

**BROMSGROVE DISTRICT COUNCIL**

**VIRTUAL MEETING OF THE PLANNING COMMITTEE**

**TUESDAY, 16TH MARCH 2021, AT 6.05 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, A. B. L. English, S. G. Hession, J. E. King, P. M. McDonald, M. A. Sherrey and P.L. Thomas

In attendance: Mr. G. Nock and Mr. M. Howell, Jacobs Engineering. Mr. T. Sheach, Mott MacDonald.

Observers: Mr. R. Williams, Worcestershire Regulatory Services (WRS)

Officers: Mrs. R. Bamford, Mr. A. Hussain, Ms. C. Flanagan, Mr. D. M. Birch, Mr. S. Jones, Mr. M. Dunphy, Ms. K. Hanchett, WCC Highway Authority, Mr. T. Ainscough and Mr. N. Kirby, WRS, Ms. A. Barnes and Mr. M. Martin-White, WCC Education, Mrs. P. Ross and Mrs S. Sellers

95/20

**TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

An apology for absence was received from Councillor M. Glass with Councillor M. A. Sherrey in attendance as the substitute Member.

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**DECLARATIONS OF INTEREST**

Councillor J. E. King asked for it to be noted that she was a Committee Member of CPRE, the countryside charity, Worcestershire.

Councillor S. G. Hession asked for it to be noted that in her role as a District Councillor she knew Mr. A. Bailes, who was addressing the Committee on behalf of Whitford Vale Voice; however, she had not discussed the two applications, 16/0335/OUT Land at Perryfields Road, Bromsgrove and 20/00300/FUL – The former Greyhound Public House, 30 Rock Hill, Bromsgrove, with Mr. Bailes.

97/20

**MINUTES**

The minutes of the Planning Committee meeting held on 15<sup>th</sup> February 2021, were received.

**RESOLVED** that the minutes of the Planning Committee held on 15<sup>th</sup> February 2021, be approved as a correct record.

98/20

**UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING**

The Chairman announced that Committee Updates had been circulated to all Planning Committee Members and he asked if all Members had received and read the Committee Update reports.

The Charman took the opportunity to inform all those present that the public speaking time had been increased to 15 minutes per category; and that officers would be presenting a joint presentation for Planning Applications 16/0335/OUT – Land at Perryfields Road, Bromsgrove and 20/00300/FUL – The former Greyhound Public House, 30 Rock Hill, Bromsgrove.

The Development Management Manager, Bromsgrove District and Redditch Borough Council's clarified that the 15 minutes public speaking time was the combined total for both applications.

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**16/0335/OUT - OUTLINE APPLICATION FOR THE PHASED DEVELOPMENT OF UP TO 1,300 DWELLINGS (C3); UP TO 200 UNIT EXTRA CARE FACILITY (C2/C3); UP TO 5HA EMPLOYMENT (B1); MIXED USE LOCAL CENTRE WITH RETAIL AND COMMUNITY FACILITIES (A1, A2, A3, A4, A5, D1); FIRST SCHOOL, OPEN SPACE, RECREATIONAL AREAS AND SPORTS PITCHES; ASSOCIATED SERVICES AND INFRASTRUCTURE (INCLUDING SUSTAINABLE DRAINAGE, ACOUSTIC BARRIER); WITH MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE (INCLUDING INTERNAL ROADS) BEING INDICATIVE AND RESERVED FOR FUTURE CONSIDERATION, EXCEPT FOR DETAILS OF THE MEANS OF ACCESS TO THE SITE FROM BOTH KIDDERMINSTER ROAD AND STOURBRIDGE ROAD, WITH ASSOCIATED HIGHWAY WORKS (INCLUDING ALTERED JUNCTIONS AT PERRYFIELDS ROAD / KIDDERMINSTER ROAD AND PERRYFIELDS ROAD / STOURBRIDGE ROAD) SUBMITTED FOR CONSIDERATION AT THIS STAGE - LAND AT, PERRYFIELDS ROAD, BROMSGROVE, WORCESTERSHIRE - TAYLOR WIMPEY UK LTD**

Officers stated that, as highlighted by the Chairman, the Committee would receive a joint presentation for Planning Applications 16/0335/OUT and 20/00300/FUL; with input from officers from Jacobs Engineering representing Worcestershire County Council (WCC), Highway Authority and WCC Highway officers.

Members were further informed that, as briefly detailed on pages 9 and 125 of the main agenda report, both applications would be determined by the Planning Inspectorate at a public enquiry currently scheduled to convene in May 2021.

Three Committee Updates had been issued, copies of which were provided to Members and published on the Council's website prior to the commencement of the meeting.

Committee Update 1 – detailed information from WCC Highway Authority, with regard to 2 conditions being proposed. Whitford Vale Voice a summary of their remaining concerns and Bromsgrove Society highways issues and Officer comments.

Committee Update 2 – response from WCC Highway Authority and Mott MacDonald to further representations received.

Committee Update 3 – Case Officers comments to concerns raised by the general public regards the established herd of deer on the site. Detailed information with regard to s106 contributions and amended condition in respect of the Construction Environment Management Plan. Updated presentation slide 22 – Sustainable Transport Summary.

Officers reported that in brief the outline application was for the phased development of up to 1,300 dwellings, employment use, community facilities, a first school, recreation and sports facilities and open space. The full details were shown on page 9 of the main agenda report.

The applicant had offered to incorporate 10 self-build plots as a component of the 1,300 dwellings.

The Perryfields Road site was one of three sustainable urban extensions allocated (as BROM2) under Policy BDP5 of the Bromsgrove District Plan.

Members were asked to note, that part of the development plan allocation had already been met in the form of a development of 100% affordable housing situated towards the north eastern end of the allocation. Accordingly, the residual requirement for affordable housing on the application site was 30% in this case, as opposed to 40%.

The site was located to the south of the intersection between the M5 and the M42, extending between the A448 Kidderminster Road to the south, the B4091 Stourbridge Road to the north-east, and bounded by the residential area of Sidemoor to the south east. The site sat within the Perryfields Ward.

The majority of the site lay outside the designated Green Belt and encompassed that identified as BROM2, in the Bromsgrove District Local Plan. A relatively small area of land to the northern end of the site extended into the designated Green Belt.

A new school would be constructed, as due to the quantum of the site, it necessitated a new school being built.

In order to mitigate the impact of motorway noise an acoustic barrier which would comprise of an earth bund and fence with planting being proposed.

With regards to sports provision, there would be a linkage through to the existing open space. The s106 agreement included the ability for Bromsgrove District Council to adopt on site open space, the sports pavilion and playing pitches.

At this stage in the meeting, Mr. G. Nock, Jacobs Engineering, working with WCC Highway Authority, informed the Committee that the development site would have two vehicular access points, with enhanced pedestrian facilities and cycleway improvements, as detailed on presentation slides 18 and 19 of the main agenda report.

Kidderminster Road to the south in the form of a large roundabout with two lane access for capacity. Vehicle tracking had been undertaken and had been reviewed by County Engineers and was also supported by Road Safety Audit Stage 1.

Stourbridge Road to the north of the site – this access was to be a signalised access located north to the existing Perryfields Road junction with Stourbridge Road; with wider pedestrian enhancements that would tie in with the existing pedestrian facilities. This vehicular access was currently being advanced through detailed design as part of a S278 process with officers at the County Council and had been informed by an associated Road Safety Audit.

Presentation slide 20 detailed the Public Transport Strategy and highlighted that the key was to be integrated and to connect the new and existing residential areas to the railway station, with the Town Centre as the focal point of the network. The intention was to reprioritise walking and cycling, as detailed on presentation slide 21; with a high-quality public transport infrastructure, that was reliable and frequent. There would be contributions of up to £452,000 for Public Transport services and £30,000 towards a high-quality bus infrastructure.

Presentation slide 22 detailed the Sustainable Transport Summary with the overall package receiving a contribution of £1,863,000.

Presentation slide 23 detailed the Traffic Assessment, a multi tooled approach was taken which identified the key routes impacted, junction impacts, enhanced pedestrian facilities and where those impacts were and the mitigation points for highway improvements, as detailed on presentation slides 24 and 25. Each mitigation had been supported by a Road Safety Audit. Members were asked to note that the contribution of £5.7m was for a Transport Package and not for a Highway Package as shown on the presentation slide.

The Highway Authority had undertaken a robust assessment of the application.

At this stage in the meeting, the Council's Strategic Planning and Conservation Manager, drew Members' attention to presentation slide 26 Highways and Transport Interventions.

Members were informed that, as recommended by Mott MacDonald, that a transport mitigation package would be secured and implemented against a background of an ongoing 'Monitor and Manage' Strategy; where the level of demand for travel by all modes was surveyed at salient intervals throughout the delivery of the scheme until fully constructed, as detailed on page 26 of the main agenda report.

Working with this new strategy, officers would carry out an assessment and once prepared, officers would work with County Highways to assess the level of impact. There would be a certain level of impact and if the levels of impact over time appeared to be larger than predicted, then there was an additional fund of £705,000 in place to address that additional impact. Officers were not expecting this to happen but if it did then there would be a reaction to it, using the £705,000 flexible travel fund.

Officers would work with WCC Highway Authority and the developer, a set of surveys would be undertaken, and those surveys would show the level of impact through a 'Monitor and Manage' approach, as recommended by Mott MacDonald. The level of impact would be assessed and if there were additional things required the £705,000 funds could be used.

Members' attention was further drawn to the list of 6 items, listed on presentation slide 26, that the developer had already proposed under the 'Monitor and Manage' approach.

The Strategic Planning and Conservation Manager commented that this was a new approach going forward. The focus was around sustainable transport, flexibility and being able to react and enhance to new schemes, should they arise, under the 'Monitor and Manage' strategy. There would be a s106 contribution for the Mobility, Monitor, Manage Steering Group, as referred to in Committee Update 3.

Officers drew Members' attention to presentation slide 27, which detailed a summary of the s106 components, which would be secured by a legal agreement.

Officers further drew Members' attention to the revised schedule of all s106 contributions, as detailed on pages 1 to 4 of Committee Update 3, which included:-

- A financial contribution of up to a maximum of £807,315.83 to meet annual shortfalls in NHS Service revenue.
- A substantial contribution towards sports and recreation (on site and off site)

- Contribution towards the provision of the First School and towards the expansion by one form of entry provision at South Bromsgrove High School.

Members were asked to note that these costs were minimum figures. The costs and supporting evidence were subject to further assessment by WCC Education. WCC Education were currently in the process of reviewing the methodology for calculating contributions.

Officers further drew Members' attention to Committee Update 1 and the additional conditions proposed by WCC Highway Authority with regard to offsite works / site access.

Officers informed the Committee, that as detailed in Committee Update 3, that an additional criterion to Condition 10, the Construction Environment Management Plan (CEMP) had been included, as follows, "Measures to avoid the inadvertent entrapment of wildlife during construction".

At the invitation of the Chairman, Councillor P. Baker, representing Catshill & North Marlbrook Parish Council and Mr. A. Bailes, representing Whitford Vale Voice addressed the Committee in objection to the Application. Mr A. Cunningham, Taylor Wimpey and Mr. R. Shaw, Savills addressed the Committee on behalf of the Applicant. Councillor L. Mallett, Ward Member also addressed the Committee in objection to the Application.

At this stage in the meeting the Chairman announced that Members and officers would be taking a comfort break.

Accordingly, the meeting stood adjourned from 19:55pm to 20:22pm.

Having reconvened, the Chairman announced that Councillor J. E. King would no longer be taking part in the meeting.

The Committee then considered the Application, which officers had recommended for approval.

Officers apologised for the incorrect information detailed at paragraph 24.18 with regard to the total population and highlighted that the figures shown in Committee Update 3 had been calculated correctly.

In response to questions from Members, Mr. Nock, Jacobs Engineering clarified that with regards to the Market Street / Birmingham Road (Parkside junction) that funding had been secured towards enhancement at this junction, as detailed on pages 20 and 21 of the main agenda report.

Highways Officers further commented that the junction would be optimised taking into account both pedestrians and cyclists.

Mr. Nock further commented that with regard to the potential for 'rat runs' on Broad Street, Willow Road and Cherry Orchard Road, he would be unable to comment as he had no evidence before him to quantify the potential for 'rat runs' in these areas.

Members were further informed that in respect of Perryfields Road, that there would be unfettered access for pedestrians and cyclists.

Mr. Nock further informed the Committee that public transport would be delivered so as to have a flexible, most reliable service going to key destinations. This would also be monitored through the new 'Mobility, Monitor and Manage' approach, with a strategy to adopt new technologies in public transport as they were introduced.

Some Members stated that the application complied with the Bromsgrove District Local Plan and was one of the key town centre expansion sites allocated under Policy BDP5A. It played a crucial role in supplying housing land and its development would boost the provision of additional and affordable housing in Bromsgrove.

Members debated the application in detail and officers responded to further questions from the Committee in respect of:-

- Affordable housing contribution.
- Perryfields spine road, mitigation measures to address any traffic problems which would occur as a result of such a large development.
- Trigger points for local centre and community facilities.
- Drainage.
- Employment usage.
- NHS Clinical Commissioning Group (CCG) no contribution being sought.

Officers clarified that there were reasonable trigger points detailed in the s106 agreement for the delivery of the local centre and community facilities, which would be delivered during the course of the development. There was still some agreement to be reached with the developer with regard to contributions for the local centre and community facilities.

The relevant agencies had been consulted with regard to drainage and had not submitted any objections.

The NHS CCG had stated that there was no requirement for a contribution towards local GP surgery provision, and officers commented that they could not pursue this further.

Officers referred to the comments received from North Worcestershire Economic Development and Regeneration (NWEDR) as detailed on page 54, in that the applicants had identified within their Design and Access Statement, that the "employment areas should provide flexibility

in terms of units size and arrangements, and will be subject to a future design brief to be prepared following grant of planning permission". This approach was supported by NWEDR.

The Committee referred to the proposed carbon neutral and green credentials of the development and the information detailed on page 43 of the main agenda report from the Worcestershire Green Infrastructure Partnership; and page 53 of the main agenda report in respect of electric vehicle charging.

Whilst Members thanked officers for a comprehensive report and applauded the emphasis on the proposed sustainable modes of transport, some concerns were still raised with regard to Perryfields being made into a spine road and if the road infrastructure being put forward was adequate.

Mr. Nock commented that he had nothing further to add on the spine road proposals. Highway officers commented that Members had seen their consultation responses, as detailed in the officer's report, they had looked at what was being proposed by the developer and they believed it to be acceptable and had nothing more to add. They had listened to the concerns raised, had assessed what was being put forward and had deemed it to be acceptable.

Members further commented that the application complied with the Council's designated ADR, the National Planning Policy Framework (NPPF) and was a sustainable development. There was a desperate need for housing and affordable housing. The questions and concerns raised in respect of Highways issues had been answered in detail by WCC Highway Authority and Mott MacDonald.

WCC Education officers clarified that the funding being sought in respect of the first school phase was £2.5 million, as detailed in Committee Update 3. Officers further clarified that, as stated earlier, that WCC Education were currently in the process of reviewing the methodology for calculating contributions, as detailed in Committee Update 3.

In response to further questions from the Committee, officers confirmed the following, that -

- Worcestershire Acute Hospital Trust had reduced the contribution that they were seeking.
- There was a statutory undertaking, as part of the Highways Act, by the developer to relocate any utilities.
- WRS had requested with regard to the human health risk assessment, that a site investigation to be included as a condition of the application .
- Matters of landscaping would be considered under 'Reserved Matters'.

Officers further highlighted, that as detailed in Committee Update 3, recommendation (e) “that delegated powers be granted to the Head of Planning, Regeneration and Leisure to agree the contributions yet to be agreed as part of the appeal process”. Members were reassured that the agreed contributions would be index linked.

Officers further confirmed that, an additional condition in respect of all new buildings being zero energy, was not a necessary condition. Officers drew Members’ attention to page 111, part 12 which stated “Innovative solutions to a range of environmental issues, to maximise resource efficiency and climate change adaptation through external or internal features, passive means such as landscape contribution, layout/orientation, massing, and external building features. Any legislation passed by central government, in respect of new buildings, would have to be met under the building regulations in place at the time of the build.

Therefore, the substantive view of the Committee was as follows:

**RESOLVED** that outline planning permission would have been granted,

- a) authority be delegated to the Head of Planning and Regeneration to agree a suitable and satisfactory legal mechanism in relation to the conditions as set out in the report;
- b) the additional Conditions from Worcestershire County Council Highway Authority, as detailed on page 1 of Committee Update 1;
- c) the s106 contributions, as detailed on pages 1 to 4, of Committee Update 3,

and

- d) amended criterion to Condition 10, as detailed on page 4, of Committee Update 3.

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**20/00300/FUL - ALTERATIONS TO THE JUNCTION OF FOX LANE AND ROCK HILL TO FORM A ROUNDABOUT JUNCTION. DEMOLITION OF THE EXISTING BUILDING (THE FORMER PUBLIC HOUSE 'THE GREYHOUND INN') - THE FORMER GREYHOUND [PH], 30 ROCK HILL, BROMSGROVE, WORCESTERSHIRE, B61 7LR - TAYLOR WIMPEY UK LTD**

As highlighted at the commencement of the meeting, the Committee received a joint presentation for Planning Applications 16/0335/OUT and 20/00300/FUL.

Members were also further informed that, as briefly detailed on pages 9 and 125 of the main agenda report, both applications would be determined by the Planning Inspectorate at a public enquiry currently scheduled to convene in May 2021.

Three Committee Updates had been issued, with Committee Updates 1 and 3 containing information on this application. Copies of the Committee Updates were provided to Members and published on the Council's website prior to the commencement of the meeting.

Committee Update 1 – Bromsgrove Society heritage issues and officer comments to those issues; and Revised Condition 2.

Committee Update 3 – further representations received from the public and Officer comments, as detailed on page 5 of the Committee Update 3.

The application sought alterations to the junction of Fox Lane and Rock Hill to form a roundabout junction; with the demolition of the existing building (The former public house 'The Greyhound Inn').

Members were informed that the scheme submitted by Taylor Wimpey for the proposed alterations to the junction of Fox Lane and Rock Hill was identical to that which had been accepted by Worcestershire County Council for the Whitford Road scheme.

Officers clarified that the Albert Road access was solely to serve maintenance of the remnant land, no residential development was being sought in this application. The access would be retained to allow the site to be served by maintenance vehicles for landscaping work. However, Members were asked to note that the Catesby Estates Ltd development of Whitford Road scheme did include some residential development on the application site.

Members agreed to go straight to the vote, as officers had provided answers to questions, with regard to this application, raised by Committee Members during the debate on application 16/0335/OUT.

Therefore, the substantive view of the Committee was as follows:

**RESOLVED** that full planning permission would have been granted,

- a) authority be delegated to the Head of Planning and Regeneration to discuss the final scope and detailed wording and numbering of Conditions, as set out in the report; subject to:
- b) revised Condition 2, as detailed on page 18 of Committee Update 1.

The meeting closed at 9.28 p.m.

Chairman