

**Bromsgrove District Council
Planning Committee**

**Committee Updates
10th December 2018**

18/00282/FUL Yew Tree Farm, St Kenelms Road

Mott MacDonald Consultant Company has been commissioned to provide a review of the highway matters in relation to this planning application. The details of this review have been summarised as follows;

- The proposed development should not result in increased on street parking in the local area. Sufficient off-street parking is provided to accommodate residents and visitors on the proposed driveways;
- Although visibility splay drawings have not been provided by the applicant there does not appear to be any obvious restriction to visibility from the new driveways that would interfere with a visibility splay of 2.4m x 43m as required in a 30mph area by Manual for Streets.
- It has been noted that on account of vehicles parking on St Kenelms Road, the available carriageway width to traffic is reduced to one lane at times in places. This means that vehicles sometimes have to wait for vehicles approaching in the opposite direction to pass before proceeding.
- The additional traffic generated by the development is unlikely to exacerbate this issue significantly. It is calculated that around seven two-way traffic movements would be generated by the site in the morning and evening peak hours. This would be unlikely to have a severe impact on the local road network.
- It is considered that the development will not result in a significant loss of on street parking on account of the new driveways on St Kenelm's Road. The area on which the proposed driveways are located is subject to parking restrictions between 08:00 and 18:00. Therefore, for the entire typical working day parking is not permitted at this area of St Kenelms Road.

For the reference of Members:

WCC are the statutory highways authority and in this context their comments on the application consider relevant information, including local community concerns regarding highways safety, in arriving at their conclusion that they have no objection to the proposed development. Mott Macdonald are a multi-disciplinary transport consultant working on behalf of the District Council to provide additional expertise on highways matters. They have also reviewed the application and have reached the same overall conclusion as WCC.

It is important to note that in assessing this planning application, both WCC and MM are led by national planning policy and transport guidance. With reference to NPPF paragraphs 108 and 109, the application must demonstrate that any residual cumulative impacts from the development on the network are not considered to be severe, nor should the development in itself be unacceptable in highways safety terms. It is therefore not the responsibility of the proposed development to address deficiencies with the local highway network that are already in existence.

A further representation was received from Romsley Parish Council and this document has been circulated around members prior to the meeting. The comments received are summarised as follows;

- Video of CCTV showing traffic on road
- Romsley Parish Council objects to the scheme because of community concerns over serious traffic safety issues
- The County Council assessment lacks sufficient depth and fails to identify the frequency or

severity of safety issues present

- The Parish and Local Community have monitored 80 safety incidents over a 12 day period in November 2018.
- No objection to the principle of development in this location.
- There have been ongoing traffic issues in area for some time and the Parish Council and local community have been lobbying Worcestershire County Council for a number of years to make improvements.
- The application has attracted a lot of public interest and most of the representations received have raised Highways safety issues
- Insufficient detail provided about the type of improvements or the delivery timetable that the unilateral undertaking is meant to fund. The introduction of yellow lines would not be supported by the local community.

The Parish Council have requested that the decision be deferred for the following;

- A comprehensive road safety review with an appropriately detailed traffic statement from Worcestershire CC Highways Dept.
- The contents of the Freedom of Information Request (FOI) submitted to Worcestershire County Council.
- The Parish Council commissioned Independent Road Safety Assessment.
- Full clarity from Worcestershire CC Highways Dept. on the improvements intended under the Unilateral Undertaking with a clear timetable for any delivery.
- A full sustainability assessment and an appropriate engineering report which demonstrates how the residual cumulative safety impacts are mitigated and the sustainability of our local shops and wider community are protected.
- A comprehensive Level 1 & 2 safety audit of the proposed road improvements by the developer with appropriate commentary and sign off by Worcestershire CC Highways Dept.

Eight additional representations have been received from third parties in respect of this application. These representations raise objected to the scheme on highways grounds however do not raise any additional planning considerations from what has been considered within the officer's report.

Ruth Bamford as Head of Service has further considered the request for the unilateral undertaking for a planning obligation in the sum of £35,000 agreed between Worcestershire County Council and the applicant. Paragraph 56 of the National Planning Policy Framework advises that planning obligations must only be sought where they meet all the tests below. Also, Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for the grant of planning permission if it meets the same tests;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Worcestershire County Council has stated, in its consultation response, that the sum is for "the implementation of local highway schemes". The response also states that through a review of accident data undertaken by a qualified road safety auditor, no concerns have been raised in respect of the proposed development and there will be no erosion of highway safety as a result of this proposal. Furthermore these comments outline that there is sufficient spaces available on site to provide the recommended car parking spaces per dwelling.

When taking a view on these comments the development has provided for itself by way of parking and there will be no erosion to highways safety as a result of these 7 dwellings. It is therefore considered that the proposed requirement for the applicant to enter into a s106 undertaking with the Local Authority does not pass these tests as it is not necessary to make the development acceptable in planning terms and is not fairly and reasonably related in scale to the development.

The Officers report within the agenda outlines that proposed planning obligation is therefore not relevant to the determination of the planning application and should not be considered by members.

18/01036/FUL Land Adjoining 171 Salwarpe Road , Charford

Application withdrawn from agenda

18/01119/FUL 1 Blakes Field Drive, Barnt Green

No Updates

18/01231/FUL Yew Tree Cottage, Chapmans Hill

One letter of support has been received from the neighbouring farm owner at Mount Pleasant Farm outlining that the existing parking used by the applicants is directly opposite the barn entrance and that his operation will be improved with the vehicles that are currently on street were moved off the lane.

18/01376/FUL 26 Blackwell Road, Barnt Green

Comments have been received from Barnt Green Parish Council confirming the applicant is a member of the Parish Council and therefore temporarily left the meeting whilst the matter was discussed. The Parish Council have raised no objection to the development.