



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 4TH JULY 2022

AT 6.00 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE,
WORCESTERSHIRE, B61 8DA

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

AGENDA

1. Election of Chairman
2. Election of Vice-Chairman
3. To receive apologies for absence and notification of substitutes
4. 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.
5. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 16th May 2022 (Pages 1 - 8)
6. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
7. 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
(Pages 9 - 22) **Presentation Slides 'To Follow'**

8. 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.

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

24th June 2022

K. DICKS
Chief Executive

If you have any queries on this Agenda please contact
Pauline Ross
Democratic Services Officer

Parkside, Market Street, Bromsgrove, B61 8DA
Tel: 01527 881406
Email: p.ross@bromsgroveandredditch.gov.uk

GUIDANCE ON FACE-TO-FACE MEETINGS

At the current time, seating at the meeting will be placed in such a way as to achieve as much space as possible for social distancing to help protect meeting participants.

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON

Members and Officers who still have access to lateral flow tests (LFTs) are encouraged to take a test on the day of the meeting. Meeting attendees who do not have access to LFTs are encouraged not to attend a Committee if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

The meeting venue will be fully ventilated, and Members and officers may need to consider wearing appropriate clothing in order to remain comfortable during proceedings.

PUBLIC ATTENDANCE

Members of the public will be able to access the meeting if they wish to do so. However, due to social distancing arrangements to ensure the safety of

participants there may be limited capacity and members of the public will be allowed access on a first come, first served basis.

It should be noted that members of the public who choose to attend in person do so at their own risk.

Members of the public are strongly encouraged not to attend a Committee meeting if they test positive for Covid on the day of a meeting or up to 5 full days before a meeting. Should the member of the public test positive for Covid-19 on the day of the meeting or up to 5 full days before the meeting then they are expected not to attend the meeting.

PUBLIC SPEAKING

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments. For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council's website.

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair), as summarised below:-

1) Introduction of application by Chair

2) Officer presentation of the report

3) Public Speaking - in the following order:-

- a. objector (or agent/spokesperson on behalf of objectors);**
- b. applicant, or their agent (or supporter);**
- c. Parish Council representative (if applicable);**
- d. Ward Councillor**

Each party will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Officer and will be invited to unmute their microphone and address the Committee face-to-face or via Microsoft Teams.

4) Members' questions to the Officers and formal debate / determination.

Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Officer on 01527 881406 or by email to p.ross@bromsgroveandredditch.gov.uk before 12 noon on Thursday 30th June 2022.**
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate face-to-face or via a Microsoft Teams invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting via Microsoft Teams, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Thursday 30th June 2022.**
- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation 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 Council's website www.bromsgrove.gov.uk**
- 4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.**
- 5) Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.**



INFORMATION FOR THE PUBLIC

Access to Information

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at www.bromsgrove.gov.uk

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Agenda Item 5

Planning Committee
16th May 2022

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 16TH MAY 2022, AT 6.01 P.M.

PRESENT: Councillors H. J. Jones (Chairman), A. D. Kriss (Vice-Chairman), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, A. B. L. English (during Minute No 94/21), M. Glass, J. E. King (during Minute No's 92/21 and 93/21), P. M. McDonald, C. J. Spencer and M. Thompson (substituting for Councillor M. A. Sherrey)

Observers: Mr. R. Keyte, Legal Services via Microsoft Teams and Mr. G. Day, Democratic Services Officer

Officers: Ms. C. Flanagan via Microsoft Teams, Mr. D. M. Birch, Mr. S. Jones, Mr. P. Lester, Mr. S Edden, Ms. K. Hanchett, Worcestershire County Council, Highways and Mrs. P. Ross

88/21 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillor M. A. Sherrey with Councillor M. Thompson substituting.

89/21 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

90/21 **MINUTES**

The minutes of the Planning Committee meeting held on 11th April 2022 were received.

RESOLVED that, the minutes of the Planning Committee held on 11th April 2022, be approved as a correct record.

91/21 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING**

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

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

92/21

20/00643/FUL - FULL PLANNING PERMISSION FOR THE USE OF LAND FOR THE STATIONING OF 90 STATIC RESIDENTIAL PARK HOMES FOR THE OVER 55S, WITH ASSOCIATED PARKING, INTERNAL SERVICE ROADS, AND LANDSCAPING AND ACOUSTIC FENCE TO THE NORTH, EAST AND WEST BOUNDARIES - CORBETT BUSINESS PARK, SHAW LANE, STOKE PRIOR, BROMSGROVE, WORCESTERSHIRE, B60 4EA - MONGOOSE LTD

Officers verbally reported the views of the Core Waste Team Leader, which were received on 16th May 2022, as included in the published Committee Update.

“The refuse tracking does not appear to show that our fleet would be able to access the properties on this application. We would request a developer contribution towards bins which are currently priced at £18.69/container, with each property needing 2 containers, one Grey (domestic waste) and one Green (recycling waste)”, as detailed in the published Committee Update, copies of which were provided to Members of the Committee and published on the Council’s website prior to the commencement of the meeting.

Officers confirmed that a developer contribution of £3364.20 would be required for waste containers.

Officers presented the report and in doing so drew Members’ attention to the presentation slides, as detailed on pages 56 to 72 of the main agenda report.

Planning permission was being sought for the use of land for the stationing of 90 static residential park homes for the over 55s, with associated parking, internal service roads, landscaping and acoustic fencing to the north, east and west boundaries.

Officers further reported that the Applicant’s Planning Agent had been in contact, earlier in the day, with regards to an inconsistency between the disposition of proposed caravans detailed on the Acoustic fencing plan, landscaping plan and site location plan not aligning with the correct arrangement as detailed on Layout Plan Revision C. Officers clarified that this was a minor inconsistency, and as such did not create an obstacle to determining the application tonight.

Members were informed that an earlier scheme was proposed and deferred, as detailed on page 11 of the main agenda report. The earlier scheme showed a proposed footpath through an area of landscaping running parallel to the southern boundary alongside Worcester and Birmingham Canal. The proposed footpath was deleted at the suggestion of the Local Planning Authority, as it did not connect and was seen as a threat to the important existing vegetation screening alongside the canal.

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In the south west corner, there was a pre-existing bridge, however, this did not form part of the proposed application. The bridge was in private ownership and officers had not received a response from the owners, so officers had been unable to explore the potential of using the pre-existing bridge as a further means of pedestrian access to the site. Therefore, there would be a single access as illustrated on the illustrative CGI presentation slide, as detailed on page 62 of the main agenda report.

Officers drew Members' attention to page 25 of the main agenda report, and that following a query from the Chairman; officers clarified that there was a Davenal House Surgery in Bromsgrove Town Centre, which was the main GP surgery. However, the Davenal House Surgery referred to in the report, was the Stoke Prior GP surgery on Ryefields Road (part of the same GP practice) and would be a 16 minute walk from the proposed site.

In conclusion officers had recommended that planning permission be refused for the reasons as detailed on page 52 of the main agenda report.

At the invitation of the Chairman, Mr. O. Cooper, Planning Agent, on behalf of the applicant addressed the Committee. Mr. P. Williams, Chairman, Stoke Parish Council, also addressed the Committee in objection to the Application.

Members then considered the application, which officers had recommended be refused.

Members questioned if the footpaths would have dropped kerbs, as it would prove difficult to access the village on a mobility scooter, taking into consideration that the proposed development would be for the over 55s.

Members also raised some concern that there was no external storage provided at the park homes (for storing gardening and sports equipment and mobility scooters).

Members raised further concerns with regard to traffic. Commenting that the area had grown and was accessed by very narrow roads and that during the busy periods in the day, that the area did become a bit of a 'bottle neck' due to the volume of traffic. Therefore, some Members expressed concerns from a safety point of view and commented that whilst admiring the proposed development for the over 55s, the proposed development was in the wrong location. There would be increased traffic entering / exiting the proposed development as residents would be unable to safely walk on / off the proposed site.

Members thanked the public speakers and further commented that this was a difficult application to determine, due to the need for additional homes. However, it was not an application that could be determined in

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isolation. Members also needed to consider the number of public objections received; and the objections received from North Worcestershire Economic Development and Regeneration (NWEDR) and Worcestershire Regulatory Services (WRS), Noise, as detailed in the main agenda report.

Members further referred to the 'Planning Balance' information, as detailed on pages 51 and 52 of the main agenda report. Members also stated that there was a shortage of employment land within the district and that the land should be kept as employment land.

In response to the concerns raised by the Committee with regard to highways safety. Officers reiterated that Worcestershire County Council, Highways, had not raised any objections to the proposed application.

On being put the vote, it was

RESOLVED that Planning Permission be refused for the reasons as detailed on page 52 of the main agenda report.

93/21

22/00116/FUL - DEMOLITION OF NO'S. 163 & 165 BIRMINGHAM ROAD AND CONSTRUCTION OF EIGHT DETACHED DWELLINGS.163 - 165 BIRMINGHAM ROAD, LAND TO THE REAR OF 151 AND 157 BIRMINGHAM ROAD AND 73 ALL SAINTS ROAD, BROMSGROVE - WILLIAM & JANE AND S. THORN AND CAMPBELL

Officers reported that following the submission of further information with regard to drainage, from North Worcestershire Water Management (NWWM) that Condition 10, as detailed on page 83 of the main agenda report could now be deleted; as detailed in the published Committee Update, copies of which were provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers presented the report and presentation slides, as detailed on pages 86 to 103 of the main agenda report; and in doing so informed Members that the application sought the demolition of no's 163 and 165 Birmingham Road and the construction of eight detached dwellings; with land to the rear of 151 and 157b Birmingham Road and 73 All Saints Road, Bromsgrove.

As detailed in the main agenda report, the floor area of the development exceeded 1000 square metres, and therefore, under the Council's Scheme of Delegation had to be referred to Planning Committee for determination.

Members' attention was drawn to the 'Relevant Planning History,' as detailed on page 75 of the main agenda report.

The application sought planning permission to demolish the two existing dwellings and to erect eight detached dwellings. This would result in a net increase of 6 dwellings. The application also sought to substitute

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house types for previously approved plots 3, 4 and 7 and a revised garage for plot 8.

Plots 1, 2, 3, 7 and 8 would have five bedrooms. Plots 4 – 6 would each have three bedrooms. The application site included part of the rear curtilages of 151 and 157 Birmingham Road and 73 All Saints Road.

The proposed development would be served by two access points onto Birmingham Road.

Members' attention was drawn to 'The Site and its Surroundings' as detailed on page 75 of the main agenda report.

Officers informed the Committee that the proposed application did not entirely comply with Policy BPD7. However, the Committee had approved both previous applications (20/01565/FUL and 20/004863/FUL); and therefore, officers had considered it unreasonable to refuse this application even though there would be a slight conflict with Policy BPD7.

Officers further stated that following the approval of the two previous applications, it was noted that the Conservation Officer had not sought to provide comments on this proposal.

Officers drew Members' attention to 'The Planning Balance and Conclusion,' as detailed on pages 80 and 81 of the main agenda report.

It was noted that Worcestershire County Council (WCC), Highways, had not raised any objections.

Members then considered the application, which officers had recommended be approved.

Officers responded to questions from the Committee with regard to the exact location of Oakland Grove and the exit onto Birmingham Road.

Officers clarified that the site would be accessed off Birmingham Road via 2no. new vehicular access points. The proposal would be adjacent to Oakland Grove.

In response to questions from the Committee with regard to Highways, the Highways Officer, WCC, informed the Committee that Highways were happy with the 2 new vehicular access points and private drive, it was all appropriate. The Highways Officer further reminded the Committee that as referred to by officers, there was a 'fall-back' position with the extant planning permission on this site for eight detached dwellings.

The Highways Officer, WCC, further clarified that the proposed driveway would be a private driveway and would therefore not be adopted by WCC, Highways.

Officers further reiterated that, as detailed in the Committee Update, that Condition 10 would be removed and that the remaining Conditions, as detailed on pages 81 to 84 of the main agenda report, would be renumbered in order to reflect this.

RESOLVED that Planning Permission be granted, with the removal of Condition 10, and as detailed on pages 81 to 84 of the main agenda report; subject to the Conditions being renumbered, as detailed in the preamble above.

94/21

22/00483/FUL - DETACHED DOUBLE GARAGE (RETROSPECTIVE) - 1A ST CATHERINES ROAD, BLACKWELL, BROMSGROVE, B60 1BN - MR. D. JONES

It was noted that there was no Committee Update for this Application.

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor J. E. King, Ward Councillor.

It was noted that Councillor J. E. King, had registered to address the Committee for this item as Ward Councillor. Councillor J. E. King left the meeting room and only returned to address the Committee, under the Council's public speaking rules.

Officers presented the report and presentation slides, and in doing so, highlighted that the application was a retrospective application for a detached double garage.

The property was detached and was situated at a road junction with 'Greenhill' to the south, and St Catherine's Rd to the east. Access to the property was via St. Catherine's Rd. The property was constructed in the 1970's as a single storey bungalow. A loft conversion which included the insertion of several dormer windows was implemented following the granting of planning permission for these works in 2019, as set out in the planning history, as detailed on page 106 of the main agenda report.

An earlier application for a detached garage in this location of the site was submitted under planning ref 17/01401/FUL and was refused planning permission on 26.02.2018 for the reason, as detailed on page 106 of the main agenda report.

Despite this, a detached garage was erected in this location. A new planning application was submitted on 01.03.2021 (planning ref 21/00321/FUL) seeking the retention of the garage. This retrospective application was refused planning permission on 26.04.2021 with no appeal being lodged.

Officers highlighted that, the current application before Members, submitted on 01.04.2022, again, sought the retention of the detached garage.

No.1a St Catherine's Road sat at the end of a row of dwellings which were mostly detached and were well set-back from the highway. The application site, like its neighbour, 1 St Catherine's Road had a substantial front garden, and a characteristic and consistent building line existed.

The host dwellings' plan form and plot size were similar to that of No. 1 St Catherine's Road and No. 3 St Catherine's Road which were situated to the north.

The garage was substantial in size and was positioned approximately 8.4m forward of the dwellings' principal elevation. It was located within close proximity of the St Catherine's Road / Greenhill junction. The garage was considered to be prominent in appearance and the siting of a substantial garage adjacent to the highway was considered to be at odds with the pattern of development locally.

Consequently, the garage appeared as an unduly dominant and obtrusive feature at the core of the village, harming the street scene in this highly prominent location.

Officers referred to the objection received from Lickey and Blackwell Parish Council, who had objected to the application, commenting that the garage was too large and that earlier applications had been refused planning permission.

In summary, the garage as erected was unduly prominent within the street scene and at odds with the pattern of development locally, harming the character and appearance of the area.

Approval of this application would conflict with Policy BDP19 of the Bromsgrove District Plan and Policy BD2 of the Lickey and Blackwell and Cofton Hackett Neighbourhood Plan which amongst other matters, collectively required that development enhanced the character and distinctiveness of the local area and provided support for well-designed proposals that were in keeping with their surroundings.

The application would be inconsistent with guidance set out within the Councils High Quality Design SPD which advised that outbuildings set forward of the principal elevation would not usually be appropriate as it may harm the character of the street scene. It would also be contrary to the provisions of the NPPF which seek well-designed places.

At the invitation of the Chairman, Councillor J. E. King, Ward Councillor, addressed the Committee.

Members then considered the application, which officers had recommended be refused.

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Some Members commented that the structure was not out of character and that a garage, needed for storage, could not have been erected anywhere else on the site.

Other Members commented that if the detached garage was being solely used for storage only, then access could have been gained at the side of the building. Members also commented that the garage was hidden by a laurel hedge, however, the Committee should be consistent with the Councils High Quality Design SPD, with regard to outbuildings.

Members questioned the removal of the dormer windows and in response officers reiterated that the Committee needed to consider the application before them.

Members stated that whilst they respected the statement made by Councillor J E. King, Ward Councillor, in support of the retrospective application; Members agreed with officers that the retrospective application be refused.

RESOLVED that Planning Permission (retrospective) be refused for the reason as detailed on page 107 of the main agenda report.

The meeting closed at 6.58 p.m.

Chairman

Agenda Item 7

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Robert Earley	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,	20.04.2022	22/00090/REM

RECOMMENDATION: That the Reserved Matters Layout, Scale, Appearance and Landscaping be granted subject to conditions.

The Site and its Surroundings

This is a greenfield site approximately 17.5 hectares in size. It forms most of the southern 2 thirds of the Bromsgrove Town Expansion Site BROM3 and is allocated for development in the District Plan. It is located to the west of Whitford Road between the junction with Timberhonger Lane and to the south of existing housing along Timberhonger lane. The site extends to Public Footpath BM-587 to the south. The topography of the site is undulating such that it slopes downwards from west to east, towards Whitford Road and from south to north, with changes in levels of up to 20m. The site is mostly grassed with a number of trees mainly positioned along the western side and a hedgerow running alongside Whitford Road. An entrance to Sanders Park is located opposite the application site and existing residential development is also located opposite. Green belt abuts the site to the west, with the M5 a short distance further west.

Proposal

Following the granting of outline planning permission and the approval of Access by the Planning Inspector, this application seeks 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.

The principle of the proposed development (up to 490 units on Site A) has been established through the granting of outline permission 16/1132. Therefore, the issues for consideration by Members are limited to matters of the internal vehicular access, layout, scale, appearance and landscaping. I have therefore attached very little weight to objections raised by residents with regards to the release of this site for housing provision, air quality, traffic and highway issues external to the site, the impact on infrastructure including schools, doctors and dentists, drainage and flood risk and wildlife issues, as the principle of development on this site has already been established by the outline permission.

Agenda Item 7

Plan reference

The table below sets out the house types, tenures, bedroom numbers and totals of each.

	Tenure	No. of Bedrooms	Dwelling Type	Total of Each Dwelling Type	Combined Total Each Dwelling Size	Total Affordable Housing by type	Overall Total
Market Housing	Private	2	Joiner	6	19		222
			Potter	7			
			Woodcarver (Bungalow)	6			
		3	Lymner	21	86		
			Mason	12			
			Scrivener	23			
			Spinner	26			
			Milliner	4			
		4	Bowyer	16	88		
			Philosopher	22			
			Goldsmith	24			
			Forester	13			
			Weaver	13			
		5	Watchmaker	9	29		
			Draper	7			
Bosworth (2.5 storey)	13						
Affordable Housing	Shared ownership	2	Potter	24	24	59	148
		3	Turner	35	35		
	Social rent	1	SO8B	7	19	89	
			SO8A	7			
			SO16 (Bungalow)	5			
		2	SO12 (Bungalow)	4	31		
			SO2+	27			
		3	SO3	35	35		
		4	SO4	4	4		

Total 2/3 bedroom units = 230

A total of 222 open market homes are proposed to be provided across the site to provide 9%, two-bedroom dwellings: 41%, 3-bedroom dwellings, 37% 4 bed dwellings and 13% 5 bed dwellings. There is a focus on the provision of 2- and 3-bedroom properties (which will make up 50% of the overall proposals).

The proposals include the provision of 148 affordable housing units, which equates to 40% of the total dwellings proposed. The affordable housing mix would provide: 12.8%; 1 bed units; 37% 2 bed units; 47.2% 3 bed units; and 3% 4 bed units. The applicant has advised that the mix is reflective of the requirements of the Local RSL's who will manage them. The affordable housing tenure is split between shared ownership and affordable rent, 40%:60% in accordance with the S106 attached to the outline consent. These units would be provided in clusters across the whole of the site.

Mostly 2 storey dwellings are proposed, however, there are also some 2-storey apartments, 2.5 dwellings incorporating dormers and 15 no. bungalows.

The Reserved Matters to be considered under this application are:

- **Layout** - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. This includes the internal road configuration.
- **Scale** - the height, width and length of each building proposed within the development in relation to its surroundings;
- **Appearance** - the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; and
- **Landscaping** - the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
 - (a) screening by fences, walls or other means;
 - (b) the planting of trees, hedges, shrubs or grass;
 - (c) the formation of banks, terraces or other earthworks;
 - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
 - (e) the provision of other amenity features

For clarity, the matter of external access has already been determined and approved, thus does not fall to be considered as part of the current application.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP3 Future Housing and Employment Development
BDP5A Bromsgrove Town Expansion Sites
BDP19 High Quality Design

Plan reference

BDP21 Natural Environment
BDP24 Green Infrastructure
BDP7 Housing Mix and Density

Others

NPPF National Planning Policy Framework (2021)
NPPG National Planning Practice Guidance
National Design Guide

Relevant Planning History

The application site forms part of a larger site that was the subject of a planning appeal (APP/P1805/W/20/3245111). The appeal was allowed in 2021 granting outline planning permission for and approving Access for:

site A—(land off Whitford Road), provision of up to 490 dwellings, class A1 retail local shop (up to 400sqm), two new priority accesses onto Whitford Road, public open space, landscaping and sustainable urban drainage; on site B (Albert Road), demolition of the Greyhound public house, provision of up to 15 dwellings, a new priority access onto Albert Road, landscaping, and sustainable drainage

The Planning Inspector considered and allowed the Reserved Matter of Access. This included consideration of traffic movement and highway safety together with a proposed mitigation package and approved 2 vehicular access points into the site from Whitford Road.

The appeal was allowed subject to a s106 Obligation that secured a number of contributions and mitigation measures and conditions that set out a number of requirements to be addressed as part of the Reserved Matters application.

s106 Obligation contributions and mitigation measures including:

- Provision of Affordable housing;
- Healthcare contribution;
- Education contribution towards improving/providing First School and High School education provision;
- Provision of Public Open Space within the development site;
- Scout and Guide Contribution;
- Contribution for improvements to Sanders Park;
- Waste Management Contribution;
- Financial contribution towards the cost enhancement of pedestrian & cycle links through Bromsgrove Town Centre and capacity and infrastructure improvements on key corridors including Market Street;
- A38 Bromsgrove Route Enhancement Contribution to deliver improvements and upgrade works to the A38 corridor between the junction of the A38 Eastern Bypass (Lydiate Ash) and the B4094 Worcester Road to the South and M5 junction 4 to the north Hanbury Turn; junction improvement works at Market Street/St Johns street and St Johns Street/Hanover street/Kidderminster Road;

- Personal Travel Plan contribution to promote more sustainable means of travel
- Public Transport Contribution;
- Sustainable Infrastructure contribution towards the Active Travel Infrastructure and Whitford Road Cycle Route.

Condition requirements to be addressed as part of the Reserved Matters submission:

- Condition 4 of the outline consent requires development to be carried out in accordance with composite location plan 16912/015; location plan for Whitford Road 16912/1004, proposed site access Whitford Road (north) 7033-SK-032 rev A, proposed site access Whitford Road (south) 7033-SK-032 rev A, informal pedestrian crossing Whitford Road ref 7033- SK-033 rev A; potential toucan crossing location ref 7033-SK009 rev B; Fox Lane/ Rock Hill schematic proposed arrangement 7033-SK-005 rev F; potential mitigation for Rock Hill/Charford Road mini-roundabout ref 7033-SK-013 rev E; potential A448 signalised crossing ref 7033-SK-105 rev A, Whitford Road/Perryfields Road proposed junction arrangement ref 461451-D-014.
- Condition 5 of the Outline permission requires that the Reserved Matters accord with the indicative masterplan 16912/1012 rev B, development parameters plan 16912/1017B and the principles described in the DAS dated 7th January 2016 and the addendum dated 3rd January 2018. This condition requires that any RM application shall include a statement providing an explanation as to how the design of the development responds to the relevant DAS.
- Condition 6 requires the reserved matters submitted to be in accordance with the maximum scale parameters for buildings as set out in paragraph 5.5.4 of section 5.5 of the Design & Access Statement. 5.5.4. The majority of the built form will be two storeys (approximately 5m to eaves, 8-9m to ridgeline), with opportunities to consider rising to two and a half storeys where variations in building heights will help create a more interesting street-scene. Conditions 12 and 21 stipulate that the first RM relating to layout shall include a plan identifying the number and location of open market and affordable housing units which should also identify the size, type and tenure.
- Condition 14 necessitates details of facilities for the storage of refuse to be provided.

Consultations

Red Kite Network Nat Healy (Ecology)

Ecological considerations satisfactory

West Mercia Constabulary

No objection to this application.

Worcestershire Wildlife Trust

No objection – request conditions:

- Construction Environmental Management Plan
- Lighting.
- SUDS.

Plan reference

- LEMP

Appropriate model wording for ecological conditions can be found in Annex D of BS42020:2013 Biodiversity - Code of practice for planning and development.

Arboricultural Officer

No objection subject to conditions regarding recommendations in Arboricultural report relating to tree protection and mitigation

Housing Strategy

Confirm that the percentage of affordable housing and the split between social rent and shared ownership is acceptable.

Also, the pepper potting of units throughout the site is acceptable.

Leisure - Open Space/Parks

Final comments to be confirmed

North Worcestershire Water Management

Final comments to be confirmed.

Community Safety Project Officer

Recommends secure locks, landscaping to be properly maintained.

WRS - Contaminated Land

WRS have no adverse comments to make for contaminated land.

WRS - Noise

No adverse comments.

WRS - Air Quality

The Planning Statement states that a separate Discharge of Conditions application will be submitted in respect of condition 7 (secure cycle storage), WRS have no adverse comments to make for this condition.

Condition 23 of the Planning Inspectorate's decision states that no dwelling shall be occupied until an electric vehicle charging point to serve that dwelling has been provided. Full details of the charging point installation should be provided to the local authority for the condition to be discharged.

Waste Management

No objection

Joe Holyoak

No objection - Overall considered to satisfactorily address the site topography.

Highways - Bromsgrove

No objection following submission of amended plans and additional information.

Conditions recommended regarding provision of turning/parking/visibility/electric charging point and cycle storage

Plan reference

Environment Agency

We have no objection.

Worcestershire Archive and Archaeological Service

No objections.

Relevant conditions complied with.

Severn Trent Water Ltd

No objection.

Worcestershire County Council Countryside Service

The definitive line of Bromsgrove footpath BM-587 is adjacent to the southern boundary of the application site. We have no objection to the proposals provided that the applicant adheres to the general obligations towards the right of way.

Catshill And North Marlbrook Parish Council

In respect of layout, scale, appearance and landscaping we have no comments to make. However we wish to repeat our view that the impact of increased traffic emanating from this development on the Parish has never been fully quantified. In addition, we wish to place on record our dissatisfaction with the District Council's Planning Department and Committee, the County Council's Highways Department, the developers and the planning inspector for failing to make even the minimum effort to address our concerns.

Publicity

963 letters sent 9 February 2022 (expire 5 March 2022)

Site notices displayed 25 February 2022 (expire 21 March 2022)

Press notice published 11 February 2022 (28 February 2022)

39 representations received raising the following principal issues:

- Concern regarding site access/traffic/highway safety/air quality/pollution
- lack of footpaths along Whitford Road
- retail development /provision of community facility not form part of application
- fencing along Whitford Road/adjacent public footpath to south of site
- concern at proposed drainage/potential for Legionnaires Disease
- objection to housing here and loss of greenfield
- will add strain on schools, doctors, dentists, hospital
- electric changing points needed
- houses should achieve Passivhaus standard
- adverse health effects
- detrimental to trees and wildlife

Whitford Vale Voice

- Request public consultation on planning condition regarding site accesses and pedestrian crossing
- Request s278 documentation
- Excessive speeds along Whitford Road /questions the Inspector's decision
- Requests information on ATC survey January 2022.

- Identify benefits of reducing speed limit on Whitford Road and request a planning condition to that effect plus a condition to require speed indicator signs
- Question lack of access onto Timberhonger Lane
- Suggest a new fence is to be erected along public right of way to south.
- Suggest information required on bus route to serve site.
- Question gradients of carriageways/footways.
- Question numbers of parking spaces within the development

The Bromsgrove Society

- requests the provision of an interpretation board explaining the geology of the site
- requests a drawing showing if specific landmarks will be visible from the site.
- Requests clarification of boundary treatment to western and southern boundaries.

ASSESSMENT OF PROPOSAL

Phasing

The proposal relates to approximately 2/3 of what is referred to in the appeal as Site A. In determining the appeal, the Inspector anticipated development taking place on a phased basis and this is reflected in the wording of many of the conditions. The submission of a RM application for only part of site A is acceptable.

Layout

The outline planning permission was granted subject to a condition that the Reserved Matters shall be in accordance with the indicative masterplan and the development areas parameters. Public open space is proposed across the centre of the site connecting to further areas of open space proposed along the western side of the site landscaping to the periphery. This accords with the parameters of the masterplan.

The topography of the site offers the opportunity for a unique development. The proposal includes cut and fill across much of the site, though the western side covering much of the open space is not proposed for change. The submitted plans include cross sections through the site as well as contour lines, spot levels and finished floor levels. These show that a successful layout would be produced.

The contour plan shows a fairly good relationship between contours and buildings and the section drawings are considered satisfactory.

Significant places will be created where the 4 routes cross the central green space (3 vehicular and 1 pedestrian) and the arrangement is considered to result in what will be a positive experience of these places.

The layout includes pedestrian/cycle routes separate from vehicular traffic leading through the site. There is a tarmac pathway looping between the areas of public open space and this leads to a new Toucan Crossing point over Whitford Road, linking directly into Sanders Park. There are also a number of connections between the various cul-de-sac layouts. Together these produce a highly permeable development, contributing to the opportunities for walking and cycling set out in Policy BDP 5A.7c) and referred to by the Inspector. Whitford Vale Voice has suggested that a direct link should be provided

between this development and Timberhonger Lane. However, although discussions have taken place with the Highway Authority as part of this application, a suitable, safe route was not identified as part of the RM application. This does not conflict with condition 32 of the outline planning permission which requires a connection to Timberhonger Lane in the north from Site A prior to occupation of the dwellings. The condition remains to be complied with. It is noted that a RM application is yet to be submitted for the remaining third of Site A which abuts a much larger section of Timberhonger Lane.

The major urban design criteria is connectivity, creating the ability to move freely in a number of directions. Generally, the layout scores well on this criterion, for both pedestrians and vehicles, resulting in a highly permeable layout, including direct linkage to the public footpath to the south in addition to Whitford Road.

The proposal uses standard house types, though it is considered that the layout broadly responds well to the topography. Streets are laid out, by and large, either along the contours or perpendicular to them. This suggests coherence with the landform, and the obtaining of legibility from it.

The layout arrangement proposes perimeter blocks with fronts facing fronts and backs facing backs, and all streets being addressed by the fronts of houses. In such instances, corner properties satisfactorily address both streetscenes.

Many refuse collection points were proposed by the developer to be incorporated into the central green space and the landscaping around the periphery of the site. However, these were intrusive and considered detrimental to the sense of place which would otherwise be created. The applicant is preparing amended plans removing such areas. Members will be updated at Committee. It is anticipated that the result and quality of the development will be much improved.

Generally, there is a sense of spaciousness within the proposed housing layout. Whilst many of the plots have private rear garden areas in excess of the spacing standards set out in the Council's High Quality Design SPD for private amenity space, some are sub-standard. On some plots this will partly be a result of expected revised plans; the applicant intends to increase the floor area of some of the affordable housing units (shared ownership) to ensure these fully comply with the s106 requirements. This will provide for a more spacious internal layout of those dwellings. This development would bring forward 370 dwellings towards meeting the District's housing need on a allocated site. It is important to consider the overall proposal holistically and, in this context, the the relative shortfall is not considered to be significantly harmful. Furthermore, the Council does not have a 5 year supply of housing land currently. Given the physical constraints of this site, provision of large areas of public open space and the overall benefits associated with the provision of 370 new dwellings, including 148 affordable units, the proposal is considered acceptable.

The distribution of affordable rent and shared ownership properties is done in a diverse and equitable manner. Housing Officers have been consulted and agree that the affordable housing provision, mix and cluster arrangements within the layout are acceptable.

The proposed layout is faithful to the masterplan from the outline approval, in its site planning strategy, in its density, and in its detailed layout. The proposal is considered to be in accordance with policy BDP5A.7h).

Overall, the proposed layout is considered to accord with policies BDP5A.7g), BDP19, Bromsgrove High Quality Design SPD and the NPPF.

Landscaping

A large area of public open space in the form of a green valley traverses the proposed layout NE-SW. This includes SuDs arrangement to aid in the management of surface water across the site, including associated swales, pond area at the north east corner, stone headwalls and check dams. The design of the headwalls has been amended to improve the aesthetics as well as being functional and protecting the land from erosion. The visual improvements secured in the design will re-enforce the sense of place discussed earlier in the report.

The green valley incorporates a LEAP. The details of the LEAP are still under consideration by Leisure Services and an update will be provided to the Committee meeting.

The central green valley connects to a further substantial area of open space along the ridgeline on the western side of the site. There are protected TPO trees within this area. An Arboricultural report has been submitted with the application and sets out recommendations for the protection of the trees and hedges at the site. The Tree Officer has advised the recommendations of the report be followed.

Some sections of the hedgerow along Whitford Road will by necessity be removed to facilitate the creation of site access points approved by the Planning Inspector. Other sections will be translocated to ensure satisfactory visibility. Overall a green edge to the development will be retained along Whitford Road.

In addition to the communal areas, individual soft landscape proposals are shown for the frontages of each property. Following the receipt of consultation comments from the Councils landscape adviser and negotiation with the developer, the planting densities within the landscaping scheme have been increased and additional trees have been added to the scheme. The Council's Tree Officer has advised that the proposal includes a varied mix of species and variety planting that will provide a level of seasonal interest throughout the site and that the specification of stock to be used is especially high in relation to the volume and grade of trees.

Boundary treatments are proposed to be a mix of retaining structures (log and gabion baskets) and close boarded fences, with decorative fences proposed for corner plots. Details of these have not been submitted – this can be addressed by planning condition. The site levels are such that some retaining structures would be over 2.7m high, with boundary treatment above. These affects relatively few plots. The provision of retaining structures is to be expected on a site which has a levels difference of 20m across its extent. The Planning Inspector did not condition the maximum height for retaining structures. Overall, the boundary treatment and retaining structures are considered satisfactory.

Overall, it is considered that this proposal satisfactorily achieves the aims of the masterplan/Design & Access Statement and development plan policy.

Scale

Condition 6 requires that the Reserved Matters accord with the maximum scale parameters for buildings as set out in paragraph 5.5.4 of section 5.5 of the Design & Access Statement. This states that the majority of the built form will be two storeys (approximately 5m to eaves, 8-9m to ridgeline), with opportunities to consider rising to two and a half storeys where variations in building heights will help create a more interesting street-scene. The majority of proposed dwellings are 2-storey and comply with the heights specified. The Bosworth and Spinner house types are 2.5 storey. Given the variety of levels across the site, these are also considered to comply with the requirements of condition 6. A total of 15 bungalows are also proposed (9 social rent; 6 market housing). Not only would this offer the interesting streetscene referred to by the Inspector but also provides for those who benefit from ground floor only living. The scale of the development proposed is considered acceptable.

The applicant has advised that the size of affordable units is reflective of partner Housing Association's requirements.

Appearance

Several representations have stated the plans show tall fences / hoardings to be erected along Whitford Road/the public footpath to the south of the site. This is not the case. From discussion held with some of those who raised this concern, it seems there has been a misinterpretation of the line that represents the site boundary.

The size, appearance and architectural detailing of the dwellings is also considered to be acceptable and to ensure the new development will integrate into its setting in accordance with BDP19 and associated SPD design guidance and to meet the masterplan requirements.

Roads and footways are generally intended to be a tarmac finish. At key points where the roadway crosses through the green valley a different surfacing material is annotated on the plans. This will contribute to the sense of place and help to identify these nodes as significant places within the overall development. The shared driveways that serve houses fronting onto the green valley are also indicated to have a form of block paving. This will contribute positively to the sense of place and North Worcestershire Water Management has also advised that permeable paving will be beneficial contributing towards sustainable drainage. Details of the surfacing material have not been provided – this can be addressed by condition.

In submitting the application, the applicant has distinguished between what they have termed a town and a country vernacular in the house types. However, the appearance of the proposed dwellings has been described by the Council's Urban Design adviser as commendably plain. There are subtle differences in architectural details and design between the town and the country ranges, though overall, the appearance of the dwellings complements one another and whilst offering variety and interest in the streetscene, will also present a cohesive development, contributing to the sense of place.

A limited materials palette is proposed featuring brickwork and weatherboarding proposed for some units. The same palette is intended to be use on both market and affordable housing to help to ensure that the development is well integrated and tenure blind. The materials information provided to date appears to be satisfactory. However, no materials samples have been provided, this can be addressed by condition. Overall, the appearance is considered acceptable and to accord with policy BDP5A7.g) BDP19 and the Council's High Quality Design SPD,. the outline planning permission and the NPPF .

Housing Mix

Policy BDP5A7.a) states that a high portion of 2- and 3-bedroom properties are required to be provided to reflect local need. A total of 230 units of 2-3 bedroom are proposed as part of the development; the proposed housing mix is acceptable. The affordable housing mix is also considered acceptable and to accord with the s106.

Impact on Existing and Proposed Residential Amenities

There are existing residential properties along Timberhonger Lane adjoining the site. The nearest proposed dwelling would be set away from the common boundary and orientated away from the boundary. The main habitable room windows would be orientated away from the existing dwelling. The closest first floor window in the side elevation would serve an en-suite. The relationship and impact is considered to be acceptable.

With regard to existing dwellings along Sunningdale Road, the nearest proposed dwelling would be located approx. 27m distance away. The impact on the amenity of those properties is considered acceptable.

The impact of the proposed development on housing along Whitfield Road and Deansway is also considered acceptable.

Overall, the impact of the development on the amenity of future residents is considered satisfactory.

Highways and Parking

Many of the representations received have been with regard to matters relating to site access and highway safety. These matters were addressed by the planning inspector in granting the Reserved Matter of Access at the time of the appeal. It is not appropriate to seek to reconsider these as part of the current RM application which relates to layout, scale, appearance and landscaping.

Several comments have been made by members of the public regarding the need for footpaths along Whitford Road. The layout plans do show footways along Whitford Road adjoining the site boundary. These are more easily seen on the landscaped drawings which are at a larger scale.

The Highway Authority has been consulted and a number of changes have been made to the plans to ensure the development is acceptable. As a result of these changes (including, forward visibility, road alignment, design of the internal roadways to a maximum of 20mph, confirmation on the number of parking spaces which now meet the required adopted standards) WCC as Highway Authority has advised that it has no

objection. It has recommended condition, however, those relating to electric vehicle charging points and cycle parking are addressed by the outline permission and cycle parking for each property is shown to be provided in the rear garden areas. Other conditions relate the layout proposed and are therefore considered appropriate. The Highway Authority has advised that it is investigating a representation by a member of the public to the application where they suggest that new highway restrictions at Rock Hill have implications for the Access arrangements approved by the Inspector. An update will be prepared for the Committee meeting. To fully address this point.

Ecology

The Council's Consultant Ecologist has advised that the proposal is satisfactory with regard to ecological matters.

Conclusion

This is an allocated development site. Outline planning permission with the Reserved Matter of Access was allowed on appeal last year. Whilst it is acknowledged that some of the plots will be impacted by sizable retaining walls, the Inspector did not restrict this and, given the site topography, it is not unexpected. Similarly, some of the private rear gardens are less than the spacing standard set out in the High Quality Design SPD. However, when assessed holistically against the policies of the District Plan the proposal is considered to comply. The 4 reserved matters under consideration are 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 as a whole is considered to be acceptable and subject to the conditions set out below, is recommended for approval.

RECOMMENDATION: That the Reserved Matters of Layout, Scale, Appearance and Landscaping be approved subject to the following conditions:

Conditions:

- 1) The development hereby approved shall be carried out in accordance with the following plans and drawings:

TBC

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning

- 3) The Development hereby approved shall not be occupied until the visibility splays shown on drawings SK300A and SK301A have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety.

- 4) No dwelling hereby approved shall be occupied until the access, parking, turning facilities and layout that individual property to the nearest public highway has been provided as shown on drawings SK300A and SK301A.

Reason: To ensure conformity with submitted details.

- 5) Notwithstanding the information shown on the external materials allocation drawing, samples of external materials shall be submitted to and be approved in writing by the Local Planning Authority prior to installation.

Reason: To ensure the satisfactory appearance of the development.

- 6) Development shall be undertaken in accordance with the mitigation/protection identified in the table on drawing no. La 00007-90009-TPP-001.0 Preliminary Tree Protection Plan - overview in appendix C of the Detailed Arboricultural report by Beechland Arboriculture dated 25 October 2021. Details of the mitigation/protection including a tree protection plan showing the position of protective fencing shall be submitted to and be approved in writing by the Local Planning Authority prior to being undertaken on site.

Reason: To ensure the satisfactory protection of the existing trees and hedges

- 7) Prior to installation, details of the fence designs of the fences shown on the boundary treatment plan ref. P101 Rev A shall be submitted to and be approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development.

- 8) Prior to installation details of the surfacing materials and associated drainage arrangements for the areas shown hatched at the highway nodal points adjacent to the central area of public open space and the shared drives adjacent to / fronting onto the central area of public open space shall be submitted to and be approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development and to ensure satisfactory drainage arrangements.

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