



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 2ND JULY 2018
AT 6.00 P.M.

PARKSIDE SUITE - PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA

PLEASE NOTE THAT AFTER 5PM, ACCESS TO THE PARKSIDE SUITE IS VIA THE MAIN ENTRANCE DOOR ON THE STOURBRIDGE ROAD. PLEASE ALSO NOTE THAT THERE IS NO PUBLIC PARKING AVAILABLE FOR THE NEW PREMISES. THE NEAREST PARKING IS THE PARKSIDE (MARKET STREET) PAY AND DISPLAY CAR PARK.

MEMBERS: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer and P. J. Whittaker

Updates to the Reports of the Head of Planning and Regeneration Services will be available in the Council Chamber one hour prior to Meeting. You are advised to arrive in advance of the start of the Meeting to allow yourself sufficient time to read the updates.

Members of the Committee are requested to arrive at least fifteen minutes before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting.

AGENDA

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 4th June 2018 (Pages 1 - 4)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 17/01191/FUL - Erection of 3 residential dwellings - Land between The Croft and Hopwood Garden Centre, Ash Lane, Alvechurch, Worcestershire, B48 7TT - Mr. N. Clarke (Pages 5 - 12)
6. 17/01363/FUL - Reconfiguration of existing playing fields to provide new club house and stand, match pitch and floodlights, with three further grass pitches and one all weather pitch, plus associated car parking and landscaping - Land at corner of Redhill Road and Redditch Road, West Heath, Birmingham, B38 9EJ - Mr. R. Thorndike on behalf of Alvechurch FC / The Hayes Sports Partnership (Pages 13 - 30)
7. 18/00488/FUL - Change of use from grazing to equestrian use / grazing. Erection of eight stables, wood construction upon a concrete base with adjoining store and tack room - Land at Hollow Tree Lane, Tardebigge, Bromsgrove, Worcestershire, B60 1PR - Mrs J. Johnson (Pages 31 - 36)
8. 18/00529/FUL - Demolition of existing buildings and erection of 8 two and three storey houses with parking. Access from Truemans Heath Lane - 4B Truemans Heath Lane, Truemans Heath, Birmingham, Worcestershire, B47 5QB - Mr B. Skillett (Pages 37 - 46)
9. 18/00560/FUL - Erection of telescopic tower with antennas for hobby amateur radio purposes - Richmond House, Icknield Street, Headley Heath, Birmingham, Worcestershire, B38 0EP - L. Volante (Pages 47 - 52)
10. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

21st June 2018

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Information for Members of the Public

The Planning Committee comprises 11 Councillors. Meetings are held once a month on Mondays **at 6.00 p.m.** in the Parkside Suite, Parkside, Market Street, Bromsgrove, B61 8DA - access to the Parkside Suite after 5pm is via the main entrance door on the Stourbridge Road. The nearest available public parking for the new premises is Parkside (Market Street) Pay and Display. .

The Chairman of the Committee, who is responsible for the conduct of the meeting, sits at the head of the table. The other Councillors sit around the inner-tables in their party groupings. To the immediate right of the Chairman are the Planning Officers. To the left of the Chairman is the Solicitor who provides legal advice, and the Democratic Services Officer who takes the Minutes of the Meeting. The Officers are paid employees of the Council who attend the Meeting to advise the Committee. They can make recommendations, and give advice (both in terms of procedures which must be followed by the Committee, and on planning legislation / policy / guidance), but they are not permitted to take part in the decision making.

All items on the Agenda are (usually) for discussion in public. You have the right to request to inspect copies of previous Minutes, reports on this agenda, together with the background documents used in the preparation of these reports. Any Update Reports for the items on the Agenda are published on the Council's Website at least one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are available in the public gallery. The Chairman will normally take each item of the Agenda in turn although, in particular circumstances, these may be taken out of sequence.

The Agenda is divided into the following sections:-

- Procedural Items

Procedural matters usually take just a few minutes and include: apologies for absence, approval of the Minutes of the previous meeting(s) and, where necessary, election of a Chairman and / or Vice-Chairman. In addition, Councillors are asked to declare whether they have any disclosable pecuniary and / or other disclosable interests in any items to be discussed. If a Councillor declares a disclosable pecuniary interest, he/she will withdraw from the meeting during the discussion and voting on that item. However, it is up to the individual Councillor concerned to decide whether or not to declare any interest.

- Reports of the Head of Planning and Regeneration

(i) **Plans and Applications to Develop, or Change of Use** - Reports on all applications will include a summary of the responses received from

consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the District Council's website www.bromsgrove.gov.uk. Recent consultee and third party responses will be reported at the meeting within the Update Report.

Each application will be considered in turn. When the Chairman considers that there has been sufficient discussion, a decision will be called for. Councillors may decide that, in order to make a fully informed decision, they need to visit the site. If this is the case, then a decision on the application will be deferred until the next meeting of the Committee. Alternatively, a decision may be deferred in order that more information can be presented / reported. If the Councillors consider that they can proceed to making a decision, they can either accept the recommendation(s) made in the report (suggesting any additional conditions and / or reasons for their decision), or they can propose an amendment, whereby Councillors may make their own recommendation. A decision will then be taken, usually by way of a show of hands, and the Chairman will announce the result of the vote. Officers are not permitted to vote on applications.

Note: **Delegation** - All items are presumed to be matters which the Planning Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply, an appropriate indication will be given at the meeting.

Any members of the public wishing to make late additional representations should do so in writing, or by contacting their Ward Councillor(s) well in advance of the Meeting. You can find out who your Ward Councillor(s) is/are at www.writetothem.com.

Members of the public should note that any application can be determined in any manner, notwithstanding any (or no) recommendation being made to the Planning Committee.

- (ii) **Development Control (Planning Enforcement) / Building Control** - These matters include such items as to whether or not enforcement action should be taken, applications to carry out work on trees that are the subject of a Tree Preservation Order, etc.. 'Public Speaking' policy does not apply to this type of report, and enforcement matters are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Reports of the Head of Legal and Democratic Services

These reports relate to, for example, cases where authority is sought to commence legal proceedings for non-compliance with a variety of formal planning notices. They are generally mainly concerned with administrative and legal aspects of planning matters. 'Public Speaking' policy does not apply to this type of report, and legal issues are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Urgent Business

In exceptional circumstances, and at the discretion of the Chairman, certain items may be raised at the meeting which are not on the Agenda. The Agenda is published a week in advance of the meeting and an urgent matter may require a decision. However, the Chairman must give a reason for accepting any "urgent business". 'Public Speaking' policy would not necessarily apply to this type of report.

- **Confidential / Exempt Business**

Certain items on the Agenda may be marked "confidential" or "exempt"; any papers relating to such items will not be available to the press and public. The Committee has the right to ask the press and public to leave the room while these reports are considered. Brief details of the matters to be discussed will be given, but the Committee has to give specific reasons for excluding the press and public.

Public Speaking

Where members of the public have registered to speak on planning applications, the item will be dealt with in the following order (subject to the discretion of the Chairman):-

- Introduction of item by the Chairman;
- Officer's presentation;
- Representations by objector;
- Representations by applicant (or representative) or supporter;
- Parish Council speaker (if applicable) and / or Ward Councillor;
- Consideration of application by Councillors, including questions to officers.

All public speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

Feedback forms will be available within the Council Chamber for the duration of the meeting in order that members of the public may comment on the facilities for speaking at Planning Committee meetings.

NOTES

Councillors who have not been appointed to the Planning Committee but who wish to attend and to make comments on any application on the attached agenda are required to inform the Chairman and the relevant Committee Services Officer before 12:00 noon on the day of the meeting. They will also be subject to three minute time limit.

Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officer(s) in order to avoid unnecessary debate on such detail at the meeting. Members of the Committee are requested to arrive at least one hour before the start of the meeting to read any additional representations and to ask questions of the

Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting. Councillors should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.

Councillors are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to Committee for determination where the matter cannot be authorised to be determined by the Head of Planning and Regeneration Services.

In certain circumstances, items may be taken out of the order than that shown on the agenda and, therefore, no certain advice can be provided about the time at which any item may be considered. However, it is recommended that any person attending a meeting of the Committee, whether to speak or to just observe proceedings and listen to the debate, be present for the commencement of the meeting at 6.00 p.m.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - SECTION 100D

1. All applications for planning permission include, as background papers, the following documents:-
 - a. The application - the forms and any other written documents submitted by the applicant, the applicant's architect or agent, or both, whichever the case may be, together with any submitted plans, drawings or diagrams.
 - b. Letters of objection, observations, comments or other representations received about the proposals.
 - c. Any written notes by officers relating to the application and contained within the file relating to the particular application.
 - d. Invitations to the Council to comment or make observations on matters which are primarily the concern of another Authority, Statutory Body or Government Department.
2. In relation to any matters referred to in the reports, the following are regarded as the standard background papers:-

Policies contained within the Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

BDP	-	Bromsgrove District Plan 2011-2030
SPG	-	Supplementary Policy Guidance
NPPF	-	National Planning Policy Framework
NPPG	-	National Planning Practice Guidance
3. Any other items listed, or referred to, in the report.

Note: For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 100D will always include the Case Officer's written report and any letters or memoranda of representation received (including correspondence from Parish Councils, the Highway Authority, statutory consultees, other 'statutory undertakers' and all internal District Council Departments).

Further information

If you require any further information on the Planning Committee, or wish to register to speak on any application for planning permission to be considered by the Committee, in the first instance, please contact Pauline Ross, Democratic Services Officer, at p.ross@bromsgroveandredditch.gov.uk, or telephone (01527) 881406

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

4TH JUNE 2018, AT 6.00 P.M.

PRESENT: Councillors P.L. Thomas (Vice-Chairman, in the Chair), C. Allen-Jones, S. J. Baxter, M. T. Buxton, M. Glass, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer and P. J. Whittaker

Officers: Mrs. T. Lovejoy, Mr. D. M. Birch, Ms J. Chambers, Miss. E. Farmer and Miss. C Wood

1/18 **ELECTION OF CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR**

RESOLVED that Councillor R.J. Deeming be elected Chairman of the Committee for the ensuing Municipal Year.

2/18 **ELECTION OF VICE-CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR**

RESOLVED that Councillor P. L. Thomas be elected Vice Chairman of the Committee for the ensuing Municipal Year.

3/18 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillor R. J. Deeming, with Councillor M. Glass present as substitute.

4/18 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

Councillor P. L. Thomas advised Members that although he had called in items 8 and 9 on the main agenda pack, he had not pre-determined the outcome of these applications.

5/18 **MINUTES**

The minutes of the meeting of the Planning committee held on 9th April 2018 were received.

RESOLVED that the minutes of the meeting held on 9th April 2018 be approved as a correct record.

6/18 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)**

The Chairman confirmed with Members that they had received and read the updates which had been published and circulated.

7/18 **16/1090 - PROPOSED TWO STOREY EXTENSION TO THE NORTHERN ELEVATION - COACH HOUSE, PRIORY ROAD, DODFORD, BROMSGROVE, WORCESTERSHIRE, B61 9DB - MR STEWART HADLEY**

Officers clarified that the Application had been brought before the Planning Committee due to the requirement for a legal agreement. Background information was provided together with details of the proposed extension.

Following a brief discussion Members

RESOLVED:

- a) that Planning Permission be approved; and
- b) that Delegated Powers be granted to the Head of Planning and Regeneration Services to determine the planning application following:
 - i) the applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015.

8/18 **18/00346/FUL - CHANGE OF USE FROM B1/B2 TO D2 USAGE FOR A GYMNASTICS CLUB - UNIT 75, BASEPOINT BUSINESS CENTRE, ISIDORE ROAD, BROMSGROVE ENTERPRISE PARK, BROMSGROVE - MS MARIE CARRIGAN**

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor P. L. Thomas, Ward Member.

At the invitation of the Chairman Ms. M. Carrigan, the Applicant addressed the Committee in support of the Application.

The committee then considered the Application which had been recommended for refusal by Officers. Members voted on an alternative recommendation for the grant of temporary planning permission for 12 months. Members acknowledged that the Basepoint Business Centre units were for B1/B2 use; however Members took the view that the gym was a fledgling business. It should be allowed a period to seek alternative accommodation.

Agenda Item 3

Planning Committee
4th June 2018

Officers confirmed to Members that the permission would be attached to the unit.

RESOLVED that temporary Planning Permission be granted for a 12 month period to give the business owners the opportunity to relocate to alternative premises.

9/18

18/00366/FUL - PROPOSED SINGLE STOREY EXTENSION - NEW ROAD DENTAL SURGERY, 68 NEW ROAD, BROMSGROVE, WORCESTERSHIRE, B60 2LA - MR SOLANKI

Officers clarified that the Application had been brought to the Planning committee for consideration at the request of Councillor P. L. Thomas, Ward Member. The Officers recommendation was for planning permission to be granted for this application.

At the invitation of the Chairman, Mr. P. Kay, on behalf of a number of residents, addressed the Committee in objection to the Application. Councillor R. Dent also spoke in objection to the Application.

Members went on to debate a number of issues in more detail, including the number of extensions which had been made to this property over recent years, and the impact on the street scene. It was noted that originally this building had been a resident bungalow. Concerns were also raised in respect of the close vicinity of some type of air conditioning unit, to nearby properties and the impact of noise from it, although officers confirmed that there was no noise objection from the relevant consultee. Members were also concerned with any impact on highways from use of the premises. Officers highlighted that the application clearly stipulated that the extension would not generate additional clients to the site. Members discussed concerns raised by objectors, whilst it had been stated in the past that additional clients would not be generated, by various applications, this had not appeared to be the case as various rooms had been used for treatments. Members considered the treatment rooms currently available and the fact that conditions appeared to have been complied with.

The Chairman invited the Worcestershire Highways Officer to comment and he reiterated the areas which he had highlighted within the report before Members, and that he had no objections to the proposed development as no additional treatment rooms were proposed.

RESOLVED that Planning Permission be refused on the grounds of over development and the impact on the Street Scene.

10/18

18/00412/FUL - CHANGE OF USE OF AGRICULTURAL BUILDING AND ASSOCIATED OUTDOOR SPACE TO DOG DAY CARE FACILITY - BENTLEY HOUSE FARM, COPYHOLT LANE, REDDITCH, BROMSGROVE, WORCESTERSHIRE, B60 3BE - MR AND MRS M MORGAN

Agenda Item 3

Planning Committee
4th June 2018

Officers clarified that the Application had been brought to the Planning committee for consideration at the request of Councillor P J. Whittaker, Ward Member.

At the invitation of the Chairman Ms. S Moore, the Applicant's Agent, addressed the Committee in support of the Application.

The Committee then considered the Application, which had been recommended for refusal by Officers and the reasons for this were highlighted. Members discussed a number of areas in more detail, including the work which would need to be carried out on the proposed building, whether the use of a minibus was sustainable and whether it was possible to restrict users to only accessing the service by this method. The comments from the Worcestershire County Council Highways Officer were noted and Members were mindful to go against the recommendation from the Officers in respect of refusing permission, as they believed that adequate provision had been made to ensure that the collection service would be sufficient to reduce mitigate the suggested intensification of the vehicular access and track. Should this not be the case, then Members were of the view that any issues would be addressed locally without the need for enforcement action.

RESOLVED that Planning Permission be granted without a condition requiring the use of the minibus.

The meeting closed at 7.48 p.m.

Chairman

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Nigel Clarke	Erection of 3 residential dwellings Land Between The Croft And Hopwood Garden Centre, Ash Lane, Alvechurch, Worcestershire, B48 7TT	29.12.2017	17/01191/FUL

Councillor Hotham has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be **Granted**

Consultations

Alvechurch Parish Council

Object to the proposal

This proposal is in the green belt and no exceptional circumstances have been demonstrated to warrant development on this site. APC do not consider this to be infill. APC's emerging Alvechurch Parish Neighbourhood Plan seeks to protect village envelopes and the green belt. This site, if granted consent, would set a dangerous precedent in the Parish.

Further comments were received following re consultation.

After further consideration APC felt their previous comments still stand - Objections; this proposal is outside of the Hopwood village envelope in the green belt and no exceptional circumstances have been demonstrated to warrant development on this site. In particular APC do not consider this to be infill. APC's emerging Alvechurch Parish Neighbourhood Plan seeks to protect village envelopes and the green belt, in support of the Bromsgrove District Plan as adopted in 2017. This site, if granted consent, would overturn important and current policy and strategic considerations and set a dangerous precedent in the Parish.

Even though this proposal relates to smaller size properties than the original, APC felt that it did not change their opinion. Given the review of the District Plan just underway, with the associated examination of the green belt and the issue of Bromsgrove's response to the Hearn Report on Greater Birmingham's housing need, this proposal now is even more untimely and inappropriate.

Highway Engineers - Bromsgrove

No objections subject to conditions.

1. Vehicular viability splays

2. Development shall not be brought into use until access, turning and parking facilities has been provided
3. Parking for 2 cars
4. 1 electric charging point per dwelling

NWWM

No objection to the proposed development subject to conditions regarding:

1. Foul and surface water drainage

Arboricultural Officer

No objections subject to mitigation replanting.

Worcestershire Wildlife Trust

No Comments Received To Date.

Western Power Distribution

No Comments Received To Date.

Publicity

A total of 11 letters were sent on 27th November 2017 to neighbours, which expired on 18th December 2017.

One site notice was posted opposite the site on 20th December 2017, which expired on 10 January 2018.

One press notice was published on 8th December 2017, which expired on 22nd December 2017.

In terms of the revisions to the application, a total of 15 letters were sent to neighbours and contributors on the 21st May 2018, which expired on 11th June 2018.

One site notice was posted opposite the site on 21st May 2018, which expired on 12 June 2018.

One press notice was published on 22nd May 2018, which expired on 15th June 2018.

Public Comments

Due to amendments to the scheme, two consultation exercises have been undertaken. 12 objections from 9 residents are summarised as follows:-

- Setting a precedent
- Lack of facilities in Hopwood
- Flooding and drainage

- Highway safety and traffic generation
- Pedestrian safety due to lack of footpath
- Disruption due to the construction phase
- Loss of wildlife habitats if trees and ancient hedge are destroyed
- Green belt development and no exceptional circumstance have been demonstrated
- Inappropriate development
- Loss of light to Ash Cottage and neighbouring properties
- Design of dwellings
- Overlooking and loss of privacy

Hopwood Residents Association object to the application as it contravenes BDP 1.4f, BDP 2.1, BDP 2.3, BDP4 & BDP 4.4 and BDP 9. It is contrary to emerging Alvechurch Parish Neighbourhood Plan, APNP Policy 2 and APNP 3. It is also contrary to Green Belt Policy as outlined in the NPPF.

Hopwood Residents Association reiterated their objections to the amended scheme. They concluded that this application, though amended, shows no regard either to the submitted Neighbourhood Plan or displays any special circumstances or acceptable reasons as to why it should be allowed to contravene existing Local or National Green Belt policies.

Councillor Hotham

The site is in Green Belt and outside the village envelope. The proposed development would therefore be in conflict with the BDC plan.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP3 Future Housing and Employment Development
BDP4 Green Belt
BDP7 Housing Mix and Density
BDP19 High Quality Design
BDP22 Climate Change

Others

NPPF National Planning Policy Framework
SPG1 Residential Design Guide

Relevant Planning History

No relevant planning history

Assessment of Proposal

Site

This site is a vacant plot of land which is located on the northern side of Ash Lane in Hopwood. The site forms part of a larger parcel of land that is located between a row of dwellings and Hopwood garden centre.

The land here is characterised by a substantive hedgerow with grass and self-set trees and bushes along the front of the site (adjacent to Ash Lane). There is no pavement on either side of the road in this location and the verges are green.

Currently there is an access to the land at the rear of the site which appears to be maintained. The site has power cables located at the front (via single post) and one double post carrying power cables within the site perimeter. The land here is fairly level.

The land is not within the village envelope of Hopwood and is in Green Belt.

Proposed Development

This particular proposal seeks permission for the construction of 3 detached dwellings.

Green Belt

The construction of new buildings in the Green Belt is considered inappropriate development and inappropriate development is by definition harmful. The harm is afforded substantial weight in this case.

The Framework establishes that new buildings within the Green Belt are inappropriate unless they fall within certain exceptions. Paragraph 89 of the Framework gives one of these exceptions as:

“Limited infilling in villages...” (bullet point 5);

In this case Hopwood is identified as a Green Belt settlement in Policy BDP2 (Settlement Hierarchy) of the District Plan and under the exceptions of the NPPF (para 89) and policy BDP4 (Green Belt) of the District plan, the principle of limited infilling in villages may be considered an exception to this.

In this particular instance the development as proposed is to be provided in a gap/ space between two areas of development with the garden centre to one side and the linear line of dwellings to the other. It is within a clearly identifiable frontage of buildings.

Whilst it is acknowledged that there is a Draft Alvechurch Parish Plan, the Plan is not adopted and as such does not have any significant weight in this particular case. Whilst the concerns of the Parish Council do clearly reflect the concerns/issues of infill development, the Framework in paragraph 89 makes it fundamentally clear that infill in villages is acceptable as it makes no specific reference to development having to be inside a village envelope.

The proposal would constitute limited infilling in a village and would therefore not be inappropriate development within the Green Belt. There is no need to consider an assessment of the development upon the openness of the Green Belt, as the development is not inappropriate under bullet point 5 and the provisions of part (g) of Policy BDP4.

Access/Highways

The development is proposed with two access points one to serve plot 1 and 2 and a further access to plot 3. Here the lane is naturally narrower and traffic should be abiding within the 30mph zone. Worcestershire Highways have no objections subject to the imposition of suitably worded conditions to ensure adequate visibility is maintained given the lack of footpaths in this area and the provision for turning and electric charging points per plot.

Design and Appearance

The development consists of 3 detached dwellings facing onto Ash Lane. They maintain a frontage to Ash lane similar to the other houses along this lane.

The design of the properties has been amended to address concerns of your officers over the height of the dwellings combined with the garaging to the front which originally appeared far too dominate being forward of the natural building line in the lane.

The new houses are now half rendered and reflect the more traditional two storey height and proportion of the other houses in the lane.

Trees

It is acknowledged that trees/hedgerow do help soften and add to the overall character of the location.

A tree survey has been completed as part of the submission. No major feature trees are located on the site and the report indicates that the trees on the site as poor quality and do not represent trees that are worthy of individual protection.

The Council's arboricultural officer has considered the proposal and has no adverse comments to make in terms of the long term preservation of the trees on the site. The officer considers that mitigation replanting is appropriate for one tree in each rear garden.

Ecology

The application is supported by a Preliminary Ecological Appraisal which considers the presence of protected species on the site, the habitats which are likely to support such species and the presence of any other ecological features.

The assessment makes a number of recommendations in relation to the redevelopment of the site. The recommendations are matters that can be reasonably controlled by condition. An update will be provided in relation to the ecological response.

Amenity

The properties are located at an adequate distance apart from the nearest house (space and access to field beyond separate them) and this ensures there would be no direct overlooking or loss of amenity in this context. There are only obscured windows facing the nearest house (The Croft) which ensure that amenity levels are maintained. There are no amenity issues to the rear or to the existing garden centre to the other side. The houses are designed to ensure they do not overlook each other or in fact create any loss of amenity to each other. Given this, the development is considered acceptable in terms of policy BDP19 and the guidance contained in SPG1.

Conclusion

The proposed development is not inappropriate in the Green Belt due to its compliance with paragraph 89 of the NPPF and part (g) of Policy BDP4. There are no other technical issues that have been raised which would result in a recommendation for refusal and is therefore recommended for approval.

RECOMMENDATION: That planning permission be granted subject to the following conditions:

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 development hereby approved shall be carried out in accordance with the following plans and drawings:

1005.01A
1005.02C
1005.03C
1005.04C

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

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area.

- 4) No development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests.

The scheme shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: This is a prior commencement conditions given local drainage issue in order to ensure drainage has been considered and flood risk to the development and surrounding area is not increased.

- 5) Development shall not begin until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety and in accordance with National Planning Policy Framework.

- 6) The Development hereby approved shall not be occupied until the access, turning area and parking facilities shown on Drawing 1005 03C has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 7) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of the dwelling for the parking of 2 cars per dwelling at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 8) The Development hereby permitted shall not be first occupied until one of the proposed parking spaces at each dwelling has been fitted with an electric vehicle charging point. Thereafter the charging point shall be kept available for the charging of electric vehicles.

Reason: To encourage sustainable travel and healthy communities.

- 9) The applicant shall provide a hard and soft landscaping plan for approval. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason: In the interests of the visual amenity of the area and in accordance with Policy BDP19 of the Bromsgrove District Plan.

Case Officer: Mr Paul Lester Tel: 01527 881323
Email: paul.lester@bromsgroveandredditch.gov.uk

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Richard Thorndike on behalf of Alvechurch FC / The Hayes Sports Partnership	Reconfiguration of existing playing fields to provide new club house and stand, match pitch and floodlights, with three further grass pitches and one all weather pitch, plus associated car parking and landscaping Land at corner of Redhill Road and Redditch Road, West Heath, Birmingham, B38 9EJ	31.07.2018	17/01363/FUL

RECOMMENDATION: That planning permission be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to the satisfactory completion of a planning obligation (Unilateral Undertaking) to ensure that shuttle bus arrangements are provided

Consultations

Alvechurch Parish Council Consulted 29.11.2017

No objections. The Parish Council consider that exceptional circumstances have been demonstrated to support this application in the green belt.

Highways - Bromsgrove Consulted 29.11.2017

Comments summarised as follows:

Worcestershire County Council Highways Authority has now withdrawn their previous objections to the scheme. The Highway Authority had previously raised concerns that persons who reside in Alvechurch who presently have easy access to the football club will not in the future which will result in them transferring from a walking trip to a vehicle trips. Since the objection was presented the applicant has undertaken additional work to address this matter and ensure that a reasonable alternative was available which would prevent this additional car travel. In mitigation for absence of pedestrian access a shuttle bus service is to be provided in perpetuity at nominal cost, this will provide connections from Alvechurch railway station, the village centre and then travel along the A441 through Hopwood and finally to the application site. The applicant agrees that this will be beneficial and the Highway Authority considers that it provides a new sustainable transport opportunity. The applicant is providing a unilateral undertaking to ensure that this will be delivered.

The applicant has also provided explanation of the car parking provision, which Worcestershire County Council has assessed. The provision is considered to be acceptable, a total of 142 spaces are provided for day to day use of which 7 are designed as accessible spaces, additionally 79 spaces are available as an overflow and 20 spaces are provided off Redditch Road. Provision has also been made for coaches and bicycles. It is necessary to require conditions to detail the specification of the cycle shelter, and also to provide for electric vehicle charging and motorcycle provisions which are absent from the proposals. The applicant is advised that a 22kw electric vehicle charging unit should be presented to discharge a recommended condition.

The arrangements for access to the site by vehicle and pedestrians is a consideration for Birmingham City Council as the appropriate Highway Authority, at it is not a matter that Worcestershire County Council can make comment on or recommend conditions for.

The Highway Authority concludes that there would not be a severe impact on the highway network and therefore there are no justifiable grounds on which an objection could be maintained subject to the completion of an appropriate legal agreement to ensure that a shuttle bus is provided. Conditions pertaining to the following matters are recommended: conformity with submitted details; provision of electric vehicle charging points; motorcycle and cycle parking provision; provision of a travel and match day management plan.

Worcestershire Regulatory Services Consulted 29.11.2017

Comments summarised as follows:

The submitted information relating to the proposed external lighting is acceptable. Specifically the proposed pitch floodlighting is oriented and angled such that light spill is minimised at the nearest sensitive receptor(s) on the other side of the Redditch Road. The proposed floodlights have the option to have side baffles fitted, if required, to further minimise any light spill. No objections are raised to the application.

Parks & Green Space Development Officer Consulted 29.11.2017

Comments summarised as follows:

The recommendations for enhancement made within the ecology report (to provide bat and bird boxes) are acceptable and are in line with the provisions of the NPPF which should ensure that developments result in a 'net gain' for biodiversity: enhancement of the local ecology.

As great Crested Newts have been identified very close by in the nearby ponds (within 500m) the provision of 3 suitable hibernacula piles within the periphery of the woodland verges would provide additional over wintering opportunities thus enhancing the habitat for GCN. The construction, location and minimum size should be agreed with an ecologist and the authority. A condition to this effect would be acceptable.

It is considered that increased light spill on retained habitats will have the potential to disturb protected species at the site; particularly bats which are nocturnal species and will make use of the peripheral habitats at the site. It is recommended that a post-construction lighting strategy, sensitive to wildlife (including Bats) be implemented to minimise the adverse environmental effects of the flood lighting. This should be to be developed in collaboration with a suitably qualified ecologist to ensure that the lighting is operated and maintained to minimise adverse effects.

Drainage Engineers Internal Planning Consultation Consulted 29.11.2017

Comments summarised as follows:

The principle of the scheme with respect to flood risk and drainage is likely to be acceptable, given that the site is at low risk of flooding. However, further information should be submitted to demonstrate the acceptability of the scheme from a drainage perspective. I am happy for this information to be provided via a condition attached to any permission granted and the below condition is suggested.

No works or development shall take place until a scheme for foul and surface water drainage, along with a maintenance plan for this drainage scheme, has been submitted

to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

Birmingham City Council Consulted 29.11.2017

Comments summarised as follows:

Planning Department response:

The proposal lies within the Green Belt. The proposed use for football facilities is not inappropriate in the Green Belt (see NPPF para.89). It preserves the openness of the Green Belt, and to some extent may secure that, and does not conflict with the purposes of the Green Belt. The proposed clubhouse and spectator facilities have been placed in a way that maximises the use of the topography of the site, to minimise the impact. The adjacent land is already in use for football related facilities, which arguably have a greater physical impact than this proposal. The principle of outdoor sport uses (particularly football) within the Green Belt in this vicinity is already established.

Highway Engineer response:

The access location is considered to be acceptable in principle.

Public Consultation

7 Neighbour letters sent out on 1.12.2017 expired 22.12.2017

Site Notice posted on 1.12.2017 expired 22.12.2017

Press Notice published on 8.12.2017 expired 22.12.2017

15 representations received:

14 objections summarised as follows:

- Proposed floodlighting would impact detrimentally upon amenity.
- Additional noise created by the development will harm existing residential amenities enjoyed by nearby residents.
- Increased traffic is likely to harm highway safety.

1 letter received in support

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP12 Sustainable Communities

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP21 Natural Environment

BDP23 Water Management

BDP24 Green Infrastructure

Others

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

Relevant Planning History

12/0983	The formation of a 3G artificial training pitch and associated fencing.	Approved	20.03.2013
12/0627	Siting of Four Portacabin pre-fabricated buildings - Renewal of B/2010/0647	Approved	19.10.2012
10/0647	The siting of four Portakabin pre-fabricated buildings at Wast Hills Training Ground	Approved	16.09.2010
B/2008/0282	Single storey extension providing entrance lobby and reception areas.	Approved	22.05.2008
B/2003/1555	Re-development of changing rooms and extension to gym	Approved	20.12.2005
B/2000/1030	Provision of an all-weather sports pitch and erection of temporary covering.	Approved	31.05.2001

Assessment of Proposal

Site Description

The application site stands on the corner of Redditch Road and Redhill Road to the north-west and north-east respectively and presently comprises existing playing fields with three grass football pitches, as well as a small changing room and car park accessed from Redditch Road. West of Redditch Road stands suburban housing comprising the urban area of Birmingham. East of Redhill Road lies Wast Hills Golf Club. The land is owned by Birmingham City Council.

The site lies within the administrative area of Bromsgrove District Council, but on the boundary with that of Birmingham, which runs along both Redditch and Redhill Road. The south-western part of the site is raised approximately 3m above the remainder of the site.

Buildings and pitches comprising Birmingham City Football Club's training facility lie to the south-east. The remaining boundaries are with farmland, and comprise hedgerows and banks of trees.

Proposal

The proposal is to provide the following:

- A floodlit adult 3G football pitch;
- A new clubhouse with changing and social and teaching facilities, also available for hire for use by the general public;
- A floodlit 3rd Generation Artificial Grass Pitch (AGP) for senior, junior and youth matches,
- Three further grass pitches, and;
- Car-parking for 145 cars, including 7 spaces for drivers with disabilities, and two coaches, as well as parking for 30 bicycles, served from a new access off Redhill Road.
- A new pedestrian access point from Redditch Road and positioned in the vicinity of the nearest bus stop providing a safe pedestrian route through the site.

The applicant, Alvechurch Football Club needs to move in order to secure a sustainable long-term home for the Club. They lease their current ground in Alvechurch which ends in 2018. The applicant states that the new facilities are required to meet the requirements of the Football League relating to their league position, investment not being possible without having a long-term land arrangement and to meet the demand for teams of all ages and abilities, both male and female.

Subject to planning permission being obtained, Alvechurch FC will continue to play at their existing ground, Lye Meadow, until the new facilities are completed.

The applicant comments that the Club's senior first team currently plays in the Northern Premier League Division One South. The proposals are considered to 'future proof' the ground enabling the Club to have facilities that can achieve the next step up Ground Grading level if the on the field success continues, requiring floodlighting; perimeter fencing around the main pitch and a solid ground enclosure around the boundary of the main pitch and spectating areas; covered standing and seated spectator accommodation; changing facilities for players and for match officials; turnstile entrance to the senior pitch area; and social/ refreshment facilities.

The proposed clubhouse building is proposed to have a multi-purpose main lounge/social room which can be used for general opening to support the matchday and training events in addition to being available for private hire for social or corporate functions.

The applicant comments that it is envisaged that the facilities will be used to host courses and events in addition to social use to support the football activities. The main social room is to be designed as a multipurpose room, capable of being divided in two to create a member's bar area and second area which can be used for exercise classes other sporting uses such as table tennis or for functions and meetings. A boardroom/office is also provided, which can be used for smaller meetings, creating a building which is as flexible and accessible as possible.

The 3G pitch is likely to be in use between the hours of 09:00 and 22:30 hours on match days, with it and other pitches available for use between 09:00 and 22:00 hours Monday-Sunday. The clubroom would be available for community use between 07:00-midnight, 7 days a week.

In addition to a Planning statement, the following documents have been submitted to support the application:

- Design and Access Statement
- Ecological Assessment
- Lighting Proposal
- Travel Plan
- Transport Assessment

Green Belt

The site is situated entirely within the Green Belt.

The NPPF confirms that protecting Green Belt land is a core planning principle. It comments under Paragraph 79 that: *'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'*

Paragraph 87 of the NPPF sets out that *'...inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 88 then goes on to state that *'...local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'*

Paragraph 81 states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as to provide opportunities for outdoor sport and recreation. Under Paragraph 89, the NPPF states that the construction of new buildings in the Green Belt is inappropriate, other than certain stated exceptions. These include: *"provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it"*

Policy BDP4 (Green Belt) of the Bromsgrove District Plan confirms that the development of new buildings in the Green Belt is considered to be inappropriate, except in certain circumstances stated in the Policy, which reflects National Policy.

In this case, there is no change in the use of the land, which is already acknowledged to be in recreational use. The existing buildings on site measure 391sqm, whilst the proposed buildings would measure 715sqm.

Openness, as referred to above is not defined within the NPPF. However, it has generally been taken to mean 'the absence of development'. The proposal would change this by introducing further built development into the site. Having regard to all elements of the proposal, it is considered, and the applicant concedes that the development would reduce the openness of the Green Belt, thereby meaning that the proposals comprise inappropriate development in the Green Belt; consequently, very special circumstances must be shown for the proposal to be acceptable as set out under NPPF paragraph 88 above, which to re-iterate, comments that:

"Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

There are five purposes of the Green Belt, which are set out in Para 80 of the NPPF which are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

As this site does already fall within the extent of the existing established playing fields development, it is not considered that the proposal would conflict with any of these purposes.

Overall however, although the proposal is considered to constitute the provision of an appropriate facility for outdoor sport and recreation, the additional floorspace created, together with the associated infrastructure such as the floodlights would reduce openness and thus, it is considered that the proposal would be inappropriate development in the Green Belt. In accordance with Paragraph 88 of the NPPF this harm is afforded substantial weight.

The very special circumstances as advanced by the applicant and which are considered to exist in this case are set out in summary below and have been set out in detail within the applicants Planning Statement:

The future of Alvechurch FC

As stated earlier in this report, the lease on the existing ground ends in 2018, meaning that the club need to find a new ground. In addition, the club need to provide specific facilities to meet the requirements of the Football League relating to their league position, including a stand for a minimum of 500 covered spectators, including for 250 of which must be seated, a clubhouse, specific changing facilities, floodlights. It is not possible to secure this investment without securing a permanent home for the club.

Alternative sites

The club have been searching for alternative accommodation since 2012. Despite this long search, given the necessary requirements, it has not been possible to identify any suitable site that is not in the Green Belt. As Paragraph 2.1 of the adopted Bromsgrove District Plan states, *"Although the Town is located only 22km (14 miles) from the centre of*

Birmingham, the District is predominately rural with approximately 90% of the land designated as Green Belt”.

A number of potential alternatives of an appropriate size have been considered, and the club considered a number of sites, usually farmland around Alvechurch itself and the neighbouring areas of Bromsgrove, Barnt Green, Tardebigge, Finstall, Burcot, Hopwood, Rowney Green and Blackwell; however, all of these were allocated Green Belt land. Compared to other Green Belt locations, the proposed site is not considered to be a particularly isolated one and is sited between the Birmingham urban area, and contained by Birmingham City FC’s training ground. As such, it would also provide other benefits in terms of participation not possible from other locations.

Underprovision of sports pitches in South West Birmingham

Given the location of the site on the border of the two authorities, the applicant has held discussions with Birmingham City Council, who have considered the potential for the provision of an appropriate site within the adjacent Northfield, Selly Oak and Edgbaston constituencies, even though this would take the club out of Bromsgrove itself.

All three Birmingham districts have quantitative provision that is below the minimum 1.2 hectares per 1,000 population standard. In the case of the four Northfield Wards closest to the Hayes, provision is below a third of the minimum target, Longbridge 0.23ha, Northfield 0.39, Weoley 0.37 and Kings Norton 0.38ha per 1,000 population.

Similarly, three of Selly Oak’s wards are considerably below the minimum target (Bournville 0.80, Brandwood 0.30 and Selly Oak 0.67), whilst Billesley is just shy of the minimum at 1.19ha per 1,000 population. The relevant figures for Edgbaston Wards are Bartley Green 0.68, Edgbaston 1.07, Harborne 0.40 and Quinton 0.26ha per 1,000 population.

The current Playing Pitch Strategy (PPS) provides more detailed analysis. This identifies deficiencies in provision, either in quantitative terms or qualitative or both in terms of pitch sports in all three districts. In particular, Northfield Constituency was identified as having severe deficiencies with regard to football. None of the Constituencies were identified as having surplus provision.

Since the publication of that PPS, the only pitches released for development have been small, largely land locked sites in established residential areas, none of which due to size or location are suitable for the size and type of use the Football Club needs; furthermore, these releases are conditional upon securing compensatory qualitative improvements. As part of the partial development of Ravenhurst Playing Fields, for example, investment into football pitch provision at Senneley’s Park in Bartley Green Ward is earmarked in line with the PPS to meet identified demand. The proposal would therefore help meet this requirement, and is the only way the requirement can realistically be met.

Increase in participation

The proposal would provide a sustainable community sports hub with facilities for involvement in sports for all ages and abilities, as well as a home for Alvechurch FC which fulfils the current FA ground grading requirements.

The Football Club is working with The Hayes Sports Partnership to benefit community use through delivery of the following programme:

Teamworx aims to help and support young children, mainly aged 8 and 9 who are identified by their respective schools as being on the cusp of exclusion / in need of Early Intervention and help with lack of confidence, social skills etc. The program teaches the children team-working, improves confidence and discipline amongst other social skills and hopefully improves their well-being.

Headway is a charity based within Bromsgrove, who aim to improve life after brain injury. Provision of specialist coaches at no cost to the charity to deliver a basic soccer skills programme to clients of Headway who have suffered serious brain injuries. The programme runs weekly on Thursdays between 1-2pm.

St Thomas Aquinas Catholic School. To assist the existing school sports programme Hayes Sports Partnership currently offers a 2-hour enhanced soccer skills programme to yr8 & 9 students. This involves a fully compliant UEFA Level 'B' coach from HSP running a course for 16 students on site. The programme has been well received and has led to a request from the school to run a 16-18yr old education programme in conjunction with the delivery of football.

South Birmingham Sports Hub. Alvechurch FC has agreed to become the South Birmingham FA Club Hub for the FA. The partnership has the potential to transform community football club infrastructure whilst supporting education and community football delivery in the local area. As well as a growth in women's football, this will include 16-25 adults in the community opportunities; a student volunteering and workforce programme.

Football for People with Disabilities: Birmingham FA have approached HSP to deliver a full programme of football for people of all ages with disabilities and to start teams in all forms of the game: 5,7,9 and 11-a-side. Due to the specialist requirements of the programme this requires an All Weather facility.

Midland Mencap: To mirror the existing soccer skills programme currently offered to Headway, HSP have agreed free venue hire and soccer skills training together with weekly fixtures for Midlands Mencap clients.

Cofton Primary School: HSP are in discussion to offer basic soccer skills training at The Hayes

The proposals are considered to provide a number of benefits, the scale of which, cumulatively are considered to amount to the very special circumstances needed to justify the development in the Green Belt.

Open Space

The proposal is considered to meet the requirements of Policy BDP 12 (Sustainable Communities), which states that the Council will seek to ensure community facilities are provided to meet local needs by, inter alia:

- a) Supporting the provision of new facilities for which a need is identified in locations accessible to the community served;
- b) Supporting improvements to existing facilities enabling them to adapt to change
- c) Resisting the loss of existing facilities unless it can be demonstrated that:
 - i) There is no realistic prospect of the use continuing for operational and/or viable purposes;
 - ii) The service or facility can be provided effectively in an alternative manner or on a different site;

The NPPF at Paragraph 74 requires that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless various tests are met. The proposal meets the tests as set out below:

*“the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location”; and
“the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”*

Highways

Policy BDP1: Sustainable Development Principles taken from the Bromsgrove District Plan requires that in considering new development, regard will be had to:

Accessibility to public transport options and the ability of the local and strategic road networks to accommodate additional traffic”.

A Transport Assessment and Travel Plan have been prepared for the proposal. This has provided guidance regarding parking requirements, as well as the design of the new access, taking account of swept path analysis for coaches, with visibility splays being set based on observed vehicle speeds.

The TA considers the site will be busiest on weekends, particularly on match days, and during evenings, with the busiest times in the car park being the overlap between sessions; however, this consideration is generally only expected to last for around 15 minutes. Most of these periods are therefore outside the network peak hour and there will be limited impact on network capacity from the reassigned traffic. On this basis, it is unlikely that the new facility will cause any significant impact upon the local highway network.

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe; the reports conclude this will not be the case with the current proposals.

The TA also notes that the existing ground is in a more isolated location, with relocation providing more opportunities for sustainable transport choices, bus, cycle and by foot. These proposals include a new pedestrian access from Redditch Road in the vicinity of the nearest bus stop.

The Travel Plan seeks to promote the use of non-car travel modes particularly through the dissemination of information regarding local bus services, walk and cycle routes. The Travel Plan recommends that a Travel Plan Co-ordinator be appointed and responsible for implementing and administering the plan. A condition to this effect is recommended.

Worcestershire County Council Highways Authority have now withdrawn their previous objections to the scheme which were based upon sustainability and reliance on the private motor car to access the facility, as referred to earlier in this report.

A shuttle bus service is to be provided in perpetuity providing connections from Alvechurch railway station, the village centre and then travel along the A441 through Hopwood and finally to the application site.

A unilateral undertaking has been prepared to ensure that this will be delivered.

Car parking provision is considered to be acceptable. A total of 142 spaces are provided for day to day use of which 7 are designed as accessible spaces, additionally 79 spaces are available as an overflow and 20 spaces are provided off Redditch Road. Provision has also been made for coaches and bicycles. Recommended conditions would detail the specification of the cycle shelter, and also to provide for electric vehicle charging and motorcycle provisions.

Ecology

An Extended Phase 1 Habitat Survey has been carried out. This notes that whilst the majority of habitats at the site are of negligible to low ecological importance the majority of the amenity grassland and peripheral habitats will be retained, ensuring habitat continuity for a variety of species during the construction and operation.

The report states that no further surveys are required in respect of bats, badgers, great crested newts or terrestrial invertebrates. It sets out requirements for dealing with breeding birds, and in respect of lighting, particularly along the periphery of the site, to minimise effects on bats. Proposals are included for the retention and protection of trees on site during construction. Enhancement for biodiversity is also recommended through landscape planting, comprising predominantly native species, and the provision of bat and bird boxes. Conditions are recommended for inclusion which would adequately deal with the matters identified in line with the provisions of the NPPF and the Bromsgrove District Plan which reinforces this approach through taking appropriate steps to maintain the favourable conservation status of populations of protected species; designing in wildlife, and delivering enhancement commensurate with their scale, which contributes towards the achievement of a coherent and resilient ecological network.

Drainage and Flooding

North Worcestershire Water Management (Drainage Engineers) have raised no objection to the principle of the development subject to the imposition of a suitably worded planning condition which would require the applicant to utilise a sustainable drainage strategy.

Design

The Design of the development is considered to respect the sensitive green belt location and would also meet the requirements of Policy BDP1 and BDP19.

The proposed development has taken into account the orientation of the pitches, whilst bearing in mind the shape of the land available and works required to address existing constraints. The stand/clubhouse would be located on the south west of the pitch, taking advantage of the bank to reduce the impact of the new building. New parking facilities are to be provided in the north-eastern side of the pitch, accessed from Redhill Road.

The position and form of the building in particular have been carefully designed to reduce the impact on openness and are positioned to best utilise the site contours with a simple roof form and materials chosen to reduce the perceived scale and reduce the impact on the surroundings. The proposed stand and facilities would only be seen as a two storey

development from the north as it would be built into the existing bank that runs through the site.

The new clubhouse and stand would consist of a Lower Floor / Pitch Level area measuring 413 sqm comprising:

- Changing rooms & WC's
- Official's areas
- Physio area
- First aid area
- Snack shops
- Spectator WC's
- Plant & cellar

The Upper Floor & Spectator area measuring 554 sqm would incorporate the following

- Standing and seated spectator area
- Club room and bar
- Boardroom / Office
- WC's

A small palette of materials consisting of rainscreen cladding, render and glass emphasises the notion of a non complicated and honest building, whilst giving an overall impression of lightness. This is reinforced with the design of the roof which would appear to 'float' above the mass of the building below.

The Design and Access Statement further explains that building efficiency will be investigated fully, including the potential for combined heat and power, and rain water harvesting, as well as the benefits of modern methods of construction, including sourcing materials locally and regionally wherever possible.

Residential Amenity impact

Policy BDP1: Sustainable Development Principles requires that in considering new development, regard will be had to:

"e) Compatibility with adjoining uses and the impact on residential amenity"

The proposed location of the development on the site is considered to ensure that effects on residential amenity, from such as noise and lighting, are minimised, taking into consideration the distance between the site and nearest residents. The proposal is considered to be compatible with the existing training ground and golf course adjacent to the site.

The application is accompanied by a lighting scheme to ensure that floodlights do not have an adverse effect upon neighbouring properties, as well as the wider countryside. Worcestershire Regulatory Services have been consulted on the application and have not raised any objection. It is considered that the proposals would not have a detrimental impact on amenity.

It is noted that Alvechurch Parish Council have raised no objections to the application.

Conclusion

The NPPF sets out that for the applicants' circumstances, and any other benefits of a proposal to amount of very special circumstances they must clearly outweigh the harm to the Green Belt and any other harm.

In this case it has been determined that the proposal would reduce the openness of the Green Belt, and as such would be considered to be inappropriate development. Inappropriate development is harmful to the Green Belt, and should carry substantial weight. The level of harm that is attributed to the harm that the proposal would cause to the Green Belt is therefore substantial.

The applicant has put forward a robust case, which is considered to carry substantial weight in favour of the application and which, in this case is considered to amount to the very special circumstances needed to outweigh the harm to the Green Belt.

The application is considered to represent an appropriate mechanism to secure the future of Alvechurch FC, providing modern facilities with a wider community benefit and which would help to secure the long-term future of the club. The applicant has demonstrated that despite a long search, there are no none-Green Belt sites that can provide for these facilities, which are the minimum required to meet FA requirements for the club.

The proposals are likely to provide substantial benefits to the local population, which is presently far short of the required playing field provision, and which is unlikely to be met otherwise. Worcestershire Highways Authority have considered the sustainable credentials of the scheme and raise no objections subject to the completion of a planning obligation to ensure the provision of a shuttle bus facility as referred to earlier in this report.

The facilities are considered to be designed appropriately and would provide access via means of private car, shuttle bus and non-motorised means. The proposals would not give rise to any adverse impacts to surrounding residential properties or the highway network. An ecological assessment shows that the proposals would not have a detrimental effect on protected species, and can support biodiversity subject to the imposition of relevant conditions.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to:

- a) The satisfactory completion of a planning obligation (Unilateral Undertaking) to ensure that the shuttle bus arrangements detailed in the Mayer Brown technical note 21/05/2018 Rev A are provided and**
- b) The conditions set out below:**

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 development hereby approved shall be carried out in accordance with the following plans and drawings:

relevant plan references to be inserted here

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

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 4) No site clearance, demolition, excavation or development shall take place until full details of tree protection measures (in accordance with BS5837:2012) has been submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented throughout the course of development.

Reason: To prevent damage to, and preserve the tree(s) in the interests of visual amenity

- 5) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be retained, together with measures to be taken for their protection while building works are in progress.

Reason: In the interests of the visual amenity of the area

- 6) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason: In the interests of the visual amenity of the area

- 7) No works or development shall take place until a scheme for foul and surface water drainage, along with a maintenance plan for this drainage scheme, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 8) Prior to commencement of the development hereby approved, a scheme for the provision of bat roost and bird nesting opportunities within the site shall be submitted to and approved in writing by the Local Planning Authority. In addition, a scheme for the provision of 3 hibernacula piles to provide suitable habitat for Great Crested Newts shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented by suitably qualified personnel to the satisfaction of the Local Planning Authority prior to the first use of the development approved.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework.

- 9) Notwithstanding the details submitted the Development hereby approved shall not be brought into use until a post-construction lighting strategy, sensitive to wildlife (including bats) to be developed in collaboration with a suitably qualified ecologist has been submitted to and approved in writing by the Local Planning Authority. On implementation, the approved scheme shall be operated and maintained to minimise adverse impacts in perpetuity.

Reason: In the interests of biodiversity and in accordance with the provisions of the National Planning Policy Framework.

- 10) A Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. This shall include but not be limited to the following:-
 - a) Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - b) Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
 - c) The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
 - d) measures to minimise dust from construction

(e) measures to suppress construction noise

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

11) The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on drawing 3211/SK/002 Rev G.

Reason: To ensure conformity with submitted details.

12) Notwithstanding the details submitted the Development hereby approved shall not be brought into use until 5 electric vehicle charging spaces have been provided in accordance with a specification which shall be submitted to and approved by the Local Planning Authority and thereafter such spaces and power points shall be kept available and maintained for the use of electric vehicles as approved.

Reason: To promote sustainable access.

13) Notwithstanding the details submitted the Development hereby approved shall not be brought into use until 10 secure motorcycle parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason: To provide safe and suitable access for all

14) Notwithstanding the details submitted the Development hereby approved shall not be brought into use until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

15) The Development hereby approved shall not be brought into use until the applicant has submitted a travel plan in writing to the Local Planning Authority that promotes sustainable forms of access to the development site and this has been approved in writing by the Local Planning Authority. This plan will thereafter be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator and thereafter implemented as updated.

Reason: To reduce vehicle movements and promote sustainable access.

16) The development hereby permitted shall not be brought into use until a match day management plan has been submitted to and approved in writing by the Local Planning Authority, the plan shall address any event where additional parking or bus provision is necessary due to a shortfall in capacity or any other site constraints which limits access. The development shall operate in accordance with that plan.

Reason: To manage transport demands and maintain Highway Safety

Case Officer: Steven Edden Tel: 01527 548474
Email: steve.edden@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mrs Johan Johnson	Change of use from grazing to equestrian use / grazing. Erection of Eight stables, wood construction upon a concrete base with adjoining store & tack room. Land At Hollow Tree Lane, Targebigge, Bromsgrove, B60 1PR	20.06.2018	18/00488/FUL

Councillor Whittaker has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be **Refused**

Consultations

Tutnall And Cobley Parish Council

Tutnall and Cobley Parish Council have met with the applicants and support this planning application.

NWWM

No objection

Arboricultural Officer

No objection to the proposed development subject to conditions regarding:

1. Retention of trees
2. No dig ground Support Material
3. No dig method of construction specification and plan.
4. Specification and plan for hedge management and replacement hedging.

Highways - Bromsgrove

No objections subject to conditions relating to:

1. Vehicular viability splays
2. Access gates
3. Development shall not be brought into use until access, turning and parking facilities has been provided

Consultation comments

16 Neighbour notification letters sent 18.05.2018

3 letters of objection received expressing concern regarding:

- damage to existing hedgerow
- impact on the local environment both aesthetically and environmentally
- open views would be impaired
- concern regarding unsightly storage
- waste from horses
- drainage

- decreased highway safety as a result of the increase in traffic
- proximity to existing housing
- impact on amenity

Councillor Whittaker

- Policy encourages the provision of stables in this Green Belt location. Stables cannot be located in an urban location;
- The applicant is being relocated from their existing location, which is also in the green belt;
- There is scope to include landscaping into the scheme, this will screen the development and protect the Green Belt;
- The granting of permission would not set a precedent;
- The applicant could erect an agricultural building on this site without planning permission; and
- There are other matters to consider that would be worthwhile discussing at committee.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP15 Rural Renaissance

BDP19 High Quality Design

Others

SPG 5 Agricultural Buildings Design Guide

NPPF National Planning Policy Framework

Relevant Planning History

No relevant planning history.

Assessment of Proposal

Site

The application site is approximately 5.6 ha (14 acres) in size. Presently, the site is open agricultural fields, which were formally part of the Tarncroft estate. The site is located within the Green Belt, outside of an identified settlement area. The surrounding area is rural in character, with sporadic residential development opposite the site and along Hollow Tree Lane.

Proposed Development

The stables are proposed to accommodate the applicant's existing 8 horses which require new stables due to their existing stables on Foxlydiate Lane, Redditch being no longer available due to redevelopment.

The proposal seeks to provide two stable blocks, each containing four stables and a store. Each stable block will be 18m in length, with a height of 3m, the stables will be 3.6m deep and the store room 7.2m deep. The stables will measure 155.52 sq m in total, excluding a 0.9m overhang to the stable door elevation. The application also proposes the construction of gravel hardstanding for the stable yard and a parking. The total area of the gravel hardstanding and stables is 840 sq m. The proposal would result in the change of use of the land from agricultural to equestrian.

The stables are proposed to be built out of softwood timber cladding with black onduline roofing sheets.

The principle of development and the impact on green belt

The Framework indicates that the construction of new buildings are inappropriate in the Green Belt save for certain prescribed exceptions. One such exception includes provision of appropriate facilities for outdoor sport and recreation, as long as those structures preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy BDP4 of the District Plan also endorses that approach.

The Framework identifies the protection of the Green Belt as a core planning principle. It says one of the fundamental aims of the Green Belt is to keep land permanently open, and openness and permanence are its essential characteristics. Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight must be given to any harm to the Green Belt, and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In this instance, the size of the proposed stable buildings, and in particular the footprint of the development, would be a significant incursion into an area of Green Belt. It is considered that the proposed development would result in a considerable erosion of the openness of the Green Belt.

The fundamental aim of Green Belt policy, as set out in paragraph 79 of the Framework, is to prevent urban sprawl by keeping land permanently open. The proposal would locate buildings on the site where there is currently none, it would materially reduce openness thereby failing to preserve it. The scale of the structures is significant. The proposal would also conflict with the purposes of safeguarding the countryside from encroachment. It would not accord with the Framework or with BDP4 and BDP15.

Character and Appearance

As outlined in Policy BDP15, the Council will support proposals that satisfy the social and economic needs of the rural communities by encouraging new buildings associated with equine development where new buildings are kept to the minimum necessary and consist only of essential facilities, genuinely required on a parcel land, which preserves the openness of green belt. Unless exceptional circumstances are demonstrated, these developments should to be sited within close proximity to existing rural buildings.

The proposed stables are considered as appropriate and characteristic buildings suited to its purpose. Stables and the keeping of horses is an activity commonly found in rural areas and the use of the application site for these purposes would not be inappropriate given its location. The level of vehicle parking associated with the stables would not be unduly significant.

However, there are no buildings on the site currently and the development is not sited within close proximity to existing rural buildings. No exceptional circumstances have been presented in this matter and therefore there would be an adverse impact on the character and appearance of the area conflicting with BDP15 and BDP19, SPG5 and paragraph 58 of the Framework which seek, amongst other things, high quality design that does not have an adverse impact on the visual amenity of the surrounding area.

Highways

It is noted that the proposal is for a non-commercial activity only. The proposal is therefore unlikely to generate a significant amount of traffic to the site.

Worcestershire Highways has assessed the access and no objections have been raised in terms of the impact on highway safety, subject to planning conditions.

Trees

The Councils arboricultural officer has considered the proposal and has no adverse comments to make subject to appropriate conditions.

Drainage

NWWM do not object to the proposal. They indicate that the proposed development will increase the amount of hardstanding as a result of the stable blocks and therefore the amount of surface water runoff. The development should consider levels so water doesn't flow off the access track towards properties and drainage assets should be located at appropriate points such as low spots.

Amenity

The proposed stable buildings would be sited approximately 30m from the nearest residential property at The Highlands. Due to the degree of separation, it is not considered that there would be an unacceptable adverse impact on the amenity of the occupiers of the property. Other properties in the area have a greater degree of separation and as a result would experience no unacceptable impact on amenity.

Storage of waste straw and manure

Details have been submitted in relation to the storage and recycling of manure. This could be conditioned to satisfactorily protect public health and safety and in order to protect the natural environment and prevent pollution.

Justification for the Stables

The considerations put forward in the applicant statement are as follows:

- The proposed development is required due to their existing stables being displaced from an existing green belt site in Redditch. Their existing site has been rented over 30 years.
- Welfare of the horses that need a dry stable for protection during the winter months.
- The location of the Hollow Tree Lane sites has been chosen because it provides easy access to nearby bridle paths and quiet country lanes which are well suited to horses.
- The land at Hollow Tree Lane will be preserved and carefully managed and maintained.
- Existing areas of Green Belt used for grazing /equestrian are rapidly declining and being used for other uses and the equestrian community needs the support from the local council to reallocate land for displaced horses.
- The safety and health of their horses is also in question. This is supported by two letters from vets regarding two of their horses.
- Economic benefits of horses and the employment of many professions including farriers and vets.
- Ecological benefits of horses, including maintenance of bio-diversity, horses supporting local ecosystems, provision of wildlife habitat, groundwater recharge and soil conservation.

The applicants' need to find a suitable site does carry some weight in favour of the proposal. However, members should note that harm to the openness of the Green Belt carries substantial weight in accordance with paragraph 88 of the Framework. In weighing up the impact of the development in respect of the Green Belt and the conflict with the development plan, the matters put forward by the applicant do not amount to very special circumstances which would outweigh the harm to the openness of the Green Belt.

Conclusion

Whilst the principle of a stable building in connection with outdoor sport could represent appropriate development within the Green Belt, the proposed development would not preserve, and would harm the openness of the Green Belt. The development is therefore inappropriate development in the Green Belt. The proposed development would also cause harm to the character and appearance of the site and the wider open countryside. The other circumstances suggested by the appellant do not clearly outweigh the substantial weight attached to Green Belt harm, and subsequently do not warrant the very special circumstances necessary to justify the development.

RECOMMENDATION: That planning permission be REFUSED

Reasons for Refusal

1. The proposed development by virtue of its scale and resultant spread of development on what is currently an undeveloped site would fail to preserve the openness of the

Green Belt and would harm its visual amenity. The very special circumstances which have been submitted by the applicant are not sufficient to outweigh the harm to the Green Belt. As such, the proposed development would amount to inappropriate development in the Green Belt, which by definition is harmful. The application would be contrary to policies BDP1, BDP4 and BDP 15 of the Bromsgrove District Plan 2017 and the NPPF.

2. The proposed development, by virtue of its size and prominent position on an undeveloped plot, together with its large area of associated hardstanding and access drive would be an incongruous and urbanising addition to the area and would be harmful to its character and the its appearance. The application would therefore be contrary to BDP15 and BDP19 of the Bromsgrove District Plan 2017, SPG5 and the NPPF.

Case Officer: Mr Paul Lester Tel: 01527 881323
Email: paul.lester@bromsgroveandredditch.gov.uk

Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Bob Skillett	Demolition of existing buildings and erection of 8 two and three storey houses with parking. Access from Truemans Heath Lane 4B Truemans Heath Lane, Truemans Heath, Birmingham, Worcestershire, B47 5QB	25.06.2018	18/00529/FUL

Councillor Turner has requested that this application be considered by Planning Committee rather than being determined under delegated powers

RECOMMENDATION: That planning permission be granted

Consultations

Worcestershire County Council Countryside Service Consulted 11.05.2018
There are no public rights of way currently recorded that are affected by this development.

Hereford & Worcester Fire And Rescue Consulted 04.06.2018
No Comments Received To Date

Senior Community Safety Project Officer Community Safety Consulted 10.05.2018
No Comments Received To Date

Wythall Parish Council Consulted 09.05.2018
The Parish object to the proposal on the following grounds; access/egress, drainage, density, overlooking, increased traffic, overdevelopment of the site and lack of parking.

Drainage Engineers Internal Planning Consultation Consulted 09.05.2018
I have no objections to the proposed development, subject to a site drainage strategy condition.

WRS - Contaminated Land Consulted 09.05.2018
No objection subject to a preliminary risk assessment condition.

Highways - Bromsgrove Consulted 09.05.2018
No objection subject to conditions

Arboricultural Officer Consulted 22.05.2018
No objection subject to a condition requiring an arboricultural report and root protection on retaining trees.

WRS - Noise Consulted 17.05.2018
No Comments Received To Date

Waste Management Consulted 21.05.2018

No objections. Bins requested to be taken to road on collection day.

Publicity

18 letters were sent to the adjoining occupiers on 29th April and expired on 30th May 2018.

17 letters were received from this public consultation. The comments received have been summarised as follows;

- Impact from the construction works
- Noise created from the future occupiers of the site
- No consultation taken place to properties south of Truemans Heath Lane
- Security of the link bridge and parking area to rear
- Security of passageways to rear of plots 1-6
- External Lighting
- Use of shared drive at access
- Drainage and flooding
- Access for waste
- No solar panels proposed
- Overlooking and loss of privacy to properties on Lint Meadow
- Density not in keeping with surrounding development
- Design
- Impact on trees
- Bin collection

For the reference of Members, other issues have been raised however these are not planning considerations

L. J. Turner Commented 01.06.2018

I would like the above application to be called in to be discussed at Committee please. Due to the concerns by neighbouring residents in respect of; highways, access, overdevelopment of the site and the principle of such a backland development.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP7 Housing Mix and Density
BDP16 Sustainable Transport
BDP19 High Quality Design

Others

NPPF National Planning Policy Framework
SPG1 Residential Design Guide

Relevant Planning History

Plan reference

B/2003/0982	Residential development of 14 apartments with associated car parking.	Refused	04.09.2003
B/2000/1347	Demolition of existing timber built offices. Construction of traditional single storey offices and link block to existing offices.	Approved	12.02.2001

Assessment of Proposal

Site Proposal and Description

The application site lies within the residential area of Wythall as defined in the Bromsgrove District Plan. The existing site comprise of a large main building with a number of smaller outbuildings and hardstanding. The current site is occupied by Status Heating Ltd. Given the site is within the Residential area, the redevelopment of the site for residential use is acceptable in principle. The proposal comprises of 8 properties in a terrace L-shape formation, using the existing drive. The dwellings predominately consist of two storey, with two three storey properties. Each property has been provided with two parking spaces and the site has two visitors' parking spaces.

Character of area

Truemans Heath Lane is characterised by a mix of development consisting of bungalows and two storey dwellings with hipped and pitched roofs. The dwellings are set back from the road with large grass verges. There are however a number of more densely populated cul-de-sac developments off Truemans Heath Lane including; Lint Meadow and Berrymound View. In addition, there is a cul-de-sac development to the rear of the site Crophrone Drive. Given the layout and density of development to the rear of the properties on Truemans Heath Lane and Hollywood Lane, the proposed development is considered to reflect the character of the locality. The proposed design of the terrace reflects the surrounding character of the area which comprise of a mix of hip and pitched roof on bungalows and two and three storey dwellings. The terrace design reflects the properties in Lint Meadow and will not be prominent in public views given its back land siting. The design is therefore considered to be acceptable in this location.

Comments have been noted in regards to the link bridge and parking area to the rear of the site. The link bridge, although not a feature found in the wider locality, does not create an incongruous feature and does not create discordance with the character of the locality in addition to the comments as outlined above. The design of the dwellings feature a number of windows which directly overlook the parking area to the rear of the site. This will create some natural surveillance of the area reducing the opportunity for anti-social behaviour. The layout of the development creates a passage along the rear of the dwellings to create access to the rear of all the properties. The applicant has illustrated on the site plan that these passageways will have a secured gate to ensure this does not create anti-social behaviour opportunities.

Neighbour amenity

A number of objections have been raised by the neighbouring properties in respect of overlooking and loss of privacy. Nos. 14 and 15 Lint Meadow have raised concerns in respect of plot Nos. 7 and 8 facing onto the rear of their property. The Council's SPG Residential Design Guide (SPG1) states that 'a minimum separation of 21m is required to achieve a degree of privacy between dwellings'. In this instance, the separation distance achieved is 21m. Although it is appreciated that the views from the rear of these properties will be altered, given the Council's standards have been achieved and given there is no change in land level the proposal is not considered to adversely overlook or create an issue of overbearing or loss of light to these properties.

Plots 1-6 are sited to the south of No. 10 Cropthorne Drive with the rear elevations of these plots directed north towards this property. There are a number of small windows on this south elevation of No. 10; however these appear to be small secondary windows for the staircase. The Council's SPG1 document states that as a general guide 'new development with windows overlooking existing private spaces should be set back by a distance of 5m per storey'. The proposed development has achieved a separation distance of over 10m for plots 1, 4, 5 and 6 which are all two storey properties and therefore complies with this policy. Having regard to this, the proposed development would not result in an overlooking, overbearing or loss of light impact to this property. Plot 2 and 3 are directed onto the flank wall of this dwelling. The distance achieved is 11.5m. This is 1m below the guidance as outlined in SPG1, however the entire width of these plots do not face directly onto this flank wall providing a relief and view beyond to the front and rear of No. 10 Cropthorne. It is therefore considered the proposal would not result in an overbearing impact on the future occupiers of these plots. Taking all the above into account, and the distances achieved to all other surrounding properties the proposed development taken holistically would not result in an overbearing, overlooking or loss of light impact on any of surrounding dwellings.

Highways

A number of concerns have been raised in respect of the vehicular movements into the site and amount of parking provided. I note the dispute in regards to the applicant's Transport Statement in respect of the existing opening hours at the site. The existing lawful use of the site is B1 and B2 (office and general industrial). The site does not have any restrictions on opening or operating hours. Although the existing business may be small in scale, the use could intensify without the need for planning permission. Furthermore, it is considered that a residential use on this site would be more compatible with the surrounding area. The Highways Authority has not objected to the scheme and has confirmed that adequate parking has been provided on site. The use of the passing bay on the driveway as shown in plan reference P1301/101 will stop the requirement of vehicles parking or waiting on the drives on either side of the development's vehicular access.

Drainage

The Council's Drainage engineer has been consulted and does not raise objection to the scheme. The drainage engineer has confirmed that it is likely that replacing the current hard-standing with gardens - and ideally also porous paving driveways and access road - that the rate and volume of runoff from the site will be reduced. To ensure this, a site drainage strategy condition has been recommended.

Other matters

Concerns have also been raised by the neighbouring properties in respect of the loss of a view and the devaluation of their properties. These are not material planning considerations. Concerns have been raised to the collection of bins on site. The applicants propose a 6sqm bin collection area on the existing driveway. Waste Management have not objected to the scale of bin storage areas, however they have advised that the bins would be required to be placed on the road side on collection day given the width of the drive. Objections have been raised on this matter, however, this approach reflects the adjacent development on Lint Meadow and in any event the bins can be returned to the bin collection point after collection to remove from the road side. The requirement for solar panels on the dwellings has also been raised. Although solar panels would be welcomed on the dwellings, this is not a requirement to make the development any more acceptable on policy grounds. The future occupiers of the dwellings would have the option to erect solar panels utilising their permitted development rights should they so wish.

Additional comments have been received from the neighbouring dwellings in regards to the construction works and levels of noise and disruption associated with this. The construction working hours can be suitably controlled via a Construction Environmental Management Plan imposed as a condition.

Neighbours have highlighted the 2003 application on site; however each application is to be considered on its individual merits. Notwithstanding this, the character and layout of the land has altered in this time along with the introduction of the National Planning Policy Framework in 2011 and the adoption of the Bromsgrove District Plan in 2017.

The Bat Survey Report concludes that at the time of the survey (February 2018), The buildings on site were not identified as a bat roost or hibernation site, and as such no further surveys or mitigation measures are required. I therefore raise no issue.

The site has a number of trees within the adjoining properties, one being a sizeable Oak tree with some merit. Due to the close proximity of these trees adjacent to the development site the root protection areas of these trees are to be afforded full protection. Furthermore the Tree Officer has requested an arboricultural report and method statement to ensure the works do not cause any harm or conflict with the adjoining trees.

The Planning Statement refers to the site being used as a builder's yard "for many years" in Section 2.3. Use as a builder's yard is considered potentially contaminative. Similarly, the site's use for the storage of equipment and materials associated with heating engineering (section 2.2) also has the potential to cause ground contamination. Given that potentially contaminative uses have been identified at the proposed development site, the inclusion of a condition that any risks from contamination are appropriately addressed has been proposed.

Queries have been raised in respect of the requirement for housing within the area given the amount of development in recent years. Currently, the Council cannot demonstrate a 5 year supply of housing land within the district. Paragraph 49 of the National Planning

Policy Framework (NPPF) says that in such circumstances relevant policies for the supply of housing should not be considered up-to-date. Therefore, in this case, the presumption in favour of sustainable development, as set out at paragraph 14 of the NPPF applies. Where relevant policies are out of date paragraph 14 advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. In this instance the site is located within the residential area and as justified within this report material harm has not been identified as a result of the proposal.

RECOMMENDATION: That planning permission be granted.

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 development hereby approved shall be carried out in accordance with the following plans and drawings:

HT_THRH/03 Proposed Elevations
HT_THRH/02 Proposed Floor Plans
HT_THRH/04 Location Plan
HT_THRH/01 A Site Plan
P1301/101 Access and Parking space

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

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 4) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until Parts 1 to 6 have been complied with:

Part 1.

A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

Part 2.

Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

Part 3.

Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

Part 4.

Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 5.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Part 6.

Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

Part 7.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. The NPPF sets out the requirements for dealing with land contamination through the planning system in paragraphs 9, 11, 111, 120 and 121.

- 5) The Development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

REASON: In the interests of highway safety.

- 6) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of the dwelling for the parking of 2 cars per dwelling at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

REASON: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 7) The Development hereby permitted shall not be first occupied until one of the proposed car parking spaces per dwelling has been fitted with an electric vehicle charging point. The charging point shall be kept available for the charging of electric vehicles thereafter.

REASON: To encourage sustainable travel and healthy communities.

- 8) The Development hereby approved shall not be occupied until the access, turning area and parking facilities shown on Drawing HT_THRH/01A has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

REASON: In the interests of highway safety and to ensure the free flow of traffic using the adjoining

- 9) No works or development shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests. The surface water drainage measures

shall provide an appropriate level of runoff treatment. The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 10) No works shall take place on site, including any clearance, demolition or excavation works or any import of machinery or materials, until a BS5837:2012 Method Statement and Tree Protection Plan has been submitted to and approved by the Local Planning Authority.

Reason: This is a pre commencement condition as it is necessary to understand which trees are to be retained in order that they can be suitably protected during construction. In order to protect the trees, hedges and landscape features which form an important part of the amenity of the site and adjacent properties in accordance with BDP19 of the Bromsgrove District Plan.

- 11) All trees to be retained within the site or within influencing distance of the development works on any adjoining land should be given full protection in accordance with BS5837:2012 recommendations. Any section of new hard standing infrastructure that falls within the BS5837:2012 recommended root protection area of any tree either within the site or on any adjoining land should be constructed over the existing ground levels and by use of suitable grade of No Dig Cellular Ground Support construction.

Reason: In order to protect the trees which form an important part of the amenity of the site

- 12) Prior to occupation the proposed security gates on the passageway as illustrated on the Site Plan HT_THRH/01A shall be constructed and shall remain in place for perpetuity.

Reason: to ensure these passageways do not create anti-social behaviour opportunities.

- 13) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-

- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- c. Days and times construction will take place and workers will be on site

The measures set out in the approved Plan shall be carried out in full during the construction of the development hereby approved. Site operatives' parking,

material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To protect the amenities of nearby properties during the construction of the development. The details are required to be agreed prior to development commencing as they are integral to managing the impact on the amenities of occupiers of surrounding dwelling and the natural environment.

Informatives

- 1) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
- 3) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Lee Volante	Erection of telescopic tower with antennas for hobby amateur radio purposes Richmond House, Icknield Street, Headley Heath, Birmingham, Worcestershire B38 0EP	29.06.2018	18/00560/FUL

Councillor Denaro has requested that this application be considered by Planning Committee rather than being determined under Delegated Powers.

RECOMMENDATION: That planning permission be **refused**.

Consultations

Wythall Parish Council Consulted 17.05.2018

Unable to comment on this application as we have no knowledge as regards this type of equipment, therefore, we shall leave this to the experts at Bromsgrove DC .

Public Consultation

22 Neighbour Letters sent on 17 May 2018 Expired 7 June 2018

Site Notice Posted 18 May 2018 Expired 8 June 2018

To date 4 representations have been received- which include 2 letters of support. These set out:

- No objections to proposal at all.
- Not visible from our house and we have no objections.
- Cannot see any problem with your application if the antenna retracts and we are happy to support your application.
- Chairman of the Radio Society of Great Britain, of which Mr Volante is a member, welcomes the opportunity to support this application for planning permission.
- Accept that the proposed development does not come within a category which is listed as 'not inappropriate' in either paragraph 89 or 90 of the current NPPF. As such it is necessary to establish that there are 'very special circumstances' sufficient to outweigh the harm caused by reason of inappropriateness. I would argue that the fact that amateur radio is a hobby which requires the construction of an efficient aerial system for radio transmission from the operator's home is, in itself, a very special circumstance. I say that because it cannot be the intention to seriously fetter the applicant's reasonable enjoyment of his dwelling simply because it lies within the Green Belt. That would be a disproportionate restriction on the applicant's Human Right to the enjoyment of his home.

Ward Councillor Geoffrey Denaro

Request application is call in if you are not minded to approve as considers that current rules appear to imply that this hobby can only be conducted in an urban environment and requires debate. Believes that very special circumstances can be made and finally in view of regulations regarding flagpoles the whole area in planning terms is a mess.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP19 High Quality Design

Others

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

Relevant Planning History

14/0714	Erection of telescopic tower with antennas for hobby amateur radio purposes in rear garden and installation of a vertical antenna on existing television antenna on property	Refused Dismissed at Appeal	08.06.2015 14.12.2015
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Assessment of Proposal

Richmond House, Icknield Street is situated in an area of open countryside which is designated as Green Belt.

The proposal is for the erection of freestanding, galvanised steel, tubular, tilt-over telescopic radio tower which would have a retractable height of approximately 6.2 metres (tilt-over height of 1.6 metres) and a fully extended height of approximately 11.4metres. There would then be an antenna system at the top of this, containing a yagi beam antenna made of fibre glass and flexible plastic coated wire, and one dipole antenna made of flexible coated wire. The beam antennas will be able to rotate. The proposed tower would be located within the rear garden of the applicants dwelling house.

In determining the appeal the main issues are:

- Whether the proposal is appropriate development in the Green Belt for the purposes of the national Planning Policy Framework and development plan policy;
- The effect on the openness of the Green Belt;
- The effect on the character and appearance of the surrounding area; and
- if inappropriate development whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount the very special circumstance necessary to justify the development.

An application for a larger telescopic tower for amateur radio purposes at this location was refused by the Council in 2015, and later dismissed at appeal. The appeal was dismissed because the Planning Inspector found that the proposal was inappropriate development in the Green Belt which would have reduced the openness of the Green Belt, albeit that this would have been minimal. The Inspector concluded that the harm by reason of inappropriateness and the effect on openness would not be clearly outweighed by other considerations and therefore very special circumstances did not exist. As result the proposal was deemed to be contrary to policy.

Green Belt

The Government attaches great importance to Green Belts, the fundamental aim of which is to keep land permanently open. Development within the Green Belt is inappropriate unless it is within the defined list of exceptions set out within paragraphs 89 and 90 of the National Planning Policy Framework (NPPF).

As the definition of a building under the Town and Country Planning Act 1990 is commonly taken to include walls, fences, telecommunications equipment, wind turbines, floodlights and structures attached to buildings, it would be reasonable for me to regard the proposal as falling within the definition. As these forms of development are not listed within paragraphs 89 and 90 of the Framework the proposal must be regarded as inappropriate development.

Consequently, the proposal would be inappropriate development in the Green Belt. The NPPF states that this is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is regarded this harm is substantial. This is the approach advocated by the Inspector in the recent appeal decision.

Openness

The proposal would introduce a structure into an open part of the appellant's garden, which would inevitably reduce the openness of the green belt to some extent. Given the scale of the proposed structure it is considered that the loss of openness would be minimal.

Character and appearance of area and amenity

The appeal property is a detached house within a large plot in the open countryside. There is a detached house opposite set back from the road and several other houses are some distance from the appeal site. The appellant's garden is bounded by a mix of mature trees and hedgerows including evergreen species and is surrounded by open fields. The proposed structure would be erected on a small concrete base towards the rear of the appellant's back garden.

The structure, when tilted-over, would not be visible from outside of the site. However, when retracted and extended, the structure would be visible, although due to the topography of the land and the existing trees and hedges that bound the site, it is acknowledged that the view would be limited. Furthermore there are several telegraph poles within close proximity to the site, these and pylons within the locality add prominent vertical structures to the character of the area.

It is therefore concluded that the proposal would not be unduly intrusive and would not result in material harm to the character and appearance of the area. However as an absence of harm would have a neutral effect this is given limited weight.

Other considerations

It is acknowledged that amateur radio is a specialist hobby requiring specialist equipment and locations that minimise the level of interference. This form of development is not common at a dwelling and would be dissimilar to most other structures associated with a house and its respective curtilage.

The applicant has set out in his supporting statement accompanying this application that the proposal would enable him and other likeminded individuals to undertake their hobby; that on occasion it might be used to support community events and could also be used during major incidents. However as no substantial evidence on the level of public benefit that would result from this has been submitted, this has only been given limited weight.

The applicant has also set out that the proposal for consideration is similar to other standalone structures that can be found within Green Belt locations, such as flag poles and street furniture. It is however noted that flag poles are considered to be advertisements, which can only be assessed in terms of their impact on amenity and public safety, and street furniture such as telegraph poles and lampposts can usually be erected under permitted development rights by statutory undertakers. As such Green Belt is not a consideration in the assessment of these structures and therefore it is not possible to directly compare these other structures with the proposed development.

The applicant has also referred to a previous planning permission that he obtained for a similar structure at a different site in the Green Belt in Bromsgrove District Council in 2001. It is noted that this application was determined prior to the publication of the NPPF and the now superseded Planning Practice Guidance Note 8 (PPG8). This is therefore given very limited weight.

Comments have been received from both the ward member and other interested parties with regards to the applicants right to be able to undertake his hobby within his residence. It is noted that the applicant, as with every resident, has the right to enjoy their dwelling house. However, if their hobbies that they wish to undertake requires them to obtain planning permission for a structure or use, this development; as with all other development, has to be carefully balanced against planning policy, to ensure that it would not cause any undue harm to the surrounding environment or the nearby residents. In this instance, this includes the impact on the Green Belt.

Conclusion

The NPPF sets out that inappropriate development in the Green Belt should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Paragraph 88 of the NPPF sets out that substantial weight should be afforded to any harm to the Green Belt.

The proposed development is considered to be inappropriate development which would reduce the openness of the Green Belt, although this would be minimal. Therefore it is considered that the proposal would cause substantial harm to the Green Belt.

Other considerations have been put forward by the appellant to justify the proposal. However it is considered that these considerations only carry limited weight.

Overall therefore it is considered that the harm by reason of inappropriateness and the effect on openness would not be clearly outweighed by other considerations in this case. The development is therefore considered to be contrary to national and local policy.

RECOMMENDATION: That planning permission be **refused**.

Reasons for Refusal

- 1) The proposed development would result in the erection of a new building in the Green Belt. As the proposed development would not fall within one of the exceptions for new buildings in the Green Belt set out at paragraph 89 of the NPPF, it would constitute inappropriate development. The proposal would also introduce a structure into an open part of the appellant's garden, which would reduce the openness of the green belt, albeit this would be minimal. It is not considered that there are any very special circumstances that would outweigh the harm that the development would cause to the Green Belt. The proposal is therefore contrary to policy BDP4 of the Bromsgrove District Plan and the NPPF.

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