

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 23RD JUNE 2025, AT 6.00 P.M.

PRESENT: Councillors H. J. Jones (Chairman), S. J. Baxter, J. Clarke, D. J. A. Forsythe, E. M. S. Gray, C.A. Hotham (substituting for Councillor A. Bailes), R. E. Lambert, S. R. Peters, J. Robinson and J. D. Stanley

Officers: Mrs. R. Bamford, Mr. D. M. Birch, Mr. M. Howarth (of Anthony Collins Solicitors), Mr. A. Hussain (via Microsoft Teams), Mrs. J. Chambers and Mr. P. Lester, Mr. G. Nock (Of Worcestershire County Council Highways, via Microsoft Teams) and Mr. G. Day

19/25

TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

An apology for absence was received from Councillor A. Bailes with Councillor C. A. Hotham in attendance as substitute.

Apologies were also received from Councillor M. Marshall.

20/25

DECLARATIONS OF INTEREST

Councillor E. M. S. Gray declared an Other Disclosable interest in relation to Agenda Item Number 5 (Minute No. 24//25) – 24/00529/S73 - Land at Whitford Road, Bromsgrove. Councillor E. M. S. Gray left the meeting room for the duration of this agenda item and took no part in the Committee's consideration nor voting on this matter.

Councillor J. Clarke declared an Other Disclosable interest in relation to Agenda Item Number 5 (Minute No. 24//25) – 24/00529/S73 - Land at Whitford Road, Bromsgrove. Councillor J. Clarke left the meeting room for the duration of this agenda item and took no part in the Committee's consideration nor voting on this matter.

Councillor J. Robinson declared an Other Disclosable interest in relation to Agenda Item Number 5 (Minute No. 24//25) – 24/00529/S73 - Land at Whitford Road, Bromsgrove. Councillor J. Robinson left the meeting room for the duration of this agenda item and took no part in the Committee's consideration nor voting on this matter.

21/25

MINUTES

The minutes of the Planning Committee meetings held on 22nd May 2025 and 5th June 2025, were received.

RESOLVED that the minutes of the Planning Committee meetings held on 22nd May 2025 and 5th June 2025, be approved as correct records.

22/25

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING

The Chairman announced that a Committee Update had been circulated to Members prior to the meeting commencing, with a paper copy also made available to Members at the meeting.

Members indicated that they had sufficient time to read the contents of the Committee Update and were happy to proceed.

The Chairman further announced that due to the change in the Officer Recommendation, as detailed on page 4 of the Committee Update Reports pack, that the running order of the meeting would be changed and that Agenda Item No. 6 would be considered first.

23/25

24/00960/FUL - PROPOSED BATTERY ENERGY STORAGE SYSTEM (BESS) AND ASSOCIATED INFRASTRUCTURE. LAND OFF ILLEY LANE, HUNNINGTON. MR. G. WATSON

At the invitation of the Chairman, the Planning Case Officer detailed that, a letter was sent to the Secretary of State dated 22nd June 2025, as detailed at Appendix A on page 5 of the Committee Update Reports pack. The letter had asked for an Environmental Impact Assessment (EIA) Screening Direction to be undertaken.

Due to the outstanding request for the EIA Screening Direction and after consultation with legal advisors, the Officer recommendation was changed to a deferral pending a response being received from the letter and/or outcome of the EIA Screening Direction.

On being put to a vote it was:

RESOLVED that the application be deferred until the next available Planning Committee meeting following the issuing of an EIA Screening Direction by the Secretary of State in respect of planning application 24/00960/FUL.

24/25

25/00529/S73 - VARIATION OF CONDITION 25 OF PLANNING PERMISSION APP/P1805/W/20/3245111 ALLOWED ON APPEAL 09/02/2021 (LPA 16/1132): FROM: NO PART OF THE DEVELOPMENT SHALL BE OCCUPIED UNTIL THE JUNCTION OF FOX LANE/ ROCK HILL HAS BEEN ALTERED IN ACCORDANCE WITH THE SCHEME FOR A ROUNDABOUT SHOWN ON THE PLAN FOX LANE/ ROCK HILL

SCHEMATIC REF 7033- SK-005 REVISION F AMEND TO: NO MORE THAN 49 DWELLINGS (OF WHICH, NO MORE THAN 30 SHALL BE FOR PRIVATE SALE AND NO MORE THAN 19 SHALL BE FOR AFFORDABLE HOUSING) SHALL BE OCCUPIED UNTIL THE JUNCTION OF FOX LANE/ROCK HILL HAS BEEN ALTERED IN ACCORDANCE WITH THE SCHEME FOR A ROUNDABOUT SHOWN ON THE PLAN FOX LANE/ROCK HILL SCHEMATIC SCHEME REF 7033/SK-005 REVISION G AND ANCILLARY DRAWINGS 7033-S278-701 REV C02, 2015804 AGE- ZZXX-DR-X-0002, 0003, 0004, 0005, 0006 REV C02. LAND AT, WHITFORD ROAD, BROMSGROVE, WORCESTERSHIRE,. BELLWAY HOMES LTD

Officers presented the report and in doing so highlighted that the application was for the variation of condition 25 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132), as follows:-

FROM: No part of the development shall be occupied until the junction of Fox Lane/ Rock Hill has been altered in accordance with the scheme for a roundabout shown on the plan Fox Lane/ Rock Hill schematic ref 7033-SK-005 revision F.

AMEND TO: No more than 49 dwellings (of which, no more than 30 shall be for private sale and no more than 19 shall be for affordable housing) shall be occupied until the junction of Fox Lane/Rock Hill has been altered in accordance with the scheme for a roundabout shown on the plan Fox Lane/Rock Hill schematic scheme ref 7033- SK-005 revision G and ancillary drawings 7033-s278-701 rev C02, 2015804 AGE- ZZXX-DR-X-0002, 0003, 0004, 0005, 0006 REV C02.

Officers presented the presentation slides, as detailed on pages 47 to 61 of the main agenda pack. Along with the additional comments from the Bromsgrove Society, as detailed on page 3 of the Committee Update Reports pack.

In comparing the current proposal to the previously refused application 24/00117/S73, heard on 25.04.2025, Officers detailed that the main proposed changes to Condition 25 were a plan revision update from Version F to G, the occupation of 49 dwellings combined with clarification on the breakdown of affordable and market housing offered by the application. Officers further detailed that the applicant was appealing the previous Member decision but had stated that, they would withdraw the appeal if Members were minded to approve the application before them.

An independent consultancy specialist, Mott McDonald, had undertaken a review of the application and comments from the Highway Authority, and were in agreement with the assessment by Worcestershire County Council, Highways (County Highways). It was further clarified that there had been no change in the position of County Highways.

Officers concluded that the occupation of 49 dwellings prior to the alteration of the Fox Lane / Rock Hill junction was considered acceptable with regards to planning policy and other material planning considerations.

At the invitation of the Chairman, Mr. J. Gerner, on behalf of The Bromsgrove Society addressed the Committee in objection to the application. Mr. D. Dixon, the applicant's agent, and Mr. G Anderson, Chief Executive Officer for Bromsgrove District Housing Trust (BDHT), addressed the Committee in support of the application. Councillor D. Hopkins, Ward Member, also addressed the Committee.

Members then considered the application which Officers had recommend be granted.

Members expressed the opinion that it was a very difficult decision with either outcome having a positive and negative impact that Members had to balance. The impact on the traffic network had to be compared against the supplied accommodation, which included 19 affordable housing units. Additionally, some of the dwellings were already occupied, giving an extra consideration of having to evict the residents if the application was refused. Members further commented that even though Bellway housing had caused the problem by breaching their Conditions, the Council would ultimately be blamed for the negative impact of their decision in either outcome.

The accuracy of the traffic assessments was addressed and following clarifications from Mr. G. Nock of County Highways, it was clarified that:

- The 1-day sample was consistent with assessments undertaken during all parts of the applications and was sufficient for the highways authority to give advice to Members.
- County Highways had considered the evidence supplied by the Bromsgrove society, the findings of which could be found on page 4 of the Committee Update Reports pack,. It was further noted that although it was not a complete data set there were some fluctuations in the data set.
- The findings were scrutinised by Mott McDonald who were a third-party specialist, and that they were in agreement with the findings and methodology employed by County Highways.
- It was explained to Members that the model calculates queues rather than queues being a direct input. Mr. Nock explained that no data had been removed from the modelling where the applicant's transport consultant had identified an 'anomaly' with the queues recorded.

In response, Members commented that they understood the findings of County Highways which they believed to be reasonable based on the traffic data supplied by the applicant. However, the problem lay with the data set which they had been supplied with. Members further commented that in their opinion the data was poor and should the traffic

data have been collected on a different day without any disruption to the road network noted in the area, County Highways and Mott McDonald may have arrived at a different result. Members also stated that in their opinion it would have been appropriate for the applicant to have repeated their survey following the last meeting to support their data and were disappointed that this had not happened.

The applicant had indicated they would withdraw the appeal if the application were granted, however, it was clarified that there was no requirement for them to do so, and that if the appeal continued and was upheld the applicant could choose either application to enact. It was further clarified that regardless of this, Members were being asked to consider the application before them and that the state of the appeal should take no part in the decision for Members and that the application must be considered on its own merit.

In weighing up all of the points, Members gave significant weight to the provision of homes for the residents of Bromsgrove district area and although there would be an impact on the local road network, some of that impact was already being felt due to a number of the properties already being occupied.

Therefore, on being put to the vote it was:

RESOLVED that planning permission be granted subject to the conditions as detailed on page 45 of the Public Reports pack.

The meeting closed at 6.52 p.m.

Chairman