

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Bellway Homes Ltd	Variation of condition 27 of planning permission 24/00516/S73:  FROM: No more than 99 dwellings shall be occupied until the junction of the A448/ Whitford Road/ Perryfields Road has been altered in accordance with the plan Whitford Road/ Perryfields Road proposed junction arrangement ref 461451-D-014, and until a pedestrian crossing on the A448 has been provided in accordance with the plan Potential A448 signalised crossing ref 7033-SK-015 revision A.  AMEND TO: No more than 250 dwellings shall be occupied until the junction of the A448/ Whitford Road/ Perryfields Road has been altered in accordance with the plan Whitford Road/ Perryfields Road proposed junction arrangement ref 461451-D-014, and until a pedestrian crossing on the A448 has been provided in accordance with the plan Potential A448 signalised crossing ref 7033-SK-015 revision A.  Land at Whitford Road, Bromsgrove	16.02.2026	25/00900/S73

**RECOMMENDATION:**

- a) **MINED** to **GRANT** planning permission
- b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services following consultation with the Planning Committee Chairman, to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report.

**Consultations**

**Worcestershire Highways**

- No Objection
- Highway Authority does not consider that this variation would result in a severe residual cumulative impact on capacity or congestion nor an unacceptable impact on highway safety.

**Mott MacDonald**

- No objection
- The uplift to the Whitford Road Condition 27 trigger from 99 to 250 dwellings can be supported in principle, based on the revised Stage 1 modelling for Perryfields Road

which assesses the combined impacts at the A448 / Whitford Road / Perryfields Road junction.

- Acceptance of the Whitford Road uplift is contingent solely on the Stage 1 assessment for Perryfields Road (396 dwellings). The further elements of the Perryfields Road submission, namely the Hybrid scheme and proposed 550-dwelling Stage 2 cap, have not been supported but do not play a role in determining the application for the proposed change in the trigger point for Whitford Road under Condition 27.
- Consistent with our comments on Stage 1 of the Perryfields Road application, the impacts will be elevated but the duration of effect is anticipated to occur only for a limited duration as an interim approach, it remains essential that the Highway Authority is satisfied that the junction will continue to operate safely during the temporary period prior to delivery of the permanent mitigation AND the Planning Authority is satisfied that it has the necessary measures in place to control the duration of impact.
- A coordinated approach between the two development schemes remains critical, and the confirmation that the Perryfields Road scheme will provide the relevant permanent mitigation for implementation, should be clearly reflected in the final condition wording attached to any approval.

### **The Bromsgrove Society**

- Objection
- Applicant fails to explain proposed delay in construction of the signalised pedestrian crossing
- Identify differences in the trip rates used for vehicular trips from the Whitford Road site and those from the Taylor Wimpey (Perryfields) site. Accurate trip rates need to be used for junction modelling.

**Full copies of the responses from consultees are available to view on Public Access and Members are encouraged to review these.**

### **Publicity**

Site Notices posted 07.11.2025 (expires 01.12.2025)

Press Notice published 31.10.2025 (expires 17.11.2025)

1 objection received expressing concern that the junction is very busy and the condition is required to safeguard Bromsgrove from unacceptable congestion and safety risks.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP3 Future Housing and Employment Development

BDP5A Bromsgrove Town Expansion Sites

BDP16 Sustainable Transport

BDP19 High Quality Design

#### **Others**

National Planning Policy Framework (2024)

National Planning Practice Guidance

## **Relevant Planning History**

25/00901/S73	Variation of condition 25 of planning permission 24/00516/S73:	Granted	05.12.2025
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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

TO: No part of the development shall be occupied other than 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) until the junction of Fox Lane/ Rock Hill has been altered in accordance with the temporary scheme shown on the plan WSP Drawing 7033-WSP-HGN-00-SK-C-0022-V2 Rev P02. Thereafter, no part of the development shall be occupied other than no more than 365 dwellings (of which, no more than 219 shall be for private sale and no more than 146 shall be for affordable housing) 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- ZZ-XX-DR-X-0002, 0003, 0004, 0005, 0006 REV C02

25/00529/S73	<p>Variation of condition 25 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132):</p> <p>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</p> <p>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- ZZ-XX-DR-X-0002, 0003, 0004, 0005, 0006 REV C02.</p>	Granted	24.06.2025
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24/00516/S73	<p>Variation of condition 22 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132):</p> <p>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.</p> <p>AMEND TO: 22) No dwelling shall be occupied in relation to the reserved matters 23/00993/REM (Miller Homes phase) including plots 291 to 293 &amp; 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. The noise mitigation measures of glazing, ventilation and garden fences referred to in the Environmental Noise Assessment (22336-1- R8) prepared by Noise.co.uk dated 25 October 2024 shall be applied to the approved reserved matters 22/00090/REM (Bellway Homes phase) or subsequent variations thereof in accordance with the following details: the Glazing and Ventilator Performance table version 4 submitted on 09/12/24 and Acoustic Private Garden Fence drawing number SD-9-03 dated October 2024 unless alternative other minor variations of these details are submitted to and agreed in writing by the Local Planning Authority prior to installation.</p>	Granted	12.12.2024
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Plan reference

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.	Approved with S106	23.05.2025
24/00117/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 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-ZZ-XX-DR-X-0002, 0003, 0004, 0005, 0006 REV C02.	Refused	25.04.2025
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.	Approved with S106	06.02.2025
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	Approved	08.07.2022

Matters approval 22/00090/REM:  
Replacement of translocated hedge.  
New hedge planting along Whitford  
Road

16/1132	<p>Outline Planning Application for: Site A (Land off Whitford Road) 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.</p>	Granted on Appeal with S106	09.02.2021
13/0479	<p>Residential development comprising up to 490 dwellings and small retail (Class A1) shop; together with two new accesses onto Whitford Road; provision of new public open space; landscaping; and sustainable urban drainage</p>	Refused	21.08.2014

Other relevant applications under consideration – Land at Perryfields

25/00798/S73	<p>Application for the variation of part of the wording of Conditions 32 and 33 of Outline Planning Application 16/0335 (allowed at appeal (Appeal Reference: APP/P1805/W/20/3265948)) to amend the occupation trigger numbers included within the aforementioned conditions comprising the following: Condition 32 Amending the occupation trigger for a roundabout at the Junction of Rock Hill / Fox Lane from 100 dwellings to 398 dwellings ; amending the occupation trigger for cycle improvements along Stourbridge Road from 100 dwellings to 153 dwellings; amending the occupation trigger for improvements at the Worcester Road / Shrubbery Road junction from 100 dwellings to 550 dwellings and; Condition 33 Amending the occupation trigger for a signal-controlled junction on the A448</p>
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Kidderminster Road from 200 dwellings to 396 dwellings; and roundabout works on the A448 Kidderminster Road from 200 dwellings to 332 dwellings

## **Assessment of Proposal**

### S73 The Town and Country Planning Act 1990

Members are advised that the grant of a S73 application is a grant of a new planning permission. The s106 Legal Agreement for the Whitford Road development continues to apply to any subsequent S73 planning permission. This ensures that the required contributions and mitigation would continue to be secured.

### Proposal

The existing planning condition 27 allows for the occupation of no more than 99 dwellings until the junction of the A448/ Whitford Road/ Perryfields Road has been altered by the introduction of traffic signals and signalised pedestrian crossing facilities over Kidderminster Road. The proposal seeks to increase the occupation number to no more than 250 dwellings until the specified highway works are carried out.

### Background

The site is allocated for development as Bromsgrove Town Expansion Site BROM3 in policy BDP5A of the Bromsgrove District Plan.

This application follows the grant of planning permission on appeal by the Planning Inspectorate in February 2021 (16/1132 appeal reference: APP/P1805/W/20/3245111) and subsequent S73 variations with regard to varying conditions 22 (acoustic screening) and 25 (alterations to the Fox Lane/Rock Hill junction) granted by Bromsgrove District Council.

### Housing Delivery

The proposal would allow for the continued delivery of housing in the District.

### Whitford Road Planning Permission and Perryfields Planning Permission

The original Whitford Road planning permission was granted on appeal in February 2021 and the Perryfields planning permission was granted on appeal at the later date of August 2021. The planning permissions are separate, stand-alone planning permissions. Each includes a condition requiring alterations to the junction of the A448/Whitford Road/Perryfields Road but provide different highway improvement schemes. The Whitford Road permission requires a signalised junction to be installed at the junction with Kidderminster Road and Perryfields Road; the Perryfields permission requires more extensive works including the closure of Perryfields Road to through traffic, installation of a signalised junction and the creation of a roundabout further along the A448 to the west. As a result, the signalised junction requirements differ for each scheme.

In the covering letter for this application, the agent explains that there is some duplication with the highway works for both developments and that those required by the Perryfields permission would involve more extensive works and thus express a preference that the highway works required under the Perryfields permission should be carried out, though do not propose to require the provision of those highway works in the Whitford Road planning condition. Instead, it is proposed only to increase the number of occupations that can be

undertaken at the Whitford Road site prior to any junction improvement work being carried out. The agent suggests this in the belief that the more extensive Perryfields highway works would be undertaken before the highway works required by the Whitford Road condition would be triggered.

Members are advised that application 25/00798/S73 relating to the Perryfields BROM2 site is also under consideration. Although the applications include highway works to the same junction (A448/Whitford Road/Perryfields Road), they are separate applications and each application is to be determined on its own merits.

The Highway Authority and Mott MacDonald have been consulted on both applications.

### Highway Matters

The applicant has submitted updated traffic data and modelling in support of the application utilising much of the same transport evidence prepared in association with the current Perryfields application 25/00798/S73. The evidence includes data for an increased occupation to 250 dwellings at Whitford Road. It also includes modelling of the proposed increase of the Perryfields site to 396 dwellings. This modelling is available to view on Public Access and has been reviewed by both WCC Highways and Mott MacDonald. Members are advised that The Bromsgrove Society comments were received before the updated Transport Note 2 which uses consistent data for both applications.

The initial traffic modelling submission used the one-lane plus flare modelling approach at the Whitford Road junction. In the latest updated information, a sensitivity test, modelling the Whitford Road arm as one lane approach only, has been undertaken. It has been confirmed in consultee comments that the methodology, modelling and data are appropriate.

The consultation responses from both WCC Highways and Mott MacDonald confirm the increase in occupation to no more than 250 dwellings is acceptable.

The Highway Authority has confirmed that the Perryfields scheme would deliver greater capacity and safety benefits beyond those associated with condition 27. Bringing forward a single, comprehensive scheme would avoid unnecessary repeated works and disruption that could arise if the condition 27 scheme was delivered first followed by further highway works to the same junction and linked to the Perryfields development. Whilst the Highway Authority considers the highway improvements secured through the Perryfields permission to be superior, the current application does not seek to amend the highway works required by condition 27. Members are reminded that the condition 27 works were found acceptable at appeal to mitigate the impact of the Whitford Road development and comprise the signalisation of the A448 / Whitford Road / Perryfields Road junction and the provision of a puffin crossing on the A449 Kidderminster Road near Dawson Road. It is considered that these highway improvement works continue to be acceptable to mitigate the impact of the Whitford Road development.

Mott MacDonald acceptance of the uplift in the occupancy numbers under condition 27 also raises 2 points:

1. that the Highway Authority is satisfied that the junction will continue to operate safely during the temporary period prior to delivery of the permanent mitigation

2. That the Planning Authority is satisfied that it has the necessary measures in place to control the duration of impact.

To respond to these for Members, I can advise that the Highway Authority has confirmed it has no objection to the proposal. It has considered the submitted details and has confirmed that increasing the occupation numbers in condition 27 of the Whitford Road planning permission would not result in a severe residual cumulative impact on capacity or congestion nor an unacceptable impact on highway safety. Paragraph 116 of the NPPF states that planning permission should only be refused where that would be the result. That threshold is not considered to be met.

The extant planning permission grants permission for 490 dwellings at this site. The current proposal seeks permission to increase the occupancy trigger from 99 to 250 dwellings. The highway improvement works will continue to be required to enable the occupation of the full approved development at Whitford Road and would continue to be secured as part of an amended condition 27.

### **Conclusion**

As with the original planning permission granted on appeal, it continues to be considered necessary to secure mitigation against otherwise severe highway impacts associated with the Land at Whitford Road development. The current application continues to propose appropriate mitigation. Consultees have raised no objection. The Highway Authority has advised that there is no concern regarding severe impact or highway safety. Similarly, Mott MacDonald's review has not identified severe impact or highway safety reasons for refusal. Therefore, the threshold for refusing the application on highway grounds is not met; the proposal does not conflict with paragraph 116 of the NPPF.

The increase in occupation numbers together with the proposed mitigation is considered acceptable. To conclude, the proposed variation of condition 27 is considered acceptable with regard to planning policy and other material planning considerations.

### **RECOMMENDATION:**

- a) **MINDED to GRANT** planning permission
- b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services following consultation with the Planning Committee Chairman, to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report

### **Conditions:**

Amended condition 27

Re-impose conditions attached to 24/00516/S73 and 25/00901/S72 (amended condition 25) as amended to reflect details previously approved.

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