

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Bellway Homes Ltd	Variation of condition 22 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132):  FROM: 22) No dwelling shall be occupied until the acoustic fencing on the north-western part of the site has been erected in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The acoustic fencing shall be retained thereafter.  AMEND TO: 22) No dwelling shall be occupied in relation to the approved reserved matters 23/00993/REM (Miller Homes phase) including plots 291 to 293 & plots 342 to 353 only of the approved reserved matters 22/00090/REM (Bellway Homes phase) or subsequent variations thereof until the acoustic fencing on the north-western part of the site, has been erected in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The acoustic fencing shall be retained thereafter and must be erected before 22/00090/REM (Bellway) plots 291 to 293 & plots 342 to 353 or subsequent variations thereof are occupied. Noise mitigation measures (glazing, ventilation and garden fences) shall be carried out in accordance with the Environmental Noise Assessment (22336-1-R8) prepared by Noise.co.uk dated 25 October 2024.  Land at Whitford Road, Bromsgrove	28.08.2024	24/00516/S73

**RECOMMENDATION:**

- (a) Subject to the satisfactory final views of Worcestershire Regulatory Services, **MINDED to GRANT** permission to amend condition 22 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA reference 16/1132)
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning

and Leisure to determine the application, subject to an amended wording of condition 22 and the other conditions attached to the original planning permission.

## **Consultations**

### **WRS - Noise**

Further information requested regarding the noise reduction specifications of the actual glazing and alternative ventilation products they wish to install for approval. Additionally, details of the extent, construction and surface density of the proposed close boarded fencing between the dwellings on the western side of the Bellway site should also be submitted for approval.

### **Publicity**

Site notice posted 20.06.2024 (expires 14.07.2024)

Press notice published 28.06.2024 (expires 15.07.2024)

2 representations received:

- Conditions imposed should be complied with
- Housing should be protected from unwanted noise disturbance from the motorway.

### **Councillor Hopkins**

Please can the below application be called before the Planning Committee? I am requesting this due to the fact that it is in relation to the Whitford Heights Development and there are parts of the amendment which I feel need to be discussed in detail by the Committee in order to determine whether the amendments will have any significant impacts on residents in the area.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP3 Future Housing and Employment Development

BDP5A Bromsgrove Town Expansion Sites

BDP7 Housing Mix and Density

BDP19 High Quality Design

BDP21 Natural Environment

BDP24 Green Infrastructure

### **Others**

National Planning Policy Framework (2023)

National Planning Practice Guidance

Bromsgrove High Quality Design SPD

## **Relevant Planning History**

16/1132

Outline Planning Application for: Site A  
(Land off Whitford Road)

Allowed on  
appeal  
09.02.2021

Provision of up to 490 dwellings, Class A1 retail local shop (up to 400 sqm), two new priority accesses onto Whitford Road, public open space, landscaping and sustainable urban drainage; and Site B (Land off Albert Road)  
Demolition of Greyhound Public House, provision of up to 15 dwellings, new priority access onto Albert Road, provision for a new roundabout, landscaping and sustainable drainage.

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 Non Material Amendment to condition 1 landscaping drawings of Reserved Matters approval 22/00090/REM: Replacement of translocated hedge. New hedge planting along Whitford Road	Granted subject to conditions 08.07.2022
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Other applications delegated to the Assistant Director for Planning and Leisure - currently awaiting Legal Agreements

23/00993/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 120 dwellings with associated car parking, landscaping and other infrastructure within the northern section of Site A.
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24/00150/REM	Reserved Matters application (Layout, Scale, Appearance and Landscaping) to outline planning permission 16/1132 (granted on appeal APP/P1805/W/20/3245111) for the erection of a retail unit and associated infrastructure within Site A.
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**Background**

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 February 2021 granting outline planning permission 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, an new priority access onto Albert Road, landscaping, and sustainable drainage*

The Planning Inspector granted planning permission subject to conditions and a Section 106 Legal Agreement.

Condition 22 applies only to site A: land off Whitford Road. This affects the occupation of all 490 dwellings.

### **Assessment of Proposal**

Condition 22 prevents the occupation of any of the 490 dwellings granted planning permission under the allowed appeal until acoustic fencing on the north-western part of the site has been erected in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The current application seeks to amend the condition to enable some of the plots within the Bellway Homes phase (identified as 'phase 1' on the attached presentation) of development to be occupied.

The result of the amendment would enable the occupation of 355 of the 370 approved Bellway Homes to be occupied before an acoustic fencing scheme on the north-western part of the site is approved and erected. None of the proposed 120 Miller Homes dwellings together with plots 291-293 and plots 342-353 of the approved Bellway Homes development could be occupied until the acoustic fencing scheme is approved and erected.

A noise assessment report has been submitted in support of the application. In common with the Miller Homes site layout plan considered by Planning Committee at its meeting on 15 October 2024, this also indicates an intention to erect a bund and fence to provide noise screening from the M5 motorway plus an additional length of fencing to increase the mitigation to Bellway plots 291-293 and plots 342-353.

Under the proposed amended wording of condition 22, full details of this acoustic fencing scheme on the north-western part of the site would be submitted for approval and be erected prior to occupation of the Miller Homes dwellings and plots 291-293 and plots 342-353 of the Bellway Homes development.

The proposed amendment includes glazing, ventilation and garden fences to provide noise mitigation measures to all the approved Bellway dwellings. WRS has considered the submitted report and requested further information regarding the noise reduction specifications of the actual glazing and alternative ventilation products to be installed together with details of the extent, construction and surface density of the proposed close boarded fencing between the dwellings on the western side of the Bellway site.

At the time of writing this report full specification of these measures has been requested and is awaited. I will update Members at the meeting.

**RECOMMENDATION:**

- (a) Subject to the satisfactory final views of Worcestershire Regulatory Services, **MINDED to GRANT** permission to amend condition 22 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132)
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning and Leisure to determine the application, subject to an amended wording of condition 22 and the other conditions attached to the original planning permission.

**Case Officer:** Jo Chambers Tel: 01527 881408  
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