

**Bromsgrove District Council
Planning Committee**

**Committee Updates
1st February 2021**

19/00976/HYB Land At Brockhill East, Weights Lane

This Update Report has been prepared to provide information received since the publication of the main Planning Committee report.

Members are reminded that it is possible to view the full responses received and the details associated with the application by using the Council's public access system <https://publicaccess.bromsgroveandredditch.gov.uk/online-applications/> and viewing both application 19/00976/HYB (where the main documentation is contained).

Outcome of Redditch Borough Council Planning Committee Meeting 27th January 2021

As outlined in the main agenda this is a cross boundary planning application. Redditch BC considered application reference 19/00977/HYB at their planning committee meeting on 27th January 2021. The outcome of that meeting is as follows:

Minded to **GRANT** Hybrid planning permission, with Delegated Powers to Head of Planning and Regeneration to ensure satisfactory S106 and conditions as set out in officers report and amended by Update sheet 1 and 2, with further revision to condition 34 and additional delegation to explore monitoring fee for WCC.

Updated Recommendation

The following section supersedes page 83 and 84 of the main agenda, it now includes the town centre contribution and the final planning obligation monitoring fee.

RECOMMENDATION:

(a) MINDED to APPROVE HYBRID PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following:

i) Highways

- **Bromsgrove & Redditch IDP** £780,000 (Redditch) and £469,429.03 (Bromsgrove)
- **TRO Application** The processing cost for a TRO for Weights Lane, in seeking to change the speed limit from 40mph to 30mph.
- **Community Transport.** Contribution £40,000 over 5 years
- **Bus Service Strategy** Contribution £324,000
- **Bus Service Infrastructure** Based on 3 pairs of stops with associated shelters only in the inbound direction. Contribution £40,000.

ii) Education Infrastructure

Transfer of a strip of land adjacent the new first school site to support the expansion of the school.

First school contribution calculated on a per plot basis

- £2,307 per open market 2 or 3 bed dwelling
- £3,461 per open market 4 or more bed dwelling
- £ 923 per open market 2 or more bed flat

A Middle school contribution calculated on a per plot basis

- £2,308 per open market 2 or 3 bed dwelling
- £3,462 per open market 4 or more bed dwelling
- £ 923 per open market 2 or more bed flat

iii) Off-site Open Space £405,000

iv) Waste Management Contribution

Waste and recycling bins calculated as follows:

- Dwellings within the Redditch BC authority - Refuse bins (1 x green bin / 1 x grey bin) £31.29 per dwelling
- Dwellings within the Bromsgrove DC authority - Refuse bins (1 x green bin / 1 x grey bin) £52.24 per dwelling

v) Planning Obligation Monitoring Fee £7,500

vi) Redditch Town Centre (Enhancement Contribution) £520,320

vii) Bromsgrove and Redditch CCG Contribution £363,370

viii) Worcestershire Acute Hospitals Trust (WAHT) Contribution £459,390.86

And:

- ix)** The securing of a 30% provision of on-site affordable dwelling units for dwellings Redditch BC authority
- x)** The securing of a 40% provision of on-site affordable dwelling units for dwellings Bromsgrove DC authority
- xi)** The provision and future maintenance in perpetuity of the on-site play space, SuDs facilities and open space provision with appropriate mechanism (including commuted sum) to adopt the open space
- xii)** District Centre, outlining specification (including uses) and Marketing Plan
- xiii)** Explore Worcestershire County Council monitoring fee

And: (c) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the report.

Updated Planning Conditions (Pages 81-104)

The following amended conditions supersede the wording of the conditions in the main agenda.

Timeframes and Compliance

1. With the exception of Phase 3 (approved in full as part of this permission - 128 dwellings accessed off Weights Lane, new public open space, drainage system, engineering operations associated works) a detailed phasing plan for the development shall be submitted to and approved in writing by the local planning authority prior to the submission of the first reserved matters application. The phasing plan shall specify the proposed timing for delivery of the housing and other build elements of the development. The development shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority. Any subsequent amendment to the phasing of the development shall be submitted in the form of a revised phasing plan to the Local Planning Authority for approval in writing and the development shall be carried out in accordance with the approved revised details.

Reason: In order to secure a satisfactory delivery of development.

Approved Plans

4. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Hybrid Scheme:

- P-01Rev A – Location Plan
- 8506-L-02 RevJ Framework Plan
- DAS RevB

Full Element:

- P-04 Rev D – Affordable Housing Plan
- P-05 Rev D – Tenure Plan
- P-06 Rev E – Storey Heights Plan
- P-08 Rev A – Gas Main Plan
- P-03 Rev B - External Materials
- P-02 Rev V- Scheme Layout
- Sub-station (SS-01)
- Pumping station (PS-01 RevA)
- Gas governor (GG-01 RevA)
- P-H-19 Gisburn
- P-H-01 Corfe
- P-H-02 Himbleton
- P-H-03 Leicester
- P-H-04 Clayton
- P-H-05 Hatfield
- P-H-06 Hanbury
- P-H-07 Alnwick

- P-H-14 Clayton Corner
- P-H-17 Dalby
- P-H-18 Lumley
- P-H-08 HQI 65
- P-H-09 HQI 79
- P-H-10 HQI 84
- P-H-11 HQI 73
- P-H-12 HQI 60
- P-H-13 HQI 50
- P-H-15 HQI 114
- P-H-16 HQI 83

Technical Drawings:

- FRA – 19039 Drainage Strategy – Sheet 1A & Sheet 2A
- 2809-12-P4 Dagnell End Road –GA
- 2809-TR-03-06 Highway Improvements Access

Reason: To define the permission and in order to secure the satisfactory delivery of the development.

Foul and surface water sewerage

15. No dwelling on any development phase shall be occupied until a drainage system to allow for the disposal of foul and surface water sewerage has been completed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable drainage system is place.

Housing Mix

28. Plans and particulars of the Reserved Matters referred to in Condition 2 shall include a plan identifying the number and location of the market housing units to be provided within each relevant phase. The plan shall confirm the size (bedroom numbers) and type of market housing. The development shall be carried out in accordance with the approved details.

Reason: To ensure the creation of a mixed and vibrant community.

Weights Lane Improvement Scheme (S278)

34. No more than 85 dwellings shall be brought into use or on completion of the s278 works whichever is the sooner, until the highway improvements to the Weights Lane corridor as shown in the PJA Drawing Ref: 02809 TR 03 Rev P6, or similar scheme acceptable to the Highway Authority, has been approved in writing and completed to the satisfaction of the Local Planning Authority (in consultation with the Local Highway Authority) and is open to traffic. The scheme is to include a continuous footway along the south side of the Weights Lane carriageway between the development site and connecting

to existing footways running alongside the A441 Birmingham Road carriageway, by tying into the consented Brockhill Phase 4 footway proposals.

Reason: To ensure the safe and free flow of traffic onto the highway.

The following representations have been received.

Bordesley Matters – Highways objection received 22nd January 2021

They have identified five areas of concern, which are summarised as follows:

Development Vehicle Trip Distribution and Assignment

The requested trip distribution and assignment information and calculations have not been placed in the public domain for scrutiny by the local community, Ward Members and Members of the Planning Committee. Consequently, it appears to the local community that planning application consultation procedures can be considered to be deficient in this respect.

New Brockhill East Through Route

Bordesley Matters consider that the omission of the potential reassignment of traffic onto the new “Through Route” from the Transport Assessment is of serious concern and as such the review undertaken by WCC cannot be considered to be robust. The impact on the highway network as a result of the introduction of a new “Through Route” link should be considered within the supporting evidence and should be undertaken as a matter of urgency. The planning application supporting evidence is considered to be deficient in this respect.

A441 Birmingham Road / B4101 Dagnell End Road Junction

The Applicant has not shown that the significant impact arising from the proposed development at the A441 Birmingham Road / B4101 Dagnell End Road junction, in terms of capacity and congestion, can be cost effectively mitigated to an acceptable degree as required by National Planning Policy Framework (NPPF) paragraph 108(c).

Staging of Highway Improvement Schemes

Bordesley Matters strongly object to WCC’s condition that *“no more than 128 dwellings hereby approved shall be bought into use until the highway improvement to the Dagnell End Road/A441 Birmingham Road junction as shown is open to traffic”*.

The reasoning behind the condition is that there is a need to build in space between the Weights Lane improvements finishing and the Dagnell End Road works starting. We do not accept this reasoning and see no reason why the junction improvements cannot be built before the occupation of the first house or even at the same time as the Weights Lane improvements.

Allowing a junction, which is already operating over capacity with lengthy queues and delays during the peak hours, to worsen due to a housing development. Why should the residents of Bordesley suffer more queues and delays along the A441 Birmingham Road until the first house of the second phase of the development is brought into use, which is likely to be in 2030.

It is contended that this is unacceptable and a condition to the planning application should be changed to a “Grampian” type condition, whereby no dwelling should be occupied until the highway improvements to the Dagnell End/A441 Birmingham Road junction is open to traffic.

Concern is also raised that Wychavon District Council have previously served an injunction on the Applicant to cease work on their Yew Tree house development in Droitwich as highways works has not been undertaken.

Misleading Statements

Firstly, at page 8 of WCC's letter to RBC and BDC dated 5th January 2021 states that "the scale of the impact being relatively small and typical of the daily variation movements the Highway Authority believes this balanced view and a way forward is acceptable".

The scale of impact on traffic flow is not small, it amounts to an increase of 10% in traffic, which if the impact of the development is assessed correctly could be significantly more, we see this as significant. Furthermore the typical daily variation in traffic flow is generally accepted as 5%, in the case of the A441 this figure is a lot less (as determined from count data) and therefore the scale of impact cannot be deemed as relatively small, it is far in excess of the typical variation of daily traffic flow.

Secondly, at Page 12 of WCC's letter to RBC and BDC dated 5th January 2021, under the condition for the Dagnell End Road/A441 Improvement scheme it states that "The junction is to include Microprocessor Optimised Vehicle Actuation (MOVA) signal control." This statement is incorrect as the existing junction already operates under the MOVA system. As a result, the statement gives the local community little confidence in the Highway Authority's understanding of the current operation of the Dagnell End Road/A441 junction.

These misleading statements show that the Highway Authority do not understand the local highways conditions.

As more information becomes available Bordesley Matters reserve the right to submit representations in support of the case that Planning Application 19/00977/HYB should be refused.

Bordesley Matters Speech to Planning Committee received 1st February 2021

In advance of the planning committee, Bordesley Matters have provided their detailed speech to planning committee. A copy of this speech and a list of residents they represent has been included on the public access record under 19/00976/HYB.

Councillor Monaco (Redditch BC Councillor) – Comments received 24th January 2021

Whilst the Councillor recognises the need for housing within Redditch and the allocation within the Borough of Redditch Local Plan No.4 and Bromsgrove District Plan. The Councillor does raise the following concerns:

Access to the site

Construction traffic routing within Brockhill Estate will cause severe noise and disruption to the residents living along this route.

Implementation of the Weights Lane work and that this access will not be available for construction traffic. This is not acceptable when there are ways to implement the commencement of the access point off Weights Lane at the same time as the start of the Phase 3 development.

S278 improvements

The S278 works to the Dagnell End Lane junction incorporate a footpath to both sides of the carriageway to enable pedestrians to cross safely. I believe that this should be considered as a condition of this application.

Section 106

Historically there have been issues with the signing off and receipt of S.106 within the existing remit of Brockhill. They would like reassurance that a limited and set timeframe for the signing off and transfer of S.106 monies is considered as a condition as part of this application to avoid any future issues or delays occurring.

Speeding

Parts of Brockhill have been issues with speeding vehicles. A condition should be incorporated to ensure give way chicanes are installed to slow down vehicles entering and exiting Brockhill East on the main access routes into the development from both the West (existing Brockhill end) and East (Weights farm end).

Construction Operating hours

For the comfort and benefit of all existing residents on Phases 1 and 2 of Brockhill East, it would be prudent to have defined set times for the arrival and dispersal of all heavy good vehicles and Construction traffic. All heavy good vehicle movements should be kept to minimal hours to avoid any congestion on the roads and to alleviate any transfer of noise.

District Centre

There is a great need for the district centre to be built within Brockhill. The district centre should be built alongside the development of Phase 3 for the benefit of all Brockhill East Residents, and residents in neighbouring parts of Brockhill and Batchley.

As a whole, it is disappointing that a development of this size is occurring within Brockhill, however as this site is not defined as sitting within Greenbelt and forms part of the RLP4 and BDP. It is essential that utmost due care and attention is considered at each full application stage. Issues affecting the local infrastructure network should be considered alongside conditions proposed to be implement for the benefit of all parties.

3 additional representations have been received objecting to the scheme.

The following new matters or issues have been raised that were not contained in the published report.

- The proposal should include the adoption of the new school as part of the Eco-Schools scheme and obligation made to approach the England Woodland Grant Scheme for funds as part of the proposal.
- Sustainability matters and renewable energy are not sufficiently covered in the committee report.
- Condition 21 Lighting strategy should be a prior to commencement condition.
- Condition 32 Noise should be a prior to commencement condition.
- CPRE raises the requirement for additional sporting fields and this should be considered as part of the overall landscaping/design and visual impact statements.
- What account on safety (inclement weather/disruption to services) has been made regarding the existing steep gradients?

County Highways Response to Bordesley Matters objection received 22nd January 2021

1. Development Vehicle Trip Distribution and Assignment

The request for clarity on trip distribution / assignment information on 8 August 2019 was related to information previously discussed and agreed during pre-application scoping discussions between the applicant's team and a different highway authority officer. The request was to ensure that the new highways officer taking over the work could check that results and verify them. The results were checked and accepted and these matched trip distribution results summarised in the TA.

2. Brockhill Through Route

It is correct that a 'through route' will be provided through the Brockhill Phase 1, 2 and 3 sites and the connection will be made as a result of the Phase 3 proposals. The Phase 3 TA takes account of traffic associated with earlier Brockhill development phases partly rerouting to use the newly connected Weights Lane access, when travelling to locations north of the site.

Background traffic is not assumed to travel through the site. The internal Brockhill development phases include roads designed for a residential site. They include horizontal alignment that limits vehicles to a 20mph speed limit, with further build outs provided within the site. The internal route is not designed to provide a fast and direct route through the site. It will serve a buses that will need to stop at the side of the carriageway, which will temporarily pause vehicles travelling thorough the site, and at times, vehicles turning into driveways or deliveries parking on street, will again will slow traffic. The Weights Lane bridge will be signal controlled and therefore will provide a further delay to the journey times through the site. The internal link will not be signed as a through route.

The route via Windsor Road and the A441 is almost the same distance in length, but includes significantly faster roads, signed routes (and via Sat Nav) and routes that have been established for many years. The junctions positioned along these routes are also identified for improvement within the IDP, and so any congestion they may experience at peak times at present, will eventually be remedied.

3. A441 Birmingham Road / B4101 Dagnell End Road Junction

The Dagnell End Road Junction LinSig model has been subject to lengthy discussions with the highway authority to ensure it is validated and calibrated. The applicant has undertaken robust measures to ensure that all elements of the junction model are validated as closely as possible against the current operation, this includes replicating junction geometry, signal timings, saturation flows and traffic flows observed on-site.

The applicant's modelling includes the Foxlydiate and Webheath committed developments within the 2030 future year scenario. Committed development traffic has been included in all junction models.

The 'through route' traffic referenced in the earlier point would not have any bearing on the operation of the Dagnell End Road junction. It is not assumed to occur and the traffic would be unchanged on the A441 Birmingham Road by the time it reached this junction.

It has been shown that the Dagnell End Road junction 'can be cost effectively mitigated to an acceptable degree as required by National Planning Policy Framework (NPPF) paragraph 108(c)'. The development is required to off-set it traffic impact on this junction, but is not required to address existing capacity issues. That said, the applicant has purchased additional land adjacent to the junction and has tested an number of improvement schemes. The highway authority is confident that the scheme identified offers the greatest amount of capacity possible in

this location, whilst also providing pedestrian crossing enhancements. Nil detriment capacity is achieved.

4. Staging of Highway Improvement Schemes

The requirement to separate the Weights Lane and Dagnell End Road schemes is a requirement of the highway authorities road space management team. They require a sufficient space between one set of roadworks finishing and another starting, especially when in close proximity to each other. The improvement scheme will also need to be subject to further Road Safety Audit stages and full technical approval. It will take some time for the applicant to undertake this work and achieve sign off from the highway authority.

The condition allows for 13% of the full development (128 dwellings) site to be occupied in advance of the Dagnell End Road improvement scheme being provided and only a proportion of this traffic will route through the junction. It is unclear where the 8 year timescales have come from, but it is believed that the applicant will look to implement the scheme, and then build the remainder of the site, much faster than this timescale (anticipated start in 2022).

The A441 Birmingham Road is a principle route providing access to the M42 and Birmingham from Redditch and beyond. The Dagnell End Road junction will always remain busy at peak times, but this development will offset its impact and provide pedestrian crossing enhancements, something which the local community has been requesting. The requirement for the junction scheme does form a 'Grampian Condition,' but with a trigger of 128 dwellings, after which the applicant will not be able to build any further housing until the improvement scheme is in place. The remaining 87% of the development will be built with the Dagnell End Road junction scheme being in place.

5. Misleading Statements

It is not the highway authorities intention to mislead and we can only apologise if a statement made is not clear. The comment that states that 'the scale of the impact being relatively small' does not relate to the full development proposals. It is accepted that the full proposals do have a sizable impact on the Dagnell End Road junction, and that is why mitigation measures have been requested. The phrase relates to the traffic generated by 128 dwellings, prior to the mitigation scheme being provided i.e. the mitigation trigger point. This is equivalent to less than 2% of the background traffic flows through the junction.

The highway authority is fully aware that 'Microprocessor Optimised Vehicle Actuation (MOVA) signal control' is already provided at the Dagnell End Road junction, but its reference in the planning condition is simply to ensure that MOVA remains at the junction following its improvement.

Mott MacDonald response to Bordesley Matters objection – 1st February 2021

Response to Bordesley Matters

Development Vehicle Trip Distribution and Assignment

In Mott MacDonald's role of reviewing the application on behalf of BDC a review of the transport evidence was undertaken which included a review of the vehicle trip distribution and assignment calculations used in the Transport Assessment (TA). At this stage, it is Mott MacDonald's opinion that a suitable assessment has been undertaken by the applicant and that there are no further issues for them to clarify.

New Brockhill East Through Route

BM have stated that a 'through' route (shown as a red line in their letter) through the development will be created between Pointers Way (via the southern access onto Hewell Drive) and Weights Lane (via the proposed access onto Weights Lane from the site) and that this will provide an alternative route to that between Hewell Drive and the A441 at the Weights Lane roundabout (shown as the blue route).

The main residential estate road through the site will be subject to a 20-mph design speed, as well as a proposed shuttle signals scheme on Weights Lane which will have the effect of increasing the travel time and further reduce the attractiveness of this route for diversion traffic. Therefore, Mott MacDonald are of the view that it will be unlikely that the route through the site will be attractive for diversion traffic.

A441 Birmingham Road / B4101 Dagnell End Road Junction

In respect to the junction capacity modelling of the A441 Birmingham Road / B4101 Dagnell End Road junction BM have stated that "...the nil-detriment position would not be the case. Consequently, it appears to the local community that the Applicant has not shown that the significant impact arising from the proposed Mott MacDonald.

Summary

In summary, Mott MacDonald still maintain our position that there are no grounds for refusal for the application at Brockhill East development (19/00976/HYB).