rd / The Flats / Santridge Ln / All Saints Rd / Birmingham Rd form a rat run route through residential areas that will be attractive to residents of a future Whitford Rd estate wishing to reach the M42 as it avoids congestion hot spots in the town centre. LHA signage to the M5 and M42 on the All Saints Rd approach to its junction with Birmingham appears to encourage the use of All Saints Rd as a rat run. Similarly the above route with the substitution of Victoria Rd for All Saints Rd will be attractive to future residents of a Whitford Rd development wishing to access retail and leisure destinations in Birmingham Rd.	Given the route choices available trip dispersal means that the small number of trips near this part of the network are insignificant to capacity.
1.14	Rat Running through Millfields	Cllr Mallet	Mr Bailes, speaking on behalf of WVV at the Committee meeting, mentioned Millfields 14 times. The impact of development on Millfields is also raised in the written objection from The Bromsgrove Society. Based solely on a subjective opinion on the future attractiveness of Millfields as a rat-running through route the applicant simply asks Members to accept that development will not lead to an increase in vehicular traffic in the Millfields residential area!	Not expected due to Fox Lane / Rock Hill improvements, although accepted some vehicles may travel this way as part of a linked trip including Milfields School.
1.15	How could members be confident that that previous inspectors concerns have been addressed.	Planning Committee Member	The Decision Letter for the Whitford Road Planning Inquiry states “I conclude that the inadequacy of the mitigation proposals for the Millfield area would be likely to result in the proposed development having a severe impact on traffic and highway safety there”. Given that; 1. The applicant’s assertion that “improvements to the Rock Hill / Fox Lane junction will reduce queuing and delay and therefore reduce the attractive of Millfields” is unsupported by any modelling to forecast future rat running through traffic and vehicle movements to destinations in Millfields; 2. The Applicant’s position appears to be that with development there will be no net change in the total number of traffic movements within Millfields; 3. If development increases traffic within Millfields then there is an adverse and unmitigated impact on the Millfields Residential Area; 4. If development reduces traffic within Millfields there are additional impacts on the Rock Hill / Fox Lane junction and Charford Road roundabout that the Applicant does not account for; and; 5. The WCC consultation response remains silent on the potential impact of development on the Millfields residential area; It appears to WVV that Members can have no confidence that the Inspector’s concerns have been addressed.	As per initial officer response.
1.16	Further detailed information and possible conditions for improvements to non-motorised movement namely: pedestrians, mobility scooters and cyclists	Cllr Douglas	Recommendation a(ii) for sustainable infrastructure contributions includes the sum of £560,000 for a cycleway between Whitford Rd and Kidderminster Rd via Sanders Park. Such a scheme is in the process of being delivered through the National Productivity Investment Fund. During discussion on this matter a LHA Officer suggested that this sum of money could be used to increase the width of the already built cycleway from 3.0m to 3.5m, provide lighting and address other desire lines. WVV note that the provision of lighting on this route is likely to be difficult due to the sensitive environmental nature of the route and find the suggestion of increasing the width of the cycleway as unconvincing and potentially poor value for money. It appears to WVV that Members require clear and fully costed proposals for the delivery of schemes using the £560,000 cycleway contribution.	Mitigation measures are proposed to address the needs of active travel users. Committee must specifically identify what they consider to be absent from proposals.
1.17	further detail on how residents could access a sensible route in order to walk from the proposed development to the school in Perryfields	Cllr Douglas	For future residents of the proposed Whitford Road site the walking distance using the suggested Dawson Rd route to the proposed new First School at Perryfields will be in excess of the Institution of Highways and Transportation maximum walking distance of 2000m. WVV also have concerns about the proposed signalised crossing on Kidderminster Rd arising from visibility constraints and observations of HGV’s straddling the white line at this location. MM in their Technical Note 378295/007A dated 15th February 2018 requested “that consideration is given to options that prevent / discourage pedestrians from using the northern section of Whitford Road where no footways or street lighting are present. Any associated planning condition should reflect this” but that there is currently no such planning condition. WVV draw to the attention of Members the opinion of the Planning Inspector who examined proposed modifications of the Bromsgrove Local Plan that Sanders Park could be extended into the land designated as strategic open space to the west of Whitford Rd “to provide additional recreation facilities and further opportunities for walking and cycling”. It appears to WVV that a westward extension of Sanders Park would provide scope for the delivery of a direct walking and cycling route between the proposed Whitford Rd and Perryfields Town Expansion sites.	Route has been identified by the Walking and Cycling Officer, mitigation measures are proposed to ensure this route is suitable. The route map is attached, although has previously been provided

1.18	More info require on where and when other s106 contributions such as public transport money are to be spent.	Cllr Baxter	Cllr Baxter expressed her concerns about S106 contributions for bus services not being spent in past applications. A financial contribution is offered towards a new bus service but no route has been defined for the service nor has the frequency of service or the hours of operation been set. It appears to WVV that Members require a comprehensive bus service viability study in order to judge the likelihood of the delivery of an appropriate bus service for the Whitford Rd site.	This is already detailed in the consultation response. It is unclear what additional information the committee wishes to be provided with. Timescales cannot be confirmed at this stage, but legal agreement will be timebound.
1.19	Noise – was raised as issue to discuss but no specifics mentioned	Cllr Hotham	It appears WVV that concerns about noise arise from the M5 forming a boundary to the Whitford Rd site.	None provided by wCC - BCD planning officer response: No objection from WRS – noise info contained in Section 11 (page 45-46) of the published report BDC members should clarify specific concern
1.20	Air Quality was raised as issue to discuss but no specifics mentioned	Cllr Hotham	WVV note the comments from the Directorate of Public Health Worcestershire regarding the Whitford Rd site that "air pollution is a serious public health issue" and "the number of dwellings proposed at Whitford Road and the potential health impact of increased traffic, is proposed in an area that is in close proximity to Worcester Road and Kidderminster Road and borders the M5/M42, is a health concern, particularly as parts of Worcester and Kidderminster Roads are already in air quality management areas and the development is sited so close to the M5".	None provided by WCC - BCD planning officer response: No objection from WRS – Air quality info contained in Section 10 (page 45) of the published report BDC members should clarify specific concern
2	**Healthcare Provision**			
2.1	Further review of S106 contributions, with the Committee questioning if a tripartite discussion was possible with regard to seeking funding for the Worcestershire Acute Hospital NHS Trust.	Cllr Hotham	The matter of the Acute Hospital Trust apparently being unable to receive a S106 contribution was also raised by Cllr Whittaker. WVV support Cllr Hotham's suggestion that the possibility of a tripartite discussion to seek funding for the Worcestershire Acute Hospital NHS Trust be explored. Cllr Mallett commented in his speech that he had concerns about local health services. With regards to access to GP services. WVV note that the CCG consultation response dated 19th July 2019 provides a snapshot of spare capacity that does not take into account; new development occupied since the date of the CCG response (for example at the Norton Farm site), development that has been approved but not yet occupied and development at sites allocated in the Local Plan but not yet approved (for example the proposed Perryfields Town Expansion Site). On this basis it appears to WVV that to allow Members of the Planning Committee to judge if there is likely to be sufficient spare capacity at local GP surgeries it is necessary for the CCG to provide an up to date consultation response that also anticipates future demand from committed developments yet to be occupied and developments allocated in the Development Plan.	Legal opinion accepted – unless justification from NHS changes then any S106 secured on current justification potentially unlawful
3	**Site Specific issues / other issues**			
3.1	Access points more detail required of internal layout.	Cllr Baxter	Minutes of the Committee meeting state "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 expressed their concerns that drawings for the Whitford Road site access junctions have not been advanced beyond the concept design stage. Members require detailed site access drawings, road safety audits, vehicle tracking diagrams, non-motorised user audits and access design and compliance reports to determine if the proposed Whitford Rd access junctions meet the NPPF requirement that safe and suitable access to the site can be achieved for all users	Not required - BDC planning committee has granted outline approval on multiple large scheme where no internal layout was provided. Paragraph 9.1 states: Members will be aware that the application is submitted in outline, with internal access, layout, scale, appearance and landscaping reserved for subsequent approval. In this respect, the finished design of the development is not set at this outline stage. However, the application contains an Illustrative Master Plan and information on design principles, architectural style, materials and how the development would integrate within the character of the surrounding locality. Members at this stage are thus being requested to determine issues of principle, whilst paying regard to the parameters set out in the Illustrative Masterplan, the Design and Access Statements and the Planning Statement.
3.2	Comments by urban designer on site regrading		WVV note the comments in the Applicant's Geology Technical Note dated 23rd December 2013 submitted for application 13/0479 that the site "lies at an elevation of between approximately 90m above Ordnance Datum (AOD) in the north and 120m AOD in the south/southwest generally sloping down towards the north-east. The site is also defined by a shallow valley trending north to south with small outcrops of bedrock on the valley sides in the south of the site". WVV support the Urban Designer's opinion that the applicant's proposed cut and fill approach to regrade the site with a less pronounced topography is regrettable and that the distinctive existing topography "if approached with imagination in the placement of houses and the selection of house-types, is capable of contributing towards equally distinctive place making".	N/a
3.3	40% affordable housing, what would the percentage be for - social housing and shared ownership?	Cllr McDonald	Cllr Hotham also noted that demand for social housing was much greater than for shared ownership. It appears to WVV that Members are concerned that the proportions of social housing and shared ownership properties within the 40% affordable housing allocation reflect demand.	N/a
3.4	How do the Council maintain that 40% affordable housing will be provided?	Cllr McDonald	It appears to WVV that the applicant or future end user of the Whitford Rd or Greyhound Inn sites may seek through a viability assessment a reduction in the proportion of affordable housing and / or exemptions from other planning obligations and that LPA's are expressly permitted to refuse permission where the planning obligation which the applicant seeks to reduce is necessary to ensure the acceptability of the proposed development. It appears to WVV that Cllr McDonald is seeking clarification on this matter	N/a
3.5	Open Space Management – can the Council adopt the open space	Cllr King	WVV note that the University of Sheffield BRITICE glacial map and GIS database of glacial land forms of the last British-Irish Ice Sheet records the prominent ridgeline forming the western boundary of the Whitford Road site as being an esker. As such the ridgeline represents a significant fluvio-glacial landscape feature. The indicative masterplan for the Whitford Road site shows 7.3 ha of open space comprising a ridgeline amenity area, a central linear green corridor and an open area around the proposed sustainable urban drainage attenuation ponds with footpaths providing access. It appears to WVV that the proposed footpaths through open spaces require designation as rights of way to guarantee public right of access to all members of the wider local community.	N/a

Appendix Two
Tabulated Response to Deferral Reasons Arising From 31 October 2019 Planning Committee Meeting
(1) Catesby Estates Limited and Miller Homes Limited
(2) Mott Macdonald (acting as Transport Planning Advisors to Bromsgrove District Council)

	Topic / request	Raised by	Applicant response (Catesby Estates)	Mott MacDonald response
1. Transport, Highways and accessibility				
	Rock Hill Roundabout and environs			
1.1	Number of lanes approaching in all directions	Planning Committee Member	The proposed roundabout sees flares on both the Rock Hill Northbound and Fox Lane to two lanes to improve capacity at the junction	WCC have provided a new GA drawing ref; 7033-S278-101 developed by WSP for the applicant. This has sufficient detail and comes with LHA technical approval.
1.2	Technical Approval of roundabout	WVV	The proposed junction has technical approval, subject to planning permission.	Detailed design is not a requirement for an outline planning application and is not considered appropriate for this stage of the planning process. Similarly, horizontal and vertical cross sections are not usually required at this stage and are a matter of detailed addressed with the highway authority though the technical approval process. WCC has accepted the loss of parking as minimal. MM are of the opinion that the junction improvement does provide a degree of betterment to the existing situation.
1.3	Road Safety Audit not provided contrary to NPPF	WVV	The Road Safety Audits process is a requirement for trunk roads and a process driven by Highways England and is not necessary for outline planning applications. The planning system enables planning conditions to be applied that enable these key assessments to be undertaken during the detailed design stage. The relevant designs have been reviewed and approved by the highway authority, who are the controlling authority who are responsible for highway safety.	See section below for response
1.4	Loss of parking space in front of shop	Planning Committee Member	The proposed junction will see significant capacity improvements as set out within the Transport Assessment Addendum. The existing junction will see delay in the 2030 forecast morning peak hour (without development) reduce from over 6 minutes per vehicle on Fox Lane to with the development and proposed improvement to 28 seconds per vehicle. This benefit to both new and existing users would outweigh a small reduction in parking along the frontage of the shop. It should be noted, the majority of the parking provision will still be retained and was agreed with both SCC and MM	As per MM response to point 1.2
1.5	Footpath outside shop very narrow	Planning Committee Member	The proposed roundabout design has been through a Stage 1 and 2 detailed design stage and agreed with WCC. Notwithstanding this, the proposal will see the footway increase in width to 5.3 m by removing the existing parking at the front of the shop.	MM accept WCC response
1.6	Pedestrian crossing safety with cars accelerating away from roundabout	Planning Committee Member	The proposed roundabout design has been through a detailed design stage and Stage 1 & 2 Road Safety Audits and agreed with WCC.	RSA audits have been undertaken in this location
	Western Distributor			
1.7	Western Distributor required	WVV/BDC members	No planning policy context currently exists for the provision of the Western Relief Road.	MM repeat response that there is no policy requirement for WDR
1.8	Route for distributor should be protected	WVV/BDC members	This context is fully and accurately set out at paragraphs 24.19.1 and 24.19.2 of the 31st October Committee Report. We agree with this assessment.	The currently adopted LP does not safeguard any land in realtion to the WDR
	Other Assessments / Road Safety Audits			
1.9	Assessment of Catshill required	WVV / Cllr Mallet	Through pre- application discussions, both MM and WCC agreed to the study area. MM stated 'increase in trips would have a negligible impact both in capacity and road safety terms' within Technical Response 378295-051-C dated 21 August 2019	This has been previously discussed by Mott MacDonald in TN 378295/023/B Final/ Section 2.7 which should be referred to for a full response. In summary, it is Mott MacDonald's considered opinion that the impact of traffic from the Whitford Road development on Catshill whilst perceptible will be small and will not justify either furter detailed assessment or generate any requirement for mitigation.
1.1	Assessment of 'Parkside junction' required	WVV / Cllr Mallet	Through pre- application discussions, both MM and WCC agreed to the study area. MM state 'the impact upon Parkside Junction is likely to be minimal' furthermore, MM also state 'they do not take account of the 12% reduction in either the standalone or cumulative adding to the robustness of the assessment'	In Mott MacDonald TN23 Rev B response to WVV Technical Notes, August 2019, the following is comment is given on WVV TN46: "The distribution and assignment of development traffic relating to the Whitford Road scheme has been discussed and agreed based on journey time data and whilst off retail peak trips may well take alternative routes such as noted above (including via the Town Centre and Parkside junction), MM remain of the view that peak hour trips associated with development at Whitford Road will avoid the corridor in question and the Market Street junction as alternative routes to key destinations are likely to be quicker at peak times".
1.11	What funding has been secured for Parkside junction and when does the funding expire	Cllr Mallet	For WCC to provide relevant information	WCC response is noted
1.12	Why have no Safety Audits been carried out on Albert Road	Planning Committee Member	As per 1.3	Refer to response in 1.2 and 1.3 of this response
1.13	Why has the impact on All Saints Road and Victoria Road not been assessed	Cllr Mallet	The roads in question are outside of the agreed study area, with the proposed development have negligible impact on these roads.	MM maintain that multiple route choices are available and any impact on capacity is likely to be insignificant.
1.14	Rat Running through Millfields	Cllr Mallet	The proposals see the introduction of a new roundabout with significant additional capacity. This will reduce the propensity for vehicles to rat run through Millfields	MM accept that a small number of through trips may be travelling through the Millfields residential area in the existing situation, but consider that the proposed junction improvement Fox Lane / Rock Hill junction would appropriately address the potential traffic impact of the Whitford Road and Perryfields developments at this location and should also reduce the relative attractiveness of alternative local routes.
1.15	How could members be confident that that previous inspectors concerns have been addressed.	Planning Committee Member	The 31st October Planning Committee report sets out in full the Inspector's overall conclusions on appeal 3024037 at paragraphs 4.4 – 4.11.The material submitted as part of and in support of the planning application contends that the Inspector's concerns have been fully addressed. The planning officer's report does not indicate in any way that any of the concerns of the Inspector have not been addressed.	MM have worked with the applicant and LHA to develop a full and robust scope of works and study area and are confident that the full traffic impact of Whitford Road has been taken into account using industry standard trip generation and assignment methodologies.
1.16	Further detailed information and possible conditions for improvements to non-motorised movement namely: pedestrians, mobility scooters and cyclists	Cllr Douglas	This a matter for WCC to provide information on the specific proposals for which funding is provided.	MM accept WCC response on this matter
1.17	further detail on how residents could access a sensible route in order to walk from the proposed development to the school in Perryfields	Cllr Douglas	WSP Transport Assessment Addendum and Technical Note 4 sets out the routes options to the proposed school with Perryfields. This will be developed with WCC through relevant conditions and S106 contributions.	WCC have provided a route map which demonstrates safe walking routes to the proposed school. This should be developed further into detailed planning and enforced through S106 head of terms and planning conditions.
1.18	More info require on where and when other s106 contributions such as public transport money are to be spent.	Cllr Baxter	Details of where and when S106 contributions are to be spent are incorporated in the draft S106 agreement which is at an advanced stage. The Heads of Terms are outlined in the committee report. Responsibility for spending the monies rest with the recipient bodies e.g. WCC and BDC	MM have noted that there is an element of risk to this with a service likely to require additional monies to divert an existing service to serve Whitford Rd (and probably Perryfields). However WCC have negotiated heads of terms which will be time bound and this is reasonable and proportinate response for a development site of this size.
1.19	Noise – was raised as issue to discuss but no specifics mentioned	Cllr Hotham	WRS has raised no objection noise – para 11.2 of Committee Report.	Outside of MM scope
1.20	Air Quality was raised as issue to discuss but no specifics mentioned	Cllr Hotham	WRS has raised no objections on air quality grounds –para 10.2 of Committee report.	Air quality has been considered by the applicant in the ES Chapter 9 Vol. 1 using revised traffic data and dispersionmodelling is accepted. This report concludes a negligible effect.
2	**Healthcare Provision**			
2.1	Further review of S106 contributions, with the Committee questioning if a tripartite discussion was possible with regard to seeking funding for the Worcestershire Acute Hospital NHS Trust.	Cllr Hotham	The officer's position in the committee report (paragraph 26.23) was that the request from NHS for a contribution was unlawful as it failed the three tests of para 122 of the CIL regulations and therefore no contribution would be sought.	Outside of MM scope
3	**Site Specific issues / other issues**			

3.1	Access points more detail required of internal layout.	Cllr Baxter	Not necessary as explained by the planning officer at committee – see minutes page 5, 5th para	Internal layouts are not a matter for outline planning and can be dealt with at a later stage.
3.2	Comments by urban designer on site regrading		The Council's urban designer acknowledges that the application is in outline and as reiterated by the planning officer at the committee on page 3 of the minutes (6th paragraph) "the master plan should be treated as purely illustrative but if necessary other elements could be secured by suitable conditions". The list of draft conditions states that development should be "in substantial compliance with the indicative master plan, Parameters Plan 16912/1017B and the principles described in the D&A Statement (received 7 January 2016) and the D&A Addendum (dated 3 January 2018).	Considered a matter for RM/ Detailed plannning permission
3.3	40% affordable housing, what would the percentage be for - social housing and shared ownership?	Cllr McDonald	The affordable housing mix is set out in the committee report under the heading of 'Strategic Housing': No objection subject to compliance with the following: • Policy Compliant provision of 40% • Proposed Mix and Tenure • Social Rented 60% • 10% x I bed flats • 10% x 1 bed 2 person houses • 10% x 2 bed 4 person houses • 30% x 3 bed 5 person houses • 10% x 3 bed 6 person houses • Shared Ownership 40% • 50% 2 bed houses • 50% 3 bed houses The applicants can confirm that the affordable provision will be in accordance with these requirements	Outside of MM scope
3.4	How do the Council maintain that 40% affordable housing will be provided?	Cllr McDonald	This will be controlled through standard mechanisms contained within the s106 obligation which has been formulated to meet the requirements of the Council's housing officer.	Outside of MM scope
3.5	Open Space Management – can the Council adopt the open space	Cllr King	Page 6 of the minutes of the committee report confirms (3rd para) that "the development services manager reported that the proposed open space would not be adopted by the Council's leisure services". This accurately reflects the wish of the Council. However, since the committee meeting officers have contacted the applicants who are willing to engage with the Council to discuss this option.	Outside of MM scope

MM response to 1.3

RSA Stage 1 (July 2016) findings have been taken into consideration by WSP, and detailed design and subsequent RSA stage 2 would be expected to be dealt with as the design moved through the technical approvals process.
MM have variously stated over the past 2 years that it is advisable for the applicant to undertake Preliminary design along with a RSA (Stage 1) on significant mitigation schemes as part of this consultation (ref; 16/1132) and we would maintain this position, noting that it is for Worcestershire County Council (WCC) as the Highway Authority to determine and agree any requirement for safety review or audit where appropriate. It is however not mandatory to do so, although in cases where there is clear benefit it is undoubtedly good practice as we have noted.
WVV take the view that WCC should have required the applicant to submit an RSA (Stage 1) along with each and every mitigation scheme on the local highway network. The guidance below informs this view and MM are of the opinion that this requirement would be unreasonably onerous at this stage in the process given the relatively simple nature of several of the improvements proposed, together with the traffic volumes, speeds and degrees of potential conflict anticipated.
It is MM's view that ultimately all highway improvements proposals should be subject to appropriate safety review and audit at an appropriate level and time as part of the detailed design process in order to assure safety through good design. In this respect MM would anticipate the requirement for safety audit of all significant mitigation measures on the public highway as part of the detailed design process and prior to occupation of any built development, and after opening of the scheme to confirm its efficacy.
The national standards for undertaking Road Safety Audits are set by Highways England and are contained in the 'Design Manual for Roads and Bridges' at HD 19/03 (Volume 5, Section 2, Part 2), which is now superseded by GG119 and linked below for reference:
http://www.standardsforhighways.co.uk/ha/standards/dmrb/vol5/section2/GG%20119%20Road%20safety%20audit-web.pdf.
The Highways Act 1980 and the Road Traffic Act 1988 are the two main pieces of legislation in respect of road safety. Section 41 of the Highways Act states that:
"The authority who are for the time being the highway authority for a highway maintainable at the public expense, are under a duty … to maintain the highway".
Section 39 of the Road Traffic Act states that:
"… in constructing new roads, [each authority] must take such measures as appear… to be appropriate to reduce the possibilities of such accidents when the roads come into use."
GG119 provides the requirements for road safety audit for highway schemes on the trunk road and motorway network. Previously, HD 19/03 also required agencies responsible for trunk roads to undertake road safety audits, however HD 19/03 was only "commended" for use by local highway authorities. It did not require Councils to ensure that road safety audits were undertaken and therefore in this case it is for WCC to make a judgement on this matter in respect of the mitigation schemes being considered.
In this instance, MM understand that it is not WCC practice to require an RSA (Stage 1) at preliminary design and outline planning stage in line with Manual for Streets Guidance:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf
MfS Para 3.7.6 states that:
"RSAs are not mandatory for local highway authorities. Many residential streets, where the design is carried out by a developer's consultant, are assessed independently by the local highway authority. In some authorities there is no requirement for a further check by an RSA team, particularly where it is clear that motorised traffic volumes and speeds, and the degree of potential conflict between different user-groups, are not going to be significant."
There is therefore no absolute requirement in any relevant guidance for the submission of road safety audits at outline planning stage and whilst our view is that it is advisable to do so in some instances in order to give comfort to decision makers that the scheme under consideration can be delivered, submissions are essentially at the discretion of the applicant and the highway authority and a balanced and reasonable approach is clearly required.
MM understand that WCC and the applicant are currently undertaking the technical approval process in parallel to the planning application process and it is worth noting that the RSA Stage 1 prepared for the Rock Lane / Fox Hill junction was undertaken in July 2016.
In any event, MM suggest that suitably worded planning condition be offered to the effect that no occupations of development could proceed unless and until suitable mitigation measures are designed in detail, subject to RSA Stage 1 & 2 and formally agreed with the highway authority through their normal processes and implemented as required to address any impacts. Such a condition would provide the mechanism to ensure that appropriate audits take place through the design process and any resulting design change to address local safety issues can be fed into the process at the appropriate stage prior to final agreements and implementation.
In addition, MM would not usually expect to see a Design and Compliance Report before all design has been completed and therefore, they would not be appropriate at this stage. Such reports should be produced toward the end of the design process where all aspects of the design can be considered against standard and guidance and reported.