

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 4TH JULY 2022, AT 6.00 P.M.

PRESENT: Councillors A. J. B. Beaumont, G. N. Denaro, S. P. Douglas,
A. B. L. English, M. Glass, H. J. Jones, J. E. King, A. D. Kriss,
P. M. McDonald, M. A. Sherrey and C. J. Spencer

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Ms. J. Chambers,
Mr. G. Nock, Jacobs (via Microsoft Teams) and Mrs. P. Ross

1/22 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor H.J. Jones be elected as Chairman of the Committee for the ensuing municipal year.

The Chairman informed all those present that the meeting was being Live Streamed on the Council's YouTube channel; and requested that Members and Officers remembered to use their microphones and to speak clearly.

2/22 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor A. D. Kriss be elected as Vice-Chairman of the Committee for the ensuing municipal year.

3/22 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

There were no apologies for absence.

4/22 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5/22 **MINUTES**

The minutes of the Planning Committee meeting held on 16th May 2022 were received.

That it be noted that Councillor A. B. L. English was in attendance at the meeting for Minute Numbers 93/21 and 94/21.

RESOLVED that, subject to the amendment, as detailed in the preamble above, that the minutes of the Planning Committee meeting held on 16th May 2022, be approved as a correct record.

6/22

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING

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

All Members agreed that they had received and read the Committee Update.

7/22

22/00090/REM - RESERVED MATTERS (LAYOUT; SCALE; APPEARANCE AND LANDSCAPING) TO OUTLINE PLANNING PERMISSION 16/1132 (GRANTED ON APPEAL) APP/P1805/W/20/3245111) - FOR THE ERECTION OF 370 DWELLINGS WITH ASSOCIATED CAR PARKING, LANDSCAPING AND OTHER INFRASTRUCTURE WITHIN THE SOUTHERN SECTION OF SITE A - LAND AT WHITFORD ROAD, BROMSGROVE, WORCESTERSHIRE - MR R EARLEY

The Chairman asked Members to note, that as detailed in the officer's report;

That following the granting of outline planning permission and the approval of Access by the Planning Inspector, the application tonight sought consent for the remaining 4 Reserved Matters for the erection of 370 dwellings together with associated car parking, landscaping and other infrastructure on most of the southern 2 thirds of site A.

Therefore, the issues for consideration by Members tonight were limited to matters of the internal vehicular access, layout, scale, appearance and landscaping.

The following would not be discussed:-

- the release of this site for housing provision.
- air quality.
- traffic and highway issues external to the site.
- schools, doctors and dentists.
- drainage, flood risk and wildlife issues.

As the principle of development on this site had already been established by the outline planning permission.

It was also noted that prior to the meeting being held and in the absence of a Chairman being elected, it was agreed by the Proper Officer, that the public speaking time would be extended to ten minutes per party.

Officers drew Members' attention to the Committee Update, which detailed additional comments on pages 1 and 2, from:-

- Councillor L. C. R. Mallett
- Whitford Vale Voice
- The Bromsgrove Society
- Highways Authority
- North Worcestershire Water Management (NWWM)
- Ecology Matters

Officers further drew Members' attention to the Amended Conditions, as detailed on page 2, of the Committee Update, copies of which were provided to Committee Members and published on the Council's website prior to the commencement of the meeting.

Officers presented the report and in doing so drew Members' attention to the presentation slides, as detailed in the supplementary agenda pack, pages 1 to 16.

Officers further informed the Committee that the Reserved Matters to be considered under this application were:-

- Layout
- Scale
- Appearance
- Landscaping

As detailed on page 11 of the main agenda report.

Officers referred to the 'Site and its Surroundings', as detailed on page 9 of the main agenda report and commented that the height of retaining structures shown on parts 1 and 2 of the plans would vary and would include gabion baskets, as detailed on page 7 and 8 of the supplementary agenda pack. The boundary treatments would be a mixture of close boarded fences, decorative fences and existing retained hedgerow, as detailed on page 13 of the supplementary agenda pack.

The site was a greenfield site approximately 17.5 hectares in size. It formed most of the southern 2 thirds of the Bromsgrove Town Expansion Site BROM3 and was allocated for development in the District Plan.

The layout included pedestrian/cycle routes separate from vehicular traffic leading through the site. There was a pathway looping between the areas of public open space which would lead to a new toucan crossing point over Whitford Road, linking directly into Sanders Park, as detailed on page 5 of the supplementary agenda pack.

Housing officers had been consulted with and had agreed that the affordable housing provision, mix and cluster arrangements within the layout were acceptable; and that the pepper potting of units throughout the site was also acceptable.

As shown in the report, the Arboricultural Officer had no objection subject to conditions regarding recommendations in the Arboricultural report relating to tree protection and mitigation.

In conclusion, officers stated that this was an allocated development site. Outline planning permission with the Reserved Matter of Access was allowed on appeal last year. Whilst it was acknowledged that some of the plots would be impacted by sizable retaining walls, the Inspector did not restrict this; and given the site topography, it was not unexpected. Similarly, some of the private rear gardens were less than the spacing standard set out in the High Quality Design SPD, for example some plots measured 50m² instead of 70m².

However, when assessed holistically against the policies of the District Plan the proposal was considered to comply. The 4 reserved matters under consideration were found to comply with the relevant conditions imposed by the Planning Inspector and to adhere to the masterplan, the principles of the Design and Access Statement and to the NPPF. In the planning balance and taking account of material planning considerations, the development was as a whole considered to be acceptable.

At the invitation of the Chairman, Mr. B. Powell, on behalf of The Bromsgrove Society and Whitford Vale Voice and Mr. C. Cooke, addressed the Committee in objection to the application. Ms. D. Farrington, on behalf of the applicant addressed the Committee. Councillor L. C. R. Mallett, Ward Councillor (via Microsoft Teams), also addressed the Committee in objection to the application.

Councillor Mallett raised a question and referred to an email he had received from The Badgers Trust and asked if this information had been received by Planning Committee Members. Councillor Mallett also referred to the comments made by Ms. D. Farrington, the applicant's representative, about badger related matters.

With the agreement of the Chairman, the meeting stood adjourned from 18:43pm to 18:51pm whilst officers sought legal advice.

Having reconvened, the Development Management Manager stated that firstly, the issues raised by The Badger Trust, which had been received earlier in the day, had not been submitted officially, it had been received by a third party. Secondly, the information was partly sensitive information, as it had included the location of the badgers. Therefore, the information had not been released into the public domain as it was not in the public interest to do so. Members were further referred to the Ecology comment on page 21 of the main agenda pack.

Members then considered the reserved matters application, which officers had recommended be granted.

Members raised questions and some concern, with regard to the following:-

- Refuse collection.
- Private amenity space for some properties being sub-standard.
- The protection of young children around the pond area at the north east corner.
- Footways not being provided along Whitford Road adjoining the site boundary.
- Speeding and incorrect speeding data being provided to the Planning Inspector.
- Badger Site and access to water.
- Suds conditions and water drainage into Battlefield Brook.
- Bus routes.
- The future adoption (by the Council) of public open space.

In response officers clarified that, as detailed on page 17 of the main agenda report, that concerns had been raised and discussed with the developer and that the applicant was preparing amended plans. It was anticipated that the layout of the site, which had been discussed, could use the system of kerbside refuse collection as carried out within the District.

With regard to smaller private amenity space, there were some smaller gardens, which did not comply with the High Quality Design SPD. The development needed to be considered in its entirety and on balance was acceptable as a whole.

Officers further clarified that Condition 16, Site A: Water Management and Flood Risk on granted outline planning permission 16/1132, would deal with safety protection of the attenuation pond, this was not yet determined; but discussions were taking place with North Worcestershire Water Management (NWWM); and that the comments made by Members during the course of tonight's meeting in respect of SuDs arrangement and Battlefield Brook would be included in future (officers) discussions with NWWM.

In response to questions in respect of Highways, Mr. G. Nock, Jacobs, who had acted on behalf of Worcestershire County Council (WCC), Highways Authority; commented that in terms of the outline planning permission granted that originally there were not footways connecting Whitford Road to the site. However, as referred to by officers and as detailed on page 20 in the main agenda report; the layout plans did show footways along Whitford Road adjoining the site boundary, with a new Toucan crossing point over Whitford Road, linking directly into Sanders Park.

Members were further informed that the S106 agreement had captured and secured funds for an integrated public transport strategy, into Bromsgrove Town Centre and Bromsgrove train station; this may be

provided by smaller fleets of smaller buses, capable of navigating through the development site. This was under consideration as a separate matter by relevant officers at WCC.

Officers further responded to questions in respect of global warming and no conditions being included to install solar panels and air source heat pumps. With officers reiterating that this would come under the remit of Building Control Regulations.

In response to the concerns raised regarding speeding and the data provided to the Planning Inspector, Mr. G. Nock, Jacobs, who had acted on behalf of Worcestershire County Council (WCC), Highways Authority; stated this would be looked into by qualified, competent officers and county engineers, at Worcestershire County Council, Highways; he had nothing further to add.

Following questions from Members, officers provided information on the number and types of affordable rent and shared ownership properties, as agreed in the S106 agreement. The Council did not have a specific planning policy on the location / clustering of affordable houses on proposed development sites. Houses officers had been consulted with in respect of this development and had agreed that the affordable housing cluster arrangements within the layout of the development were acceptable.

Officers further suggested that, with regard to the badgers accessing water, this could be included in the Landscape Ecological Management Plan (LEMP).

With regard to the future management or adoption (by the Council) of open spaces this was addressed in S106 agreement.

On being put to the vote, it was

RESOLVED that the Reserved Matters of Layout, Scale, Appearance and Landscaping be approved subject to:-

- a) the Conditions as detailed on pages 21 and 22 of the main agenda report,
- b) the amended Conditions as detailed on page 2 of the Committee Update report; and
- c) an additional condition relating to landscape maintenance.

The meeting closed at 8.07 p.m.

Chairman