

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Sainsbury's Supermarkets Limited	Change of use from bulky goods retail to a mix of convenience and comparison goods retailing Unit 1, Brook Retail Park, Sherwood Road, Bromsgrove, Worcestershire B60 3DR	05.06.2026	25/00118/FUL

RECOMMENDATION:

- (a) **MINDED to GRANT Full planning permission**
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Culture Services to determine the application following the receipt and completion of a suitable and satisfactory legal mechanism in relation to the following matters:
- (i) The securing of secure funding towards Town Centre mitigation measures (details TBC)
- (c) and that **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Culture Services to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report.

Consultations

Worcestershire Highways - Bromsgrove

No objection subject to condition relating to conformity with submitted details

- A shared car park consisting of 164 parking spaces is available to the proposed development. It is noted 53 spaces are provided in front of the store and a further 111 west of the brook and no changes are proposed to the car park.
- The applicant has provided Parking Beat Surveys as evidence which was undertaken at Brook Retail Park every 30 minutes between 08:00 and 20:00 on Friday 20th September and Saturday 21st September 2024, these periods being when demand was at its peak. The surveys confirmed the greatest parking demand occurs on a Saturday at 13:00, when the car park is at 58% occupancy, with 69 spare spaces.
- Trip generation - please refer to Transport Statement. Trip generation associated with the existing Homebase and proposed Sainsburys has been calculated with reference to the TRICS database, and the details can be found on page 12 of the Transport Statement. Table 4.2 indicates that the existing unit generates approximately 56 vehicle movements in the AM peak hour, 122 in the PM peak hour and 247 in the Saturday peak hour. Table 4.3 presents the surveyed supermarket trip rates and resulting level of vehicle trips proposed by the 2,375 Sqm Sainsbury's. The proposed unit generates approximately 106 vehicle movements in the AM peak hour, 212 in the PM peak hour and 282 in the Saturday peak hour.

Passer-by and Diverted Retail Trips

- The A38 Stoke Road is a main transport corridor within Bromsgrove and provides access to a large number of commercial and industrial uses immediately south of the site. It is therefore reasonable to assume that there will be a high level of pass-by trips and therefore a discount of 30% could be applied to the trips in Table 4.3 (proposed vehicle trips). Table 4.4 illustrates that once pass-by and diverted trips are accounted

for, the proposals will likely generate one additional trip in each direction every 3 minutes in the AM peak hour, every 2 minutes in the PM peak hour and every 5 minutes in the Saturday peak hour.

- This evidence submitted within the Transport Statement has demonstrated that the change of occupier type will not have a severe impact to the local road network or parking capacity at the site. The parking survey undertaken at the site in combination with surveyed occupancy data at existing Sainsbury's sites illustrates that there is sufficient parking capacity to cater for customer demand.

Servicing

- As part of the proposals, the service yard has been redesigned to accommodate a Sainsbury's delivery vehicle as provided on Drawing TK01 included in Appendix E, illustrating that delivery vehicles can enter and exit the service yard in a forward gear. Applicant has confirmed for a store of this size there will be 1 to 2 Sainsbury's delivery lorries per day, plus direct deliveries for bread/dairy goods, plus newspapers from smaller vehicles

Conclusion

- The Highway Authority has undertaken a full assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be a severe highway impact and therefore there are no justifiable grounds on which an objection could be maintained.

Worcestershire Highways (Travel Planning)

- The Travel Plan (Mayer Brown, dated January 2025) has been reviewed by the WCC Travel Planning Team. The matters raised related to the appointment of a Travel Plan Coordinator, Site Audit, Travel Plan measures, marketing, funding and monitoring.
- In the previous response, it was advised that references to Modeshift STARS site and requested that the Travel Plan included interim contact details for the Travel Plan Coordinator role. The comments have now been addressed in the updated document, and the Travel Plan can be approved.
- The following condition is recommended to be attached to the decision notice:
- The Employment Travel Plan hereby approved, [dated 27th October 2025 - Rev C] shall be implemented and monitored in accordance with the regime contained within the approved details for a minimum period of five years following occupation.

North Worcestershire Water Management

- No objection subject to condition relating to an updated flood evacuation management plan
- The site is predominantly located within flood zone 1, with the car park areas and front of the building within flood zones 2 & 3.
- As there is no change in vulnerability class or impermeable area, there is no reason to withhold permission on flood risk or drainage grounds.
- The applicants and future occupiers attention is drawn to condition 19 of the 2012 application, which required a flood evacuation management plan to be submitted which should include details of training and should be retained and updated.

Bromsgrove Centres Manager

- Having reviewed the Nexus Supplementary Advice Report (Retail Assessment), it is clear that the proposed development will generate trade diversion from Bromsgrove town centre, including from existing comparison and convenience operators. While the

report concludes that these impacts are not significantly adverse in policy terms, it nevertheless confirms a measurable diversion of expenditure away from the defined centre, which is directly relevant in considering mitigation.

- In this context, and having regard to the Bromsgrove Town Centre Strategic Framework, there is a clear and justified basis for seeking a financial contribution toward improvements that support:
 - Town centre vitality and viability
 - Public realm quality and attractiveness
 - Connectivity and pedestrian movement
 - Overall resilience of the centre in response to out-of-centre competition
- The Framework explicitly prioritises enhancement of public realm, streetscape, accessibility and visitor experience, and seeks to secure funding to deliver these improvements.
- Given that Bromsgrove is not a CIL charging authority, it is appropriate to apply a proportionate, floorspace-based approach to ensure consistency, transparency, and compliance with Regulation 122.
- Based on:
 - The scale of the proposed retail floorspace (1,573 sqm net sales area)
 - The confirmed trade diversion impacts identified in the Nexus assessment
 - The need to secure a proportionate contribution (not full scheme funding)
 - Comparable approaches to commercial contributions in the absence of CIL
- It is considered reasonable to seek a contribution in the order of: £75,000 (seventy-five thousand pounds) (*equivalent to approximately £48/sqm of retail floorspace*)

This level of contribution is considered to:

- Represent a proportionate response to the scale of the development and its identified impacts
- Sit within a reasonable and defensible £/sqm range for commercial schemes
- Provide a meaningful contribution toward priority public realm improvements, without placing an unreasonable burden on the development
- Comply fully with the Regulation 122 tests:
 - Necessary to support town centre resilience
 - Directly related to the impact of out-of-centre retail provision
 - Fairly and reasonably related in scale and kind
- It is important to note that while identified public realm interventions within the town centre may have a significantly higher total delivery cost, it is not appropriate for a single development to fund these in full. The requested contribution instead reflects a fair proportionate share toward cumulative improvements.
- The contribution should be ring-fenced for town centre public realm and accessibility improvements, including (but not limited to):
 - Streetscape enhancements (surfacing, planting, street furniture)
 - Lighting and safety improvements
 - Wayfinding and pedestrian connectivity
 - Works supporting key town centre regeneration priorities

WRS - Noise

- No objection

WRS - Air Quality

- No objection subject to a condition in relation to the provision of an Air Quality Assessment

Relevant Policies**Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP16 Sustainable Transport

BDP17 Town Centre Regeneration

BDP18 Local Centres

BDP23 Water Management

Others

National Planning Policy Framework (2024)

National Planning Practice Guidance

Relevant Planning History

25/00991/FUL	Minor external store alterations	Pending	
25/00992/FUL	Plant installation in the rear service area	Pending	
25/01012/ADV	Erection of fascia, directional and totem advertisements related to the store	Pending	
24/01004/FUL	Variation of Condition Number 4 attached to 12/0300 to allow Unit 1 (existing Homebase store) to operate as a supermarket selling a mix of convenience and comparison goods	Withdrawn	23.01.2025
12/0300	Demolition of existing building and development of bulky goods retail units (use class A1) with associated parking and infrastructure. (as amended by variation of condition 20 Clause 5 dated 14.03.2014)	Granted	24.09.2012
B/2005/0293	Retail Warehouse (Bulky goods) with associated parking and infrastructure.	Recovered appeal allowed	15.03.2007

Publicity

Site Notice posted 06.05.2025 (expired 30.05.2025)

Press Notice posted 04.04.2025 (expired 21.04.2025)

220 representations received. These are grouped and summarised below.

Public Comments

Comments in support

- Strong support for bringing the vacant former Homebase site back into active use rather than leaving it empty and derelict.
- The proposal would create new local jobs and support employment opportunities for residents.
- Expectation of a positive economic impact for Bromsgrove, including increased spending and support for nearby businesses.
- The store would improve consumer choice and variety particularly in food shopping. Support for having a Sainsbury's in Bromsgrove, some residents currently travel to other towns to use one.
- Perception that the development would be a sign of confidence and investment in the town.
- The store would be convenient for local residents, especially those within walking distance. There would be a reduced need to travel elsewhere for groceries and household shopping.
- Support for access to additional in-store brands such as Argos, Tu and Habitat.
- The proposal would help meet needs arising from population growth and new housing development in Bromsgrove.
- Increased supermarket competition could combat inflation.
- Wider social benefits, including support for community and local charities.
- Whilst there are traffic concerns, these could be addressed through mitigation such as: a one-way system, improved access arrangements, extra parking, traffic calming or completion of current roadworks prior to opening.

Approximately 180 very similar representations in support raising the following matters:

- Proposal would bring a vacant or disused retail unit back into active use.
- Expected to create new local jobs and improve employment opportunities.
- Reduction of commuting keeping more spending within the local community.
- Viewed as an investment in Bromsgrove and a sign of confidence in the town.
- Expected to provide an economic boost and support surrounding businesses.
- Would improve shopping choice, variety and competition for residents.
- Access to additional brands and such as Argos, Tu and Habitat would be a benefit.
- Proposal would meet demand from population growth and new housing.

Cllr Sam Ammar Worcestershire County Council (support)

- As an Economy Scrutiny Member, the increased unemployment figures for Worcestershire are a concern. The proposal would create local jobs, helping to address unemployment and support the Bromsgrove economy through increased local spending.
- A vacant unit could attract vandalism and become a visual blight if left unused. The store would have limited impact on the town centre, particularly if the High Street Argos remains open. The store would mainly serve nearby residents and regular local users, rather than replacing all existing shopping habits.
- Concern about current BREP roadworks is acknowledged, these should be nearing completion by the time the store opens. The employer is considered to offer good working conditions and staff support.

Comments in objection

- The proposal would cause significant additional traffic congestion, especially on Sherwood Road, Stoke Road, the A38, and nearby junctions.
- The traffic modelling and transport assessments are out of date, flawed, or based on unrealistic assumptions. The assumptions that many customers would walk or cycle for supermarket shopping are misplaced.
- The local road network and current infrastructure are not suitable for a supermarket at this location.
- There should be a new access/exit arrangement, such as a one-way system or direct access onto the A38.
- The ongoing roadworks already create severe congestion and safety issues that the development would worsen.
- Pedestrian safety concerns, there are risks within the car park and on surrounding roads.
- It is considered that the site is the wrong location for a food store and should remain a non-food retail unit.
- A supermarket would be better located elsewhere, including to the north of Bromsgrove or near new housing growth areas.
- Concern that the development would have a negative impact on Bromsgrove town centre and other existing stores through trade diversion. Harm to the vitality and viability of town-centre and local centre foodstores.
- Concern that the proposal may lead to closure or weakening of existing stores, including fears over the future of the town centre Argos.
- Conflict with local and national planning policy, including: failure to comply with the sequential test, inadequate retail impact assessment and conflict with policies intended to protect town centres.
- The submitted travel plan is inadequate and does not properly support sustainable transport objectives.
- Inadequate publicity and consultation
- Limited need for another supermarket in Bromsgrove because there are already several nearby.

Cllr Sam Evans Worcestershire County Council (objection)

- Whilst employment opportunities are welcome, it is noted that a lot of residents have raised traffic concerns and as the County Councillor representing the neighbouring Warwick Avenue, I would therefore be grateful whether a potential one-way system in and out of the car park with a new exit on the A38 will be considered a pre condition for planning approval for this matter.

Cllr Jane Elledge(objection)

- The applicant's retail survey predicts a large amount of trade being diverted both from stores outside Bromsgrove and from existing stores within Bromsgrove, which would generate substantial car trips to the site. The site is not realistically accessible by sustainable transport. Walking or cycling would only be practical for small top up shopping rather than regular supermarket trips. Local bus services are limited, with routes only serving certain areas and reduced or no service at weekends. The railway station is unlikely to be used by shoppers carrying groceries.

- The traffic on Sherwood Road would increase significantly if the development proceeds. A supermarket would generate far more frequent trips than the former Homebase use, so the comparison is not valid. It is likely that queues would build up on Stoke Road for vehicles turning into Sherwood Road, with congestion affecting the A38. It is likely that vehicles leaving the site would also queue heavily when trying to turn out of Sherwood Road. These traffic problems already existed when Homebase operated and would become more frequent and more severe with a supermarket.
- Traffic impacts might be reduced by a one way system in the car park and a new exit onto the A38, similar to Aldi. It is requested that highways review mitigation options and for traffic improvements to be made a condition of any planning approval.

Assessment of Proposal

The proposal seeks permission to change the use of Unit 1 at Brook Retail Park (formerly Homebase) to enable the sale of both convenience and comparison goods. The current building has a gross area of 4,217 sqm and a net sales area of 3443 sqm, including a mezzanine and external garden centre. The proposal is seeking to operate with a reduced net sales area of 1,598sqm, through not using the mezzanine or garden centre. A planning condition is proposed to cap the sales area at 1579sqm, with up to 316sqm allowed for comparison goods.

It is important to note that Unit 2 (currently Pets at Home) remains unchanged and does not part of the application. No physical alterations to the building or car park are proposed at this stage though minor works (plant equipment, lobby adjustments, escape routes, service yard alterations, signage) are the subject of separate applications which are pending consideration (Reference 25/00991/FUL (minor store alterations), 25/00992/FUL (plant installation in the rear service area) and 25/01012/ADV (advertisements).

The former Homebase unit has a gross internal area GIA of 3278sqm, comprising 2375 sqm at ground floor level and 904sqm at mezzanine level, together with a 939sqm external garden centre located at the rear. The total net sales area of the unit, including the garden centre, is 3443sqm.

There are a number of internal changes to the building in order to facilitate the proposed change of use. These include the following: The ground floor space within Unit 1 will be amended in two ways. Firstly, associated with the removal of part of the existing mezzanine floor, the existing staircase area in the central part of the store will be removed. The mezzanine was formerly a sales area associated with the Homebase store. Secondly, a new warehouse area at the rear of the store will be provided (which will reduce the size of the ground floor sales area). The existing 'garden centre enclosure' area at the rear of the unit will remain but will be converted to a warehouse enclosure area. In addition, the existing warehouse area in the main part of the unit (along with the staff offices and facilities) will also remain unaltered.

The submitted proposed mezzanine floor plan shows that the existing warehouse area will remain and the residual (former sales area) will be converted to warehouse space.

The proposal would fall within Class E of the Use Class Order (1987) as amended, which allows for a wide range of commercial, business, and service uses, and provides flexibility to switch between shops, offices, restaurants, gyms and other commercial uses.

The application is accompanied by Retail and Planning Statement and Appendices, Two additional Retail Assessments and Appendices, Flood Risk Assessment, Sustainability Statement, Waste Management Statement, Transport Statement, Travel Plan.

Site Description

The application site is located within Brook Retail Park, which comprises two retail units and a shared customer car park. Unit 1, formerly occupied by Homebase, is the subject of this application, while Unit 2 is currently occupied by Pets at Home. There is car parking to the north and west of the units, providing a total of 164 spaces. The car park is divided in two sections by the Sugar Brook, 111 spaces to the west of the brook and 53 spaces to the east.

The retail units are accessed from Sherwood Road at the eastern side of the site. There is a service yard located to the rear (south) of the building which is accessed from Sherwood Road via a separate entrance located further south of the main customer access. Sherwood Road comprises footways and street lighting on both sides, and parking restrictions (No Parking 8am-6pm, Monday-Friday) operate in the vicinity. There are bus stops nearby and facilities to encourage pedestrian connectivity. Stoke Road borders the northern boundary of the retail park, while the A38 (Stoke Road) runs along its western edge.

There are residential dwellings to the northeast and commercial/employment units to the east and south. On the opposite side of the A38 are a KFC restaurant and drive thru, Charford First School, and further residential areas. Additional housing lies to the north beyond a belt of trees

Background - Planning History

Members should note that there is a long and complex planning history. The site had been used for manufacturing (B2) purposes prior to 2005. Under application, B/2005/0293, the planning committee resolved to approve the application for a change of use to a retail warehouse, subject to referral to the Secretary of State and the completion of a satisfactory planning obligation. The application was called in by the Government Office for the West Midlands on behalf of the Secretary of State in March 2006. Following a public inquiry in November 2006, an Inspector recommended that the Secretary of State refuse planning permission for the development. However, the Secretary of State overruled the Inspector and granted planning permission in March 2007.

The 2005 consent was not implemented and planning permission was granted in 2010 (B/2010/0115) for an extension of time of application B/2005/0293. In 2011, condition 3 attached to this permission was slightly varied to broaden the range of goods sold (B/2011/0387).

The most relevant planning decision on the site is (Ref:12/0300) which was granted on 24th September 2012 for the demolition of the existing building and development of bulky goods retail units (use class A1) with associated parking and infrastructure. (as amended by variation of condition 20 Clause 5 dated 14.03.2014). Condition 4 attached to 12/0300 consent restricts the range and type of goods to be sold from the unit. The condition is worded as follows:

The range and type of goods to be sold from the retail warehouse hereby permitted shall be restricted to comparison goods within the following range: DIY, home improvement and garden goods; furniture; carpets and floor coverings; camping, boating and caravanning goods; electrical goods and gas appliances; car accessories; kitchens, bathrooms and associated accessories; homewares; soft furnishings; pets and pet products including animal foods, cages and animal accessories. Goods falling outside this range may be sold only where they form a minor and ancillary part of the proposed store's operation.

The preceding application to the current proposal (Ref: 24/01004/FUL) sought the variation of condition number 4 attached to 12/0300 to allow Unit 1 (existing Homebase store) to operate as a supermarket selling a mix of convenience and comparison goods. This application was withdrawn on the 23rd of January 2025 following the advice of Officers in the context of the Court of Appeal decision in *Finney v Welsh Ministers [2019]* (EWCA Civ 1868) which ruled that Section 73 applications which are used to vary or remove planning conditions) cannot be used to change or contradict the operative description of development in an original planning permission. Thereby, the current application relates to a change of use from bulky goods retail to a mix of convenience and comparison goods retailing.

Principle

Planning decisions must be made in accordance with the Development Plan currently the Bromsgrove District Plan (BDP) unless material considerations indicate otherwise. (Section 38(6) Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70(2) Town and Country Planning Act 1990 (TCPA 1990). The National Planning Policy Framework (NPPF) (2024) is a material consideration.

The site is allocated for employment purposes in the BDP. There are no specific local plan policies which deal with the assessment of retail land use proposals located outside the defined 'town centre' boundaries in the District, and therefore the proposal needs to be considered in the context of the national policies in Section 7 (paragraphs 91 - 94) of the NPPF. These are set out in full to provide clarity for the policy context in which retail planning proposals are assessed.

Paragraph 91 (in relation to the sequential approach) states that:

Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. Paragraph 92 states: When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

Paragraph 94 (in relation to retail impact assessment) states:

When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal;
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

The site is located equidistant between two local centres lies (Stoke Road/Aston Fields to the east and Buntsford Park to the west). These are located approximately 650 metres away from the site. Bromsgrove Town Centre is located approximately 2km to the north. Thereby, in the context of the NPPF, the application site is classified as out of centre. The Council has sought the advice of an external retail consultant (Nexus Planning) to provide an independent analysis in relation to the sequential test and retail impact assessment provided by the applicant. This includes assessment of the initially submitted Retail and Planning Statement dated Jan 2025, assessment of the Retail Rebuttal provided by the applicant dated September 2025 and the 2nd Response on Retail Policy Tests, dated Feb 2026. The independent retail consultant has carried out assessments in relation to each of these documents. (June 2025, November 2025 and April 2026. Members are encouraged to read the applicants Retail Assessments and the independent retail consultants comments in full. The initial independent assessments both raised concerns in particular in relation to the methodology, assumptions within the applicants initial Retail and Planning Statement and Appendices (January 2025) and subsequent documents.

Sequential Test

The Retail and Planning Statement dated Jan 2025 sets out a detailed sequential analysis of the availability and suitability of sites within and on the edge of Bromsgrove Town Centre which would facilitate a foodstore of the same scale and format. It has been accepted that the proposed store proposal would require a site area of 1.29 hectares, a foodstore scale of 2,375 and 123 parking spaces. The following sites have been considered: (numbered TC1 - TC10; the coding refers to Map 11 on page 74 of the BDP)

- TC1 - Market Hall Site. There are ongoing redevelopment proposals, so unavailable
- TC2 - Recreation Road. This site is no longer available and can therefore be discounted from the assessment.
- TC3 - The Recreation Ground. This site is unlikely to be available for development due to the Local Plan desire to maintain it as open space.
- TC4 - Parkside Middle School. Clearly no longer available.
- TC5 - School Drive/Dolphin Centre. The northern element of this Local Plan allocation is now no longer available, redevelopment has occurred under application 15/0919. The site is included in the Bromsgrove Town Centre 2040 Vision document with a focus on residential-led redevelopment. The site is also smaller (0.71Ha) than the minimum requirements for the proposal.

TC6 - Windsor Street. This site is considered too small to accommodate the proposal, accounting for flexibility in scale and format.

TC7 - Birmingham Road. This site has been redeveloped (Birmingham Road Retail Park) with no large vacant units.

TC8 - Birmingham Road/Stourbridge Road. Part of this Local Plan allocation has been redeveloped for an ALDI foodstore and is therefore no longer available. The site is considered too small to be a genuinely suitable alternative to accommodate the proposed development

TC9 - Mill Lane. This site is considered to be too small to be a suitable alternative for the proposal.

TC10 - Worcester Road Employment Area. This area would be large enough to accommodate the proposal. Policy BDP 17 of the Local Plan envisages redevelopment for employment purposes in the longer term (post 2030), subject to the outcome of a flood risk assessment. It is reasonable to assume that it will not be available for redevelopment within a reasonable time period.

Churchfields car park - this has been discounted as an alternative site to the proposal due to size and potential redevelopment for residential use. In addition to the above, the availability of sites or premises around Broad Street, Aston Fields and Buntsford Park Local Centres have also been investigated without success.

In summary, it is considered that the proposal would meet the provisions of the sequential test and there are no sequentially preferable sites or premises which would reasonably accommodate the proposal in the context of paragraphs 91 and 92 of the NPPF.

Retail Impact Assessment

There is some dispute between the applicant and the Councils appointed retail consultant as to whether a retail impact assessment is required. The NPPF sets an indicative floorspace threshold of 2,500sqm and the BDP is silent in respect of any local threshold. The retailing floorspace of the store is stated to be 1598sqm but this does not include the storage/service areas which would the total floorspace to 2,656sqm and thereby above the threshold.

Paragraph 95 of the NPPF states that: "Where an application fails to satisfy the sequential test or is likely to have *significant* adverse impact on one or more of the considerations in paragraph 94 it should be refused" (emphasis added).

The External Retail Consultant raised concerns in relation to the Applicant's Retail and Planning Statement for a number of reasons including the trading effects of the comparison goods element of the proposed supermarket, insufficient information in relation to the function of the convenience and comparison goods sectors in town centre and in relation to the Argos element of the proposed supermarket. The reliability of the 2019 household survey information was also questioned.

In response to the above consultation response, the applicants Agent (Alder King 'AK') provided a 'Retail Rebuttal' note and an 'Updated Quantitative Retail Impact Assessment' dated September 2025.

These documents were reviewed, alongside the results of a new survey of household shopping patterns. A number of concerns being raised in relation to the additional

evidence base information and analysis, including significant shortcomings with part of the applicant's new household survey, including market share data for grocery stores in Bromsgrove and also an over-estimate of grocery shopping expenditure from south west Birmingham. There was also failure to include all of the comparison goods turnover of the proposal and an over-reliance on 'claw back' expenditure from stores in other settlements, which has not been justified via the provision of a trade draw assessment. There was considered to be an underestimate of the amount of retail expenditure being diverted from convenience and comparison goods retailers in Bromsgrove town centre. There was insufficient evidence to demonstrate that there would not be a significant adverse impact on Bromsgrove Town Centre contrary to the provisions of paragraph 94 of the NPPF.

In response to the above matters, the applicant has submitted updated evidence, (entitled 2nd Response on Retail Policy Tests) which included a revised household shopping survey and the removal of the proposed Argos comparison goods concession. In summary, the proposal would still cause a clear and notable adverse impact on Bromsgrove town centre. This is due to expected trade diversion from existing convenience and comparison retailers, overlap with key town centre stores, and the loss of linked trips.

However, the Retail Consultant also concludes that with strict controls on comparison goods sales and appropriate mitigation, the impact is unlikely to be "significantly adverse" as defined in the National Planning Policy Framework (NPPF). There is an important distinction to be drawn between having a clear adverse impact and a significant adverse impact as set out in paragraph 95 of the NPPF.

The results of the independent assessment are set out in Table 12 at Appendix A of the Supplementary Advice No.2 on Retail & Town Centre Planning Policy Issues dated April 2026 and these indicate that the forecast overall impact on the comparison goods sector in Bromsgrove town centre would be -1.6%. This is, due to the assumed removal of all Argos related sales from the proposal and the store remaining in the town centre, less than half of the -4.2% forecast impact in the previous (November 2025) advice report. Table 13 of Appendix A brings the convenience and comparison goods impacts together to provide a forecast impact for the whole of the Class E(a) retail sector in Bromsgrove town centre. This assessment is based on the impact on the overall Town Centre as defined in policy BDP17 of the Bromsgrove District Plan. The results show a forecast -5.2% impact on the retail land use sector in the centre. This is around one third lower than the previous forecast. The reasons for the difference based on the following factors:

- (i) the turnover is based on the sale of comparison goods from the net sales area of the proposed store;
- (ii) there are no Argos-related sales associated with the store, with the sale of Argos-related goods in Bromsgrove continuing to be associated with Bromsgrove town centre

Similarly, the forecast direct financial impact on Buntsford Park local centre has also been reduced from -11.3% in the advice dated November 2025 advice to -6.8%.

The applicant's assessment outlines a lower impact on the 2028 total turnover levels of the town centre (-1.9%).

The identified adverse impacts must be weighed against other material considerations in the overall planning balance.

Overall Retail Impact/Planning Balance

The Retail Consultant and your Officers consider that the proposal's impact should be considered on the wider town centre boundary as defined in policy BDP 17 and the Local Plan Proposals Map. The applicant argues that the impact should only be assessed against Bromsgrove's Primary Shopping Area. The latter approach is accorded limited weight in the planning balance.

The likely loss of trade from the town centre's convenience and comparison retailers, due to the degree of overlap between the proposed store and existing town-centre and edge-of-centre shops, and the risk of reduced linked trips and footfall needs to be considered. The retail consultants conclusions are that there would be a net loss of 5.2% in respect of town centre turnover compared to the lower figures of the applicant (1.9%). The difference is partly due to the applicants interpretation of the town centre boundary for the purposes of the retail analysis. The independent retail consultants figures are accorded more weight than those of the applicant and significant weight against the proposal is attached to the identified adverse impact on the town centre.

Members are aware from the planning history outlined that the site has an existing lawful use for comparison goods retailing permitted under 12/0300. Whilst the unit has been vacant, the lawful use has not been abandoned and the consented use, location and scale of the unit are likely to attract an occupier retailing comparison goods, including in the floorspace of the mezzanine. It is evident that a fallback position exists.

The legal position in relation to fallback are set out within *R v Secretary of State for the Environment and Havering BC (1998)*. The fallback test had three elements: First whether there is a fallback use, that is to say whether there is a lawful ability to undertake such a use, secondly whether there is a likelihood or real prospect of such occurring. Thirdly, if the answer to the second question is yes, then a comparison must be made between the proposed development and the fallback use. In *Gambone v Secretary of State for Communities and Local Government [2014]*, the fallback position amounts to material consideration where there is greater than a theoretical possibility that the development might take place and it is for the decision taker to determine the appropriate weight to be attached to the fallback which will materially vary from case to case. It is considered, in this case, that there is a greater than theoretical likelihood for the fallback to taking place, for the reasons set out above. This is given moderate weight in the planning balance.

The proposal has been amended to remove the Argos concession element. The applicant has agreed to conditions stating that the building shall be used solely as a single retail store and shall not include any concession (including, but not limited to, any catalogue showroom retailer), subdivision or separately operated unit, whether internal or external to the main unit.

Paragraph 3.7 of the Retail Consultants Supplementary Advice No.2 on Retail & Town Centre Planning Policy Issues of our latest advice states

"In this particular instance, the proposed retail store will have a clear adverse impact upon the town centre but, taking into account suitable controls and mitigation, the scale and type of that impact is unlikely to be significantly adverse".

In conclusion, the proposal will not be a significant adverse impact if there are suitable mitigation measures and controls (in the form of planning conditions as set out above).

In respect of mitigation measures, these are proposals which seek to enhance the accessibility, attractiveness and overall vitality of Bromsgrove Town Centre. The mitigation would amount to funding secured from the applicant through an appropriate legal mechanism in compliance with CIL Regulation 122. The contribution would be ring-fenced for town centre public realm and accessibility improvements, including (but not limited to):

- Streetscape enhancements (surfacing, planting, street furniture)
- Lighting and safety improvements
- Wayfinding and pedestrian connectivity
- Works supporting key town centre regeneration priorities

The applicant has agreed, in principle, to funding the above town centre mitigation measures. Members will be provided with an update in relation to the specific mitigation measures which will be undertaken in relation to the proposal.

Highway matters

The public consultation exercise has generated a number of representations raising concerns in relation to the highway impact of the proposal. The application is accompanied by a Transport Statement and Travel Plan. The response of WCC Highways (including those of the Travel Planning Team) should be noted. The initial response of the Highway Authority, dated 8th April 2025, recommended no objection, subject to conditions. A number of detailed representations challenged the assumptions within the Transport Statement and Travel Plan and Worcestershire Highways provided a further response on these matters on 26th February 2026.

The representations raised concerns in respect of whether alternative modes of transport such as bus, train or bicycle would be employed, the availability of crossing points, parking demand and survey results. Overall, whilst the concerns raised in the representations are acknowledged, the updated information does not alter the Highway Authority's previous conclusions. The Authority therefore maintains its position of no objection, subject to conditions, as set out in its formal response dated 8th April 2025.

There has been separate representations made during the course of the application in relation to the impact of the proposal on traffic flows in the context of the ongoing A38 improvement works, including, but not limited to, the provision of a one way system through the site and onto the A38. Highways have been requested to comment further on these points and any additional comments will be provided as an update to Members at your Committee.

Other Matters

The site is mainly located within flood zone 1, with the car park areas and front of the building within flood zones 2 and 3. The response of NWWM is noted with no objection subject to the imposition of a condition in relation to the provision and approval of an updated flood evacuation management plan prior to occupation. There have been no objections raised by Worcestershire Regulatory Services in relation to noise or air quality subject to a condition in respect of the provision and approval of an Air Quality Assessment prior to occupation.

Other Material Considerations

The Retail and Planning Statement outlines that the proposal will generate up to 100 new full and part-time jobs for local people (circa 2/3 part time and 1/3 full time) and that the proposal to reuse the building would generate new employment quickly. It is understood that there were 25 employees at the Homebase store, there has been no assessment in relation to the employment impact of trade diversion and the appraised impact of the proposal on the town centre. In this context, the overall benefit of employment creation is accorded neutral weight in the planning balance.

Response to Public Consultation Exercise

The public consultation exercise in relation to the application has been lengthy and extensive. Detailed representations in objection to the scheme have been received from a number of retail operators in the Town Centre, with concern raised in relation to compliance with the sequential and impact tests.

The application has been the subject of three rounds of assessment by an independent retail planning consultant (Nexus Planning) to address the tests set out in the NPPF, which have also been raised in these objection representations.

The assessments have concluded and your Officers accept the findings that the sequential test has been passed. The revised retail impact assessment, whilst showing a clear adverse impact on the town centre and Buntsford Park Local Centre (the magnitude of which varies between the applicant and the consultant), the outcome is that a significant adverse effect is considered unlikely. Thereby the tests of paragraphs 91 - 95 of the NPPF have been passed. This is contingent on conditions to ensure that the Argos concession outlet is not provided at the site and appropriate mitigation measures for the town centre (as set out in the above recommendation) are employed.

RECOMMENDATION:

- (a) **MINDED to GRANT Full planning permission**
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Culture Services to determine the application following the receipt and completion of a suitable and satisfactory legal mechanism in relation to the following matters:
 - (i) The securing of secure funding towards Town Centre mitigation measures (details TBC)
- (c) And that **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Culture Services to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report

Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The use hereby approved shall not be carried out other than in accordance with the plans and documents detailed below:

Drawing No: 24059_SK-A-1005-Rev 4 Site Location Plan

Drawing No: 24059_SK-A-1003-Rev 3 Proposed Ground Floor Plan

Drawing No: 24059_SK-A-1004-Rev 1 Proposed Mezzanine Floor Plan

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) The range and type of goods to be sold from Unit 2 (as defined in the Site Location Plan, 24059_SK-A-1005-Rev4) hereby permitted shall be restricted to comparison goods within the following range: DIY, home improvement and garden goods; furniture; carpets and floor coverings; camping, boating and caravanning goods; electrical goods and gas appliances; car accessories; kitchens, bathrooms and associated accessories; homewares; soft furnishings; pets and pet products including animal foods, cages and animal accessories. Goods falling outside this range may be sold only where they form a minor and ancillary part of the proposed store's operation.

Reason: In order to ensure that the restrictive trading condition applied in 12/0300 continues in relation to Unit 2 in order to protect the vitality and viability of Bromsgrove Town Centre in accordance with the NPPF.

- 4) The maximum net sales area within unit 1 (as defined Drawing No: 24059_SK-A-1003-Rev 3) shall not exceed 1,579 square metres of floorspace, of which up to 316 square metres of floorspace can be used for the display and sale of comparison goods.

Reason: In order to protect the vitality and viability of Bromsgrove Town Centre in accordance with the NPPF.

- 5) Unit 1 (as defined in the Site Location Plan, 24059_SK-A-1005-Rev4) shall be used solely as a single retail store and shall not include any concession (including, but not limited to, any catalogue showroom retailer), subdivision or separately operated unit. For the avoidance of doubt a concession is defined as a retail use selling non-food goods selected and purchased by the visiting public from a catalogue or digital browser (either within Unit 1 or elsewhere) and supplied to them fully packaged.

Reason: In order to protect the vitality and viability of Bromsgrove Town Centre in accordance with the NPPF.

- 6) Unit 1 (as defined in the Site Location Plan, 24059_SK-A-1005-Rev4) shall not be used as a 'click and collection' point for the collection of comparison goods purchased either in Unit 1 or elsewhere and not displayed within the net sales area of the unit (as defined Drawing No: 24059_SK-A-1003-Rev 3).

Reason: In order to protect the vitality and viability of Bromsgrove Town Centre in accordance with the NPPF.

- 7) Prior to occupancy of the building, an updated flood evacuation management plan, including confirmation of flood warning signage in the car parking area, should be submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate against the impacts of flooding on site.

- 8) The external former garden centre area shall not be used for retailing purposes.

Reason: In order to protect the vitality and viability of Bromsgrove Town Centre in accordance with the NPPF.

- 9) The Employment Travel Plan hereby approved, [dated 27th October 2025 - Rev C] shall be implemented and monitored in accordance with the regime contained within the approved details for a minimum period of five years following occupation.

Reason: To ensure residents of the development site are offered a genuine choice of sustainable travel modes and to promote sustainable access to the development site.

- 10) Prior to the commencement of development, the developer must provide an Air Quality Assessment. The AQA must be undertaken by a suitably qualified professional(s) and comply with Worcestershire Regulatory Services recommendations for AQA. The AQA must consider the impact of the development on local air quality and relevant sensitive receptors, the impact of existing local air quality on the development and relevant sensitive receptors and any necessary mitigation. Additionally, the cumulative impact of all locally committed developments (small scale and large scale major sites i.e. >10 properties) on existing local air quality must be considered to assess if further mitigation measures, other than those recommended as part of the above, are required. The details of all required mitigation measures identified as part of the above must be agreed with the Local Planning Authority. All required mitigation measures must be carried out in accordance with the details agreed by the Local Planning Authority prior to the operation/occupation of the development.

Reason: To assess the potential health risks to relevant sensitive receptors from local air quality and identify required mitigation measures in accordance with the NPPF.

25/00118/FUL

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