BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 11TH DECEMBER 2023
AT 6.00 P.M.

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

MEMBERS: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, S. J. Baxter, D. J. A. Forsythe, E. M. S. Gray, R. Lambert, B. McEldowney, J. Robinson, J. D. Stanley and D. G. Stewart

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. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)

4. 23/00577/FUL - Demolition of the existing dwelling and the buildings associated with the caravan storage and kennels. Erection of 27 dwellings with associated road, landscaping, infrastructure and external works. 43A Barkers Lane, Wythall, Worcestershire, B47 6BY. Mr. D. Clarke (Pages 5 - 44)

5. 23/00952/FUL - Demolition of garage and sun-lounge; erection of one and a half storey side extension with dormers to front and back and single storey

rear extension. 60 East Road, Bromsgrove, Worcestershire, B60 2NS. Mr. T. Nicholls. (Pages 45 - 58)

6. 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.

7. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of item of business containing exempt information:-

"**RESOLVED**: that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

Item No.	Paragraphs	
8	2 & 6	"

8. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 6th November 2023 (Pages 59 - 72)

Sue Hanley
Chief Executive (Interim)

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

1st December 2023

If you have any queries on this Agenda please contact
Pauline Ross
Democratic Services Officer

Parkside, Market Street, Bromsgrove, B61 8DA
Tel: 01527 881406
Email: p.ross@bromsgroveandredditch.gov.uk

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

PUBLIC SPEAKING

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments. For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council's website.

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair), as summarised below:-

1) Introduction of application by Chair
2) Officer presentation of the report
3) Public Speaking - in the following order: -

a. objector (or agent/spokesperson on behalf of objectors);
b. applicant, or their agent (or supporter);
c. Parish Council representative (if applicable);
d. Ward Councillor

Each party will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Officer and will be invited to unmute their microphone and address the Committee face-to-face or via Microsoft Teams.

4) Members' questions to the Officers and formal debate / determination.

Notes:

1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Officer on 01527 881406 or by email to p.ross@bromsgroveandredditch.gov.uk by 12 noon on Thursday 7th December 2023.

2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate face-to-face or via a Microsoft Teams invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting via Microsoft Teams, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Thursday 7th December 2023.

3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation 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 Council's website www.bromsgrove.gov.uk

4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.

5) Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt the public are excluded.

Bromsgrove District Council
www.bromsgrove.gov.uk

INFORMATION FOR THE PUBLIC

Access to Information

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

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- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at www.bromsgrove.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr D Clarke	Demolition of the existing dwelling and the buildings associated with the caravan storage and kennels. Erection of 27 dwellings with associated road, landscaping, infrastructure and external works. 43A Barkers Lane, Wythall, Worcestershire, B47 6BY		23/00577/FUL

RECOMMENDATION: That planning permission be **REFUSED**

Consultations

Worcestershire Highways - Bromsgrove
WCC are unable to support this planning application due to the site's unsustainable location for the proposed demolition of the existing dwelling and the buildings associated with the campervan storage and kennels.

This application is considered to be contrary to the NPPF paragraphs 110,111 and 112 and the Streetscape Design Guide. The layout as shown on the submitted plan is unacceptable due to the issues which would be created to the highway user.

Notwithstanding the objection. Should the application be approved WCC Highways would seek the following contributions.

- Public Bus Services

Given the size of the development, it would not be reasonable to expect the developer to cover the costs in making the bus service operate at an acceptable level. Therefore, no contributions for Public Bus Services will be sought in this instance which means the site is unsustainable.

- Community Transport

Under the 1985 Transport Act, WCC has a duty to consider the transport needs of elderly and disabled residents. A service must be provided for all elderly and disabled residents where no suitable bus service exists for those unable to access a bus due to disability. WCC analyses this using historic trip need, DfT mileage rates and census data (for population per dwelling, disabled population statistics and age data) based on five years calculated cost. The service provides access to vital services, particularly acute health where it is no longer policy to offer appointments at the nearest facility to the resident's home address. On this basis WCC requests a contribution of £1,776.00 towards community transport for this site.

- School Transport

In terms of School Transport, the site is in the Primary and Secondary school catchments for Meadow Green Primary and Woodrush Community High, located 1.1 and 2.0 miles away respectively. There are issues with the walking facilities for both sites, especially

along the A435 where facilities are very poor and narrow. Also, there are poor crossing facilities across Station Road. For these reasons, we could not say that the routes are safe and therefore contributions would be required. The requested contributions would be £94,929.00 (Primary - £59,330.00, High - £35,598.00).

Education Department at Worcestershire County Council
WCC Education have confirmed that no Education Contribution would be required for this development for the following reasons:

- The proposed development is located within the ward of Wythall West and forecast to yield four children who may need childcare places at an early year setting. Updated sufficiency figures for 2022 show there is a sufficient level of funded childcare places within the ward of this development. Therefore, a contribution towards early years provision will not be sought.
- There is sufficient capacity within the catchment and related Primary schools to accommodate the pupil yield of 1-2 children per year group, therefore, no contribution is required towards Primary Schools. While there is space within the catchment and related Primary Schools to accommodate the pupil yield from this development, there is no safe walking route to them. There may be a need by Worcestershire County Council Transport department to further assess the proposed development for a contribution towards Home to School transport.
- Woodrush High School is showing at or nearing capacity, however, the school admits 41.1% of pupils from outside of the catchment area, and under current admissions criteria, pupils from within the catchment area would be admitted first. Therefore, based on current need there would be space for children within the catchment area to attend the school, no education contribution would be needed towards Secondary provision. There is no safe walking route to the Secondary school. Therefore, a contribution from transport may be required to mitigate pushback of children attending from out of catchment and no safe walking route.
- The proposed development does not meet the threshold of fifty liable dwellings, there will be no SEND contribution required for this application.

North Worcestershire Water Management
Based on the information provided, I believe that this application should be refused or deferred until further site-specific drainage information has been provided; this includes a ground investigation in accordance with BRE guidance ' if soakaways or other infiltration drainage is not possible, proof of permission for a connection into the foul sewer will be required. I require this information before a decision is made, as I am concerned that at present there is no suitable method to drain the site without increasing flood risk off-site. I also require above-ground SuDS to be incorporated into the drainage design ' this may require the site layout to be amended.

Severn Trent Water Ltd
No objection to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to

prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Housing Strategy
30% affordable housing on the site.
2/3 of these properties should be social rent.
1/3 Share Ownership/First Homes/Alternative Home Ownership.
Of the whole AH provision 25% should be First Homes and any remaining percentage should be shared ownership.

Our priority is for 3 bed properties so we would expect 50% 3 beds and 50% other e.g., 30% 2 Bed 10% one bed 10% 4 bed Shared Ownership/First Homes should be 50:50 between two and three beds.

The properties should provide for:
2 Bed 4 person
3 bed five or six person
4 bed six, seven or eight persons

Properties should be pepper potted with clusters in Bromsgrove and should look the same as the market housing.

Crime Risk Manager
I would also recommend that the developer considers application for Secured by Design Gold or Silver Award in respect of the development; this in addition to satisfying security concerns outlined here will ensure compliance with Approved Document Q, impose insignificant additional costs and provide a positive marketing opportunity.

WRS - Noise
No objection subject condition subject to Construction Environmental Management Plan

WRS - Contaminated Land
No objection subject to unexpected contamination condition

NHS/Medical Infrastructure Consultations
A developer contribution will be required to mitigate the impacts of this proposal.
Herefordshire and Worcestershire CCG calculate the level of contribution required in this instance directly relating to the number of dwellings to be £19,200.

NHS Acute Hospitals Worcestershire
No Comments Received to Date

Waste Management
No objection

Worcestershire Archive and Archaeological Service
No objection the site does not require a planning condition on this occasion.

Arboricultural Officer
The trees within the site are now subject to Tree Preservation Order protection under Bromsgrove District Council TPO (19) 2023.

The trees on and bordering the site have an influence on several plots on this site. Following review of the most recent method, the Tree officer has confirmed that the revised layout as shown on drawing 02 Rev G has resolved the conflict created by the original layout shown on drawing 02 Rev F.

However, the officer still has concerns over the level of conflict that plots 12 & 13 create with trees on the Northern boundary remain and regarding the level of proposed pruning of trees.

Consultant Conservation and Landscape Officer
The proposed scheme will result in a change of use from commercial to the introduction of 28 residential units. The current operation and its associated buildings are low-rise, and I note the majority of the proposed dwellings will be singe storey dwellings with some examples extended to include a dormer roof. The development will also result in permanent change. The current situation, while long established, has resulted in limited structural change to the field parcel it is within, with the exception of the existing buildings, although these could be removed along with the hardstanding to restore the site to open space. The proposed development will, therefore, lead to the site becoming an extension of the existing settlement and, in cumulative terms, will result in an increase in urbanisation and overall massing of the settlement. The greatest impact will be structural with permanent alteration of the site landscape character. The visual impact will be more limited as a combined result of the proposal to build bungalows and the existing mature boundary landscape features. This can be further enhanced through appropriate landscape mitigation. I conclude that, in the context of landscape character, the scheme will not result in a substantial impact to the green belt, given its rural character has already been altered.

Landscape mitigation and GI
I note from the submitted LVA that in order to accommodate the scheme some mature vegetation will be removed. I also note the landscape mitigation proposals to include new native hedging, tree and shrub planting. My main concern is how the development will achieve 40% Green Infrastructure delivery as a proportion of the total development area (as set out in the Worcestershire Green Infrastructure Strategy, endorsed by Bromsgrove District Council and flagged for regard in BDP24 Green Infrastructure), given the density of the proposed development and existing site constraints.

Should the application be recommended for approval the following conditions should be applied to secure the landscape and ecological protections.
- Construction environmental management plan (CEMP: Biodiversity)
- Landscape and Ecological Management Plan (LEMP)

Wythall Parish Council
Objection; it is considered that the proposal is inappropriate development in the Green Belt and does not meet any of the special circumstances listed in policy BDP4.4 of the District Plan. In addition, the proposal site is not considered to be sustainable; it is located on a lane off a busy dual carriageway which does not have safe access for pedestrians

and cyclists to reach local amenities. There are concerns over highways safety, including the capacity of Barkers Lane (narrow road), the amount of traffic the proposal would generate and, the suitability of the access from the proposal site onto Barkers Lane. The inadequate drainage provision is also a concern.

Public comments

46 letters sent to neighbours 16.06.2023 expired 20.07.2023
Press advert 23.06.2023 expired 10.07.2023
Site notice displayed 19.06.2023 expired 13.07.2023

32 objections have been received, comments are summarised as follows:

Green Belt
Harm to openness and visual amenity
Previous application has been refused, no very special circumstances.

Highway matters
Safety of access/egress onto the site in the context of prevailing traffic speed
Lack of public transport
Lack of safe pedestrian crossings
Restricted Emergency Access
Distance to facilities and sustainability of the site
Insufficient Parking

Design and Appearance
Overdevelopment, density of the scheme
Height, massing of the proposed dwellings
Much larger scale than previous development proposal

Other matters
Impact on wildlife/biodiversity
Noise, smell, and air pollution.
Construction noise
Flooding/Drainage
Loss of privacy/overlooking
Insufficient infrastructure such as lack of school/healthcare capacity nearby

Other issues which are not material planning considerations have been raised but are not reported here as they cannot be considered in the determination of this application.

Relevant Policies

Bromsgrove District Plan
BDP1 – Sustainable Development Principles
BDP2 – Settlement Hierarchy
BDP3 – Future Housing and Employment Growth
BDP4 – Green Belt
BDP6 – Infrastructure Contributions
BDP7 – Housing Mix and Density

BDP8 – Affordable Housing
BDP12 – Sustainable Communities
BDP16 – Sustainable Transport
BDP19 – High Quality Design
BDP22 – Climate Change
BDP23 – Water Management
BDP24 – Green Infrastructure
BDP25 – Health and Well Being

Others
NPPF – National Planning Policy Framework
NPPG – Planning Practice Guidance
National Design Guide
High Quality Design SPD
SPG 11 – Outdoor Play Space

Relevant Planning History

19/00951/FUL	Change of use application to convert a caravan storage area to a caravan park.	Refused Dismissed at Appeal	06.11.2019 28.09.2020
06/00028/COL	The use of the land for the storage of caravans (including motor homes) and boats.	Approved	21.06.2006

Assessment of Proposal

Site Description

The application site relates to a 1ha parcel of land in the Hamlet of Inkford. It is level site is situated on the northern side of Barkers Lane, behind residential properties. It incorporates an existing caravan storage facility of over 100 caravans, a former boarding kennel business to the west of the site. Beyond the site boundary to the north and east is open countryside. An existing vehicular access is located between 43 and 45 Barkers Lane The site is in the Green Belt as defined in the BDP and is not located in a defined settlement as outlined in Policy BDP2. There are several trees within the site, which following the application are now subject to Tree Preservation Order protection under Bromsgrove District Council TPO (19) 2023.

Proposal

As submitted the application proposed 28 dwellings, this was subsequently reduced by one dwelling during the application process. This is a full planning application is for the development of 27 dwellings, associated landscaping and siteworks.

The proposed housing mix is as follows:

Total	Form	Type	Plot Numbers
4	3 bed semi-detached dormer bungalow	HT10	1,2,10,11
4	3 bed detached dormer bungalow	HT3	3,6,7,27
8	2 bed semi-detached dormer bungalow	HT9	4,5,18,19,21,22,23,24
2	3 bed detached dormer bungalow	HT10a	8,9
3	3 bed detached dormer bungalow	HT1	12,17,26
1	3 bed detached dormer bungalow	HT8	13
1	3 bed detached dormer bungalow	HT3A	14
2	3 bed detached dormer bungalow	HT2	15,20
2	3 bed detached dormer bungalow	HT6	16,25

All 8 (30%) of the 2 bed units proposed will be affordable dwellings. The rest are all market dwellings.

Assessment

The site is situated within the West Midlands Green Belt, outside any defined settlement boundary under Policy BDP2 in the Bromsgrove District Plan.

The main issues are therefore considered to be:

- Recent Planning History
- Housing Land Supply
- Green Belt (including openness and purposes of the Green Belt).
- Design
- Sustainable Location
- Affordable housing
- Highways
- Flooding and Drainage
- Tree and landscaping
- Residential Amenity
- Planning Obligations

Recent Planning History

A full planning application was submitted in 2019 (19/00951/FUL) for a change of use to convert a caravan storage area to a permanent caravan park. This application relating to the caravan storage site only proposed to replace the existing caravan storage consisting of over 100 touring caravans with a development of 18 residential timber clad caravans, for permanent occupation.

The application was refused at Planning Committee in November 2019 for the following reasons:

1) By its nature, the current caravan store use is subject to a fluid seasonal contraction and expansion with consequential fluctuations in the openness of the site throughout the year. The proposal, however, would result in a set layout with permanent plots and cabin style caravans and associated residential paraphernalia distributed across the site. As such, the development would have a greater impact on the openness of the Green Belt. Furthermore, the transient character and appearance of the current storage use, and not untypical of an urban fringe type use, would be replaced with one that is overtly residential in nature. Consequently, the spread of residential development as proposed would entail encroachment which Green Belt policy fundamentally aims to avoid. The proposed dwellings would therefore have a greater impact on the purpose of including land within the Green Belt than the existing development. The development is therefore considered inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. Furthermore, other harm has been identified, firstly, that the development is situated outside any defined settlement boundary and isolated from key facilities and without convenient access to public transport resulting in future occupiers' heavy reliance on the private car for travel to and from the site. Secondly, the proposed residential development adjacent to the dog boarding kennels would introduce an incompatible use detrimental to the living conditions of future occupiers. No very special circumstances exist or have been put forward that would outweigh the harm by reason of its inappropriateness and by reason of the other identified harm. The proposal therefore does not constitute sustainable development having regard to the three dimensions as outlined in Paragraph 7 of the NPPF. The proposal is contrary to Paragraph 146 of the NPPF, Policies BDP1, BDP2 and BDP22 of the Bromsgrove District Plan.

2) Bromsgrove District Plan BDP6 requires the provision of infrastructure to meet the demands of new development within the community. The various financial contributions required to mitigate the impacts have not been secured by way of a completed S106 Planning Obligation. The proposal is therefore contrary to Policy BDP6 - Infrastructure Contributions, BDP8 - Affordable Housing and BDP25 - Health and Well Being.

This decision was subsequently appealed and dismissed with the Planning Inspector concluding the following:

“In terms of benefits, the proposal would make a modest contribution to the housing supply in the district in a broadly sustainable location. In addition, due to its domestic nature, the proposal would make a modest visual improvement to the character and appearance of the area. However, these are only modest benefits due to the scale of the proposal and this limits the weight that I attach to them in my assessment of the appeal. Cumulatively therefore, I only attach a moderate degree of weight to these matters.

Regarding the openness of the Green Belt, as identified above, the proposal would have a neutral effect. However, the lack of harm is not the same as a benefit and therefore this matter does not weigh in favour of the proposal.

Despite the housing provision, the proposal would fail to provide affordable housing as required by the development plan. This is a significant and demonstrable shortfall of the proposal and as a consequence, I attach significant weight to this matter. The development would also fail to provide suitable living conditions for future occupants

having regard to the neighbouring dog boarding use. This is a further matter to which I attribute significant weight. That the proposal would also fail to accord with the locational requirements of the development plan also attracts some limited weight against the appeal. Cumulatively, therefore, the harm associated with the adverse effects of the proposal weigh very significantly against the development.

Consequently, for the reasons identified above, cumulatively, I am satisfied that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. Accordingly, the proposal does not benefit from the presumption in favour of sustainable development."

Five Year Housing Land Supply

Paragraph 74 of the National Planning Policy Framework (NPPF) requires local planning authorities to identify and update a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. In addition, there must be a buffer of between 5% and 20%, depending on the circumstances of the LPA.

The Council has identified that (inclusive of the 5% buffer required by the Framework) it can currently demonstrate a housing land supply of 3.3 years (up from 3.23 years previously). Therefore, despite progress which has been made in identifying sites and granting planning permissions the Council still considers that it cannot demonstrate a five-year housing land supply.

Where a Local Planning Authority cannot demonstrate a five-year housing supply, Paragraph 11 (d) of the Framework is engaged. Paragraph 11 requires that decisions on planning applications apply a presumption in favour of sustainable development. 11 (d) goes on to state that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

"i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for restricting the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Footnote 8 to the Framework states that this includes (for applications involving the provision of housing) situations where the LPA cannot demonstrate a five-year supply of deliverable housing sites with the appropriate buffer, as set out in paragraph 74. Footnote 7 states these policies include land designated as Green Belts.

Green Belt

Paragraph 137 of the Framework identifies that the Government attaches great importance to Green Belts. The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should be refused planning permission unless very special circumstances can be demonstrated which clearly outweigh this harm. The Framework also emphasises that when considering an application, a Local Planning Authority 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. Paragraphs 149 and 150 of the Framework allow for some exceptions to inappropriate development, one of which is:

Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
– not have a greater impact on the openness of the Green Belt than the existing development; or
– not cause substantial harm to the openness of the Green Belt, where the development would reuse previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The starting point is to consider whether the site constitutes previously developed land, which is defined by the Framework in Annex 2 as: "*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure*." The site benefits from a certificate of lawfulness for storage of caravans and incorporates several buildings/structures associated with the former use. It is therefore considered to be previously developed land.

The redevelopment of previously developed land, which provides policy compliant affordable housing is appropriate development under paragraph 149(g) if it does not cause substantial harm to the openness of the Green Belt.

As such the proposal needs to be assessed whether it would cause substantial harm to the openness of the Green Belt compared to the existing situation having regard to Para 149(g) of the Framework.

Openness

The NPPG sets out what characteristics can be considered when assessing the impact of a development upon openness. It sets out that assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified several matters which may need to be considered in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume.
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness;
and - the degree of activity likely to be generated, such as traffic generation.

The proposal would result in the erection of dwellings across the entire site as well as the associated works such as garages, the introduction of other domestic paraphernalia, internal access roads and boundary treatments.

This proposal would result in a permanent volume and floor space across the site. Whilst the site is currently covered by structures these are transient and not permanent.

Based on the existing development on the site, it is considered that there would clearly be a significant and substantive increase in the number of permanent buildings on the site, together with an increase of the sprawl of buildings across the whole site. Although the site is relatively well screened with limited visibility from the public realm.

Taking everything together, the application would give rise to an intensely developed site, with a considerably different and greater coverage, footprint, floorspace, height and overall extent of built form compared to the existing situation.

These factors would also contribute to the proposals having a greater impact on openness of the Green Belt by introducing built form into a part of the Green Belt that currently does not have structures of the scale, mass and height of those proposed. Accordingly, I find that the proposals would not benefit from the exception set out in the first indent of Paragraph 149 g) of the Framework.

Taking all the various elements into account I find that the proposals would therefore result in the erosion of the openness of the Green Belt. This is one of the essential characteristics of the Green Belt, as set out in Paragraph 137 of the Framework, and as such I find that the proposal would result in harm to the Green Belt by reason of the greater impact they would have on the openness of the Green Belt.

Given the scale of the development the negative spatial and neutral visual improvements to openness in the Green Belt arising from the removal of existing buildings on the site, and a considerable and significant increase in both the permanent footprint of built form and volumes, I find that the level of harm to the openness of the Green Belt would amount to substantial in this case.

In this respect, as a matter of planning judgement, I have found that the proposal would result in substantial impact to the openness of the Green Belt. Accordingly, it would not satisfy this element of the second indent.

For these reasons, the proposal would result in substantial harm to the openness of the Green Belt. It would not therefore constitute an exception as specified within Paragraph 149g of the Framework and would be inappropriate development.

Purposes of the Green Belt

Paragraph 138 of the Framework sets out the purposes of the Green Belt. These include (amongst other things) to assist in safeguarding the countryside from encroachment.

The effect of development as encroachment on the countryside may also be in the form of loss of openness or intrusion and through that loss of openness, there can also be an intrusion or encroachment into the countryside.

Given its existing use and brownfield nature, some encroachment of development into the countryside has already taken place at the site. Even so, in introducing permanent built residential development, and impinging more on openness, it is considered that the proposal would not be consistent with the site's role in assisting in safeguarding the countryside from encroachment.

The site forms part of the countryside and the proposal would result in physical encroachment of development into and onto parts of the site that are currently free from development, other than hardstanding and temporary and transient storage.

It would result in vertical and permanent encroachment of larger built form overall (with some dwellings being approximately 7m in height) and across a large area of the site. Although this would be within the confines of this previously developed site, nevertheless the proposal would have a significantly greater urbanising effect. The current predominance of openness, trees and vegetation with some intervening storage would be replaced by closely spaced permanent built form. In this location the proposal would not safeguard the countryside from encroachment and does not accord with this element of the Framework.

Design

Paragraphs 126-136 of the Framework deal with high quality design and in particular states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy BDP7.2 encourages efficient use of land with whilst adhering to local character and high-quality design. Policy BDP19.1 encourages high quality gateway buildings, character-sensitive design, functional open spaces, and design that promotes legibility, permeability, and safety.

It is acknowledged that the site has a difference appearance to the surrounding area, with the storage of caravans and the buildings associated with the kennels. This does not contribute positively to the character and appearance of the area. This was recognised in the previous appeal decision and furthermore the Inspector considered that, *"the proposal would also introduce a more domestic use onto the site and in this respect, it would be more comparable to the houses which back onto the site. This is a modest betterment that the proposal would bring …"* However, this application is significantly different from the previously proposal which related to caravans, unlike the Inspector of this decision is it not considered that a modest betterment will be provided in this case.

The prevailing character and appearance of the area is defined by a ribbon form of development consisting predominantly of buildings set a reasonable distance to Barkers Lane. The buildings are separated by gaps of varying widths that allow views towards the countryside beyond, contributing to a verdant and generally semi-rural character and appearance of the area.

The siting and number of dwellings has ignored the sites presence within this side of Barkers Lane, which in the context of the Inkford will introduce a substantial number of dwellings into the area. Whilst the application proposes dormer bungalows, the design and appearance of some units is more akin to a two-storey detached dwelling with a ridge

height of approximately 7m. No acknowledgment of the sites association with Barkers Lane has been followed through in either the built form or the landscaping proposals. The proximity of the dwellings appears cramped and inconsistent with the prevailing development pattern. In this position, the layout, scale, massing, and tightly spaced row of proposed dwellings would be out of character with the established pattern of development in the area and visually intrusive.

The reduced plots widths of the development introduce a tighter urban grain when compared to the prevailing character of the area which is particularly influenced by the number of units and the close relationship between the existing dwellings along Barkers Lane and the proposed site. In this location, a formal cul-de-sac of housing would sit awkwardly. While a shared surface access is shown, the dwellings would sit around a formal estate road with clearly defined parking bays and a turning head. Along with the formal garden arrangements, the plan shows a development more akin to a typical suburban cul-de-sac of housing accessed from a landscaped driveway.

This intrusion would be visible from the surrounding countryside and through the gaps in the trees and planting along the site boundaries, particularly when the trees are not in leaf. Whilst additional planting could be secured around the boundaries of the site, the built form of the proposed dwellings would nonetheless be noticeable in the surroundings.

The proposed development would result in little space for soft landscaping and introduce extensive areas of hardstanding. This is reflected that parking for units 12-20 that all the parking is in front of the dwellings rather than parking in between the dwellings, so that it dominates the street scene. It is further noted that there is not significant space available for parking to be outside of the dwellings. Units 21-24 must use an extension to the northeast boundary providing adequate spaces for these dwellings. The extent of built form and hardstanding across the site, the tight plots, and contrived layout highlights that the proposal would result in the overdevelopment of the site. For these reasons, it is considered the development fails to reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness, contrary to Policy BDP19.

Furthermore, this is also reflected in the comments from the Landscape Officer, regarding the inclusion of sufficient Green Infrastructure under Policy BDP24 and the tree officers' comments regarding the impact on several TPO trees.

While I understand that the development seeks to strike a balance between typically low-density semi-rural housing and an efficient use of land, I consider that rather than making a sensitive transition between Inkford and the countryside, the proposal would harm the settlement to the detriment of its overall character and appearance.

The Framework through recent revisions provides a greater emphasis on the achievement of high-quality design, with its focus on beauty in design (NPPF, 8(b), 126). It is also made clear that development, which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (NPPF, 134). Importantly, national policy on design makes no concession to the need for particular types of housing, nor making an effective and efficient use of land. It is clear from the National Design Guide, which explains that: *"Well-designed new development makes efficient use of land with an amount and mix of development and*

open space that optimises density. It also relates well to and enhances the existing character and context."

I conclude that the proposed development would be harmful to the character and appearance of the area in terms of layout and scale. The proposal would therefore be contrary to the Framework, Policies BDP1, BDP7 and BDP19, BDP24 and the Bromsgrove High Quality Design SPD which, amongst other objectives, seek to ensure that development respects the character, setting and local context of a site, and reinforces local distinctiveness and landscape character.

Sustainable Location

Policy BDP2 – Settlement Hierarchy, seeks to focus new development in locations which will provide and support sustainable communities. It identifies those settlements considered appropriate for development that have existing services and facilities to, amongst other things, reduce the need to travel. As outlined above, Inkford is not identified as one of these settlements. Furthermore, Policy BDP22 – Climate Change seeks to ensure developments are in locations well-served by public/sustainable transport, existing local facilities and infrastructure.

In the consideration of the previous appeal the Inspector considered this matter and concluded that *"that the appeal site would not represent a suitable site for housing. It would therefore fail to comply with Policy BDP2 of the DP which establishes the settlement hierarchy for the district".*

The Highway Authority explained in detail why it considered the site to be in an unsustainable location and object on this matter. Approximately 300m from the proposed development eastwards toward Tanners Green Lane there are no footpaths or street lighting except for a grass verge for pedestrians to walk along. Tanners Green Lane is also void of footpaths and street lighting. The A435 Alcester Road is a classified road located approximately 130m west of the proposed development which benefits from a footpath on one side of the dual carriageway and street lighting with a grass verge central reservation which includes a metal barrier and no pedestrian crossing points in the vicinity.

It is noted some amenities are located in the area; however, to reach these amenities it would involve walking along a 60mph very busy and fast flowing carriageway which does not benefit safe crossing points for pedestrians in the immediate vicinity. From the proposed development the following amenities are available at the following approx. distances; MOT garage is located approx. 280m, petrol station approx. 720km, Wythall Vets approx. 440m, Becketts Farm approx. 1.20km, Meadow Green Primary School approx. 1.70km and a PH Rose and Crown approx. 1.70km.

Two bus stops are located on the A435, for journeys to Birmingham a bus stop is located approximately 320m distance from the proposed development which would involve crossing a fast-flowing dual carriageway which has a grassed central reservation without a safe pedestrian crossing points and metal railings are fitted along the central reservation. For journeys into Redditch a bus stop is located approximately 550m from the proposed development.

Earlswood Train Station is located approximately 2km from the site, it is noted the route to the station would involve walking / cycling along routes which lack adequate facilities (no street lighting and footpaths).

Due to the type of roads in the vicinity and surrounding areas the issues which would be created to the highway user would include pedestrians having to cross a fast-flowing carriageway and the lack of cycling facilities available in the vicinity i.e., cycle lanes etc. Therefore, the lack of adequate facilities in the vicinity will deter journeys on foot due to the existing conditions. Similarly, these factors are unlikely to encourage cycling to services and facilities.

I conclude therefore that the application site is remote from any of the identified sustainable settlements and not conveniently located in terms of services and facilities, thus placing a high reliance on use of the private car. The proposal is therefore in an unsustainable location for residential development, therefore contrary to Policies BDP1, BDP2, BDP16 and Policy BDP22 and the Framework.

Affordable Housing

Policy BDP8 relates to affordable housing and requires 30% affordable housing provision on brownfield sites over a threshold of 11 dwellings. In this case the applicant is proposing to provide 30% of the houses (these are all two-bedroom semi-detached properties as affordable and as such the proposal complies with Policy BDP8.

The applicant has confirmed that these would be First Homes. First Homes are a specific type of discounted sale homes which meet the definition of Affordable Housing for planning purposes. Further detail regarding the Council's approach to delivering First Homes in accordance with national guidance and in compliance with the Council's adopted Local Plan policies on the delivery of Affordable Housing can be found in the First Homes Policy published in September 2022[1].

Highways

Policy BDP16: Sustainable Transport taken from the Bromsgrove District Plan requires that *"Development should comply with the Worcestershire County Council's Transport policies, design guide and car parking standards, incorporate safe and convenient access and be well related to the wider transport network"*.

Notwithstanding the WCC Highway comments regarding sustainability, they have also objected because the scheme is not in compliance with Streetscape Design document.

It is noted the road is not being put forward for adoption, it is the position of WCC Highways that the layout is recommended to be designed to adoptable standards in the interests of highway and pedestrian safety. There are several matters which have not been clarified regarding the scheme, which are summarised in the consultation response outlined above.

[1] Bromsgrove First Homes Policy

WCC Highways have also commented in relation to lighting indicating that any proposed highway lighting, or private lighting within the application site, must follow the design principles set out in the ILP's Guidance Note GN08/18 (or superseding guidance), and be designed sympathetically to the surrounding environment and the planning and design process shall include suitable liaison with Worcestershire County Council's Ecologist to ensure the impact of any lighting is minimised.

The applicant will be required to carry out a lighting assessment in accordance with Worcestershire County Council's Street Lighting Design Guide (SLDG) (or any document which replaces or supersedes this guidance). This assessment must be carried out by a suitably qualified lighting engineer to assess the requirements to light the proposed development and any impact this may have on the surrounding local highway.

In relation drainage they note it would appear the proposed development is to be connected to a STW combined system. According to WCC records the system there is a foul system which may cause them some issues if they are proposing any surface water connections.

Therefore, if the developer is looking to connect to the highways system this is another area where we have had several historical carriageway flood issues. As such any proposals would need to be supported by a full survey of the catchment proving the system is hydraulically and structurally suitable.

The application fails to accord with the adopted policy and the consequences of this will result in an unacceptable impact on the highway network, which is contrary to BDP16 and paragraph 110, 111 and 112 of the Framework.

Flooding and Drainage

The site lies within Flood Zone 1 and so is at the lowest risk of flooding and while the majority of the site is not shown to be susceptible to surface water flooding, there is a low-risk flow route along the northern boundary of the site. Due to the size of the site a Flood Risk Assessment has been submitted with the application. This considers all sources of flood risk and concludes that the risks are low. NWWM are not satisfied that the information submitted is sufficient to demonstrate that there would not be an unacceptable impact on drainage or flood risk. In the absence of satisfactory information required by NWWM, the scheme is contrary to the Framework and Policy BDP23 Water Management.

Trees and landscaping

The application is supported by a revised B.J. Unwin Forestry Consultancy Tree Constraints, Tree Impacts and Tree protection Method Statement report dated 19th September 2023.

The trees within this report are now subject to Tree Preservation Order protection under Bromsgrove District Council TPO (19) 2023.

The trees on and bordering the site have an influence on several plots on this site. Following review of the most recent method, the Tree officer has confirmed that the

revised layout as shown on drawing 02 Rev G has resolved the conflict created by the original layout shown on drawing 02 Rev F.

However, the officer still has concerns over the level of conflict that plots 12 & 13 create with trees on the Northern boundary remain and regarding the level of proposed pruning of trees.

Plots 12-13 as shown on drawing 02 Rev G (originally plots 13-14) do not appear to have significantly altered in layout as stated within the revise arboricultural comments. Therefore, due to the proximity of the trees to the rear of these plots they will still create shading on these for a considerable period of the day. To address this in the original Arboricutural statement a 2-3 metre cut back of the crowns was proposed, to which the Tree Officer objected. As these plots do not appear to have significantly altered the conflict with these trees and therefore the issues of their sustainability with the development remain to be addressed.

The proposal also highlights an intention to remove hedge H30 Beech to improve the width of the access road to the site which form a boundary feature on the eastern side of the existing access road with 45 Barkers Lane. This hedge offers a major screening benefit to the residents of 45 Barkers Lane and is visible from the carriageway of Bakers Lane therefore the officer's preference would be to see this hedge retained.

Residential Amenity

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 are minimised, taking into consideration separation distance between existing properties and the proposed housing.

The proposed development would not have an overbearing or visually intimidating impact upon nearby properties. It is considered that daylight to existing habitable rooms would not be prejudiced and that no loss of privacy would occur.

Planning Obligations

In accordance with Paragraph 56 of the Framework and Section 122 of the CIL regulations, planning obligations have been sought to mitigate the impact of this major development if the application were to be approved.

The obligation in this case would cover:

- The provision of 8 affordable dwellings on the site
- A financial contribution of £94,929 for necessary School Transport Services.
- A financial contribution £1,776 for necessary Community Transport Services.
- A financial contribution of £13,800 towards Herefordshire and Worcestershire CCG.

- £41.80 contribution for refuse and re-cycling bins per dwelling (if private provision is not provided).
- Off-site open space contribution of £43,684 for outdoor sports facilities
- A section 106 monitoring fee

On that basis, it is considered that this is in accordance with the aims of BDP6 and BDP16 of the BDP, which, among other things, require financial contributions towards public transport, pedestrian, cycle and highway infrastructure to ensure the sustainable movement of people.

The development will be required to secure the affordable housing provision, highway, GP provision contributions and off-site open space. In the event of a refusal of planning permission (in which case there would be no signed agreed S106) this would amount to a reason for refusal.

Planning Balance and Conclusion

The Framework and Policy BDP4, is clear 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. In considering such a proposal, the Framework is clear that substantial weight should be given to any harm to the Green Belt.

The proposal would be inappropriate development in the Green Belt, causing substantial harm to openness. I have also identified harm to three of the purposes of the Green Belt and non-Green Belt harm in terms of the scheme being contrary to the development plan in relation to character, having regard to sustainable patterns of development and access to services and facilities, insufficient information regarding drainage and a highways objection which add further weight against the proposal.

In this case there are clearly considerations that push and pull in both directions. In this case there are considerations that weigh heavily in favour of this proposal in terms of the Government's objective of 'significantly' boosting the supply of housing and providing affordable housing and there would also be other less significant economic and environmental benefits as set out above. Set against this, the Government also attaches great importance to Green Belts and the Framework requires substantial weight to be given to any Green Belt harm.

Overall, it is judged that the other considerations do not clearly outweigh the totality of harm to the Green Belt, by reason of inappropriateness, through its substantial harm to openness, conflict with 1 of the 5 purposes of including land in the Green Belt and the other harm that has been identified. Consequently, ~~the~~ very special circumstances necessary to justify the development do not exist.

As the Council cannot demonstrate a 5-year housing land supply, Paragraph 11 (d) of the Framework indicates that permission should be granted, unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. The application of Green Belt policy provides that to be the case here. As such, the proposal would not be the sustainable development for which Paragraph 11 of the Framework indicates a presumption in favour.

In summary therefore, in this case the other material considerations, including the identified benefits including the supply of housing in the area and the provision of affordable housing scheme, do not justify allowing the application given the harm that has been identified and the resulting conflict with the development plan when taken as a whole.

Having considered all other matters raised, I therefore conclude that the application should be refused.

RECOMMENDATION: That planning permission be **REFUSED**

Reasons for Refusal

1. The site is located outside a defined settlement identified within the Development Plan as falling within the Green Belt where there is a presumption against inappropriate development. In such an area, development is limited to that which is not inappropriate to a Green Belt, and which would preserve its openness. The proposal does not meet any of the policy criteria specified at Policy BDP4 of the Bromsgrove District Plan (BDP) or at Paragraph 149 of the National Planning Policy Framework 2023 (NPPF) and as such the proposal would amount to inappropriate development, which by definition, is harmful to the Green Belt. The proposal would also result in a detrimental impact on openness of the Green Belt due to its scale and location and conflict with the Green Belt's purposes, as identified in NPPF paragraph 138. No very special circumstances exist or have been put forward to clearly outweigh the significant harm caused to the Green Belt. As such the proposal is contrary to Policy BDP4 of the Bromsgrove District Plan and the NPPFf.

2. The proposed development would harm the character and appearance of the area through the introduction of dwellings that appear cramped and inconsistent with the prevailing development pattern. In this position, the layout, scale, massing, and tightly spaced row of proposed dwellings which would be out of character with the established pattern of development in the area and visually intrusive. The development would not, therefore, enhance the character and appearance of the local area contrary to Policy BDP1, BDP7, BDP19, BDP24 of the Bromsgrove District Plan, the High-Quality Design SPD and the NPPF.

3. The applicant has failed to supply sufficient information to demonstrate that the development would not have a detrimental impact on drainage or flood risk. The scheme is therefore contrary to Policy BDP23 of the Bromsgrove District Plan and the NPPF.

4. The development is situated outside any defined settlement boundary and by reason of its distance from essential services, job opportunities and public transport links in addition to a lack of adequate footway provision and street lighting would mean that future occupiers would be reliant upon motor vehicles as a means of transport. As such it would result in an unsustainable form of development. The proposal would therefore be contrary to Policies BDP1, BDP2 and BDP16, BDP22 of the Bromsgrove District Plan and Paragraphs 8, 108 and 110 of the NPPF.

5. There is insufficient information in respect of the impacts of the development upon highway safety. As such it cannot be demonstrated that this major development would not have an unacceptable impact on the highway network. The proposals would be contrary to Policy BDP16 of the Bromsgrove District Plan and the NPPF.

6. The lack of a formal agreement to contribute towards the various requirements to mitigate the impact of the development including affordable housing, highways, off site open space, and to ensure the provision of affordable housing on the site is contrary to the requirements of Policies BDP6 and BDP8 of the Bromsgrove District Plan and Paragraph 63 of the NPPF. The proposed development would result in an increase in the demand on local facilities with no compensation or enhancement of existing facilities, thus resulting in harm to the wider community around the site. Contrary to Paragraph 56 of the NPPF the applicant has failed to enter a S106 agreement to mitigate these impacts.

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

23/00577/FUL

43A Barkers Lane, Wythall, Worcestershire, B47 6BY

Demolition of the existing dwelling and the buildings associated with the caravan storage and kennels. Erection of 27 dwellings with associated road, landscaping, infrastructure and external works.

Recommendation: Refuse

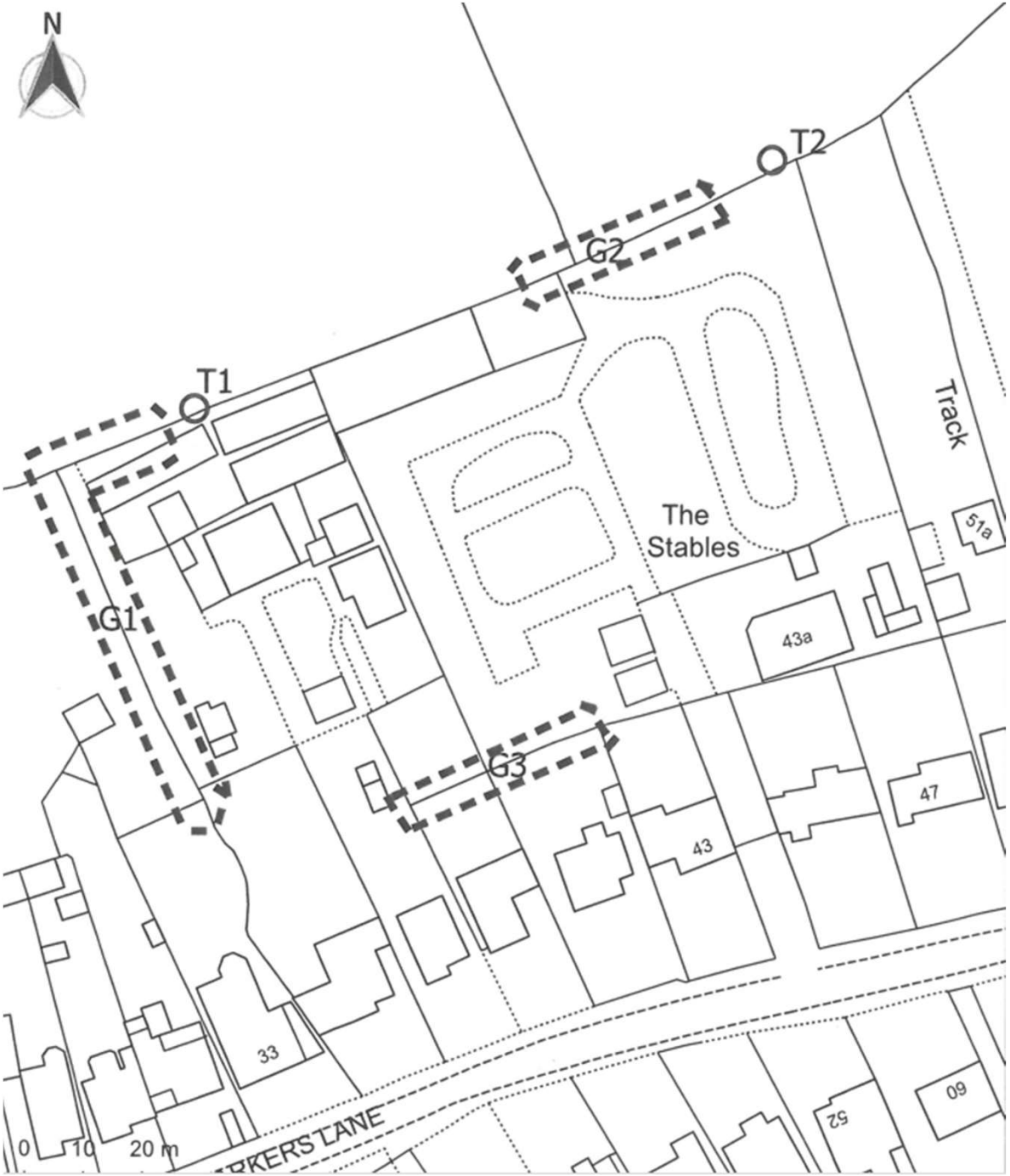
Site Location Plan

Satellite View

District Plan Map

Green Belt BDP4

Tree Preservation Order Plan

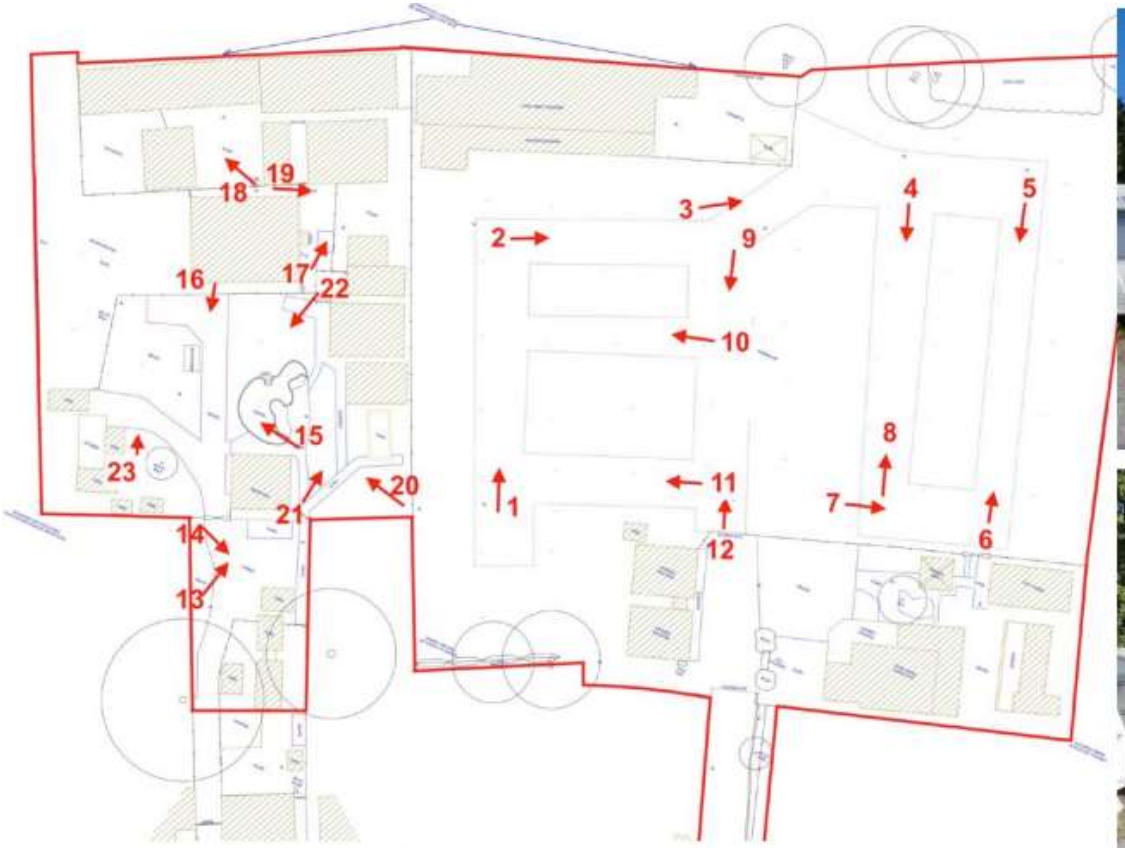


Existing Plan

Refused Scheme under app ref: 19/00951/FUL

Change of use application to convert a caravan storage area to a caravan park.

Site Photographs



LOCATION OF PHOTOGRAPHS WITHIN THE SITE

Site Photographs

Site Photographs

Site Photographs

Existing Access

Google Streetview August 2020

Proposed Layout

DENOTES REFUSE & RECYCLING BIN LOCATIONS

DENOTES CYCLE & GARDENING STORAGE SHED

DENOTES CONCRETE BLOCK PAVIOR TYPE 1

DENOTES CONCRETE BLOCK PAVIOR TYPE 2

GRASSCRETE OR SIMILAR PERMIABLE PARKING AREAS

DENOTES 1.95m HIGH BRICK GARDEN WALLS

DENOTES 1.95m HIGH CLOSE BOARDED FENCING

DENOTES PRECAST CONCETE PAVING

PRIVATE SOFT LANDSCAPING Area 3025 sq m

FRONTAGE SOFT LANDSCAPING Total Area 1070 sq m

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oposed Development at 37 / 43A Barkers Lane, Inkford

comodation Schedule

ot Number	House Type	G.I.A	Number of Bedrooms	No of Dedicated Parking Spaces
1	HT 10	99.1 sq m	3	2
2	HT 10	99.1 sq m	3	2
3	HT 3	130.8 sq m	3	2
4	HT 9	74.5 sq m	2	2
5	HT 9	74.5 sq m	2	2
6	HT 3	130.8sq m	3	2
7	HT 3	130.8sq m	3	2
8	HT 10A	99.1 sq m	3	2
9	HT 10A	99.1 sq m	3	2
10	HT 10	99.1 sq m	3	2
11	HT 10	99.1 sq m	3	2
12	HT 1	116 sq m	3	2
13	HT 8	116 sq m	3	2
14	HT 3A	130.8 sq m	3	2
15	HT 2	130.8 sq m	3	2
16	HT 6	116 sq m	3	2
17	HT 1	116 sq m	3	2
18	HT 9	74.5 sq m	2	2
19	HT 9	74.5 sq m	2	2
20	HT 2	130.8 sq m	3	2
21	HT 9	74.5 sq m	2	2
22	HT 9	74.5 sq m	2	2
23	HT 9	74.5 sq m	2	2
24	HT 9	74.5 sq m	2	2
25	HT 6	116 sq m	2	2
26	HT 1	116 sq m	2	2
27	HT 3	130.8 sq m	3	2

1:250

District Limited

Proposed Site Layout - Roads, Pat

Agenda Item 4

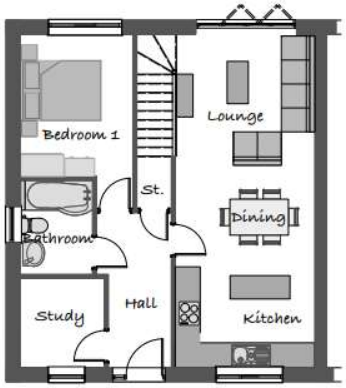
Affordable Dwellings

★ 2 bed affordable dwellings

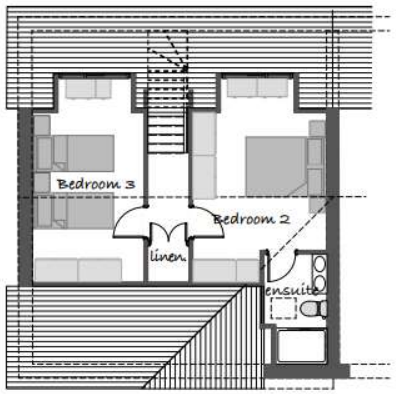
Proposed Landscaping

Examples of Proposed House Types

3 bed semi-detached dormer bungalow HT10 Plots 1,2,10,11

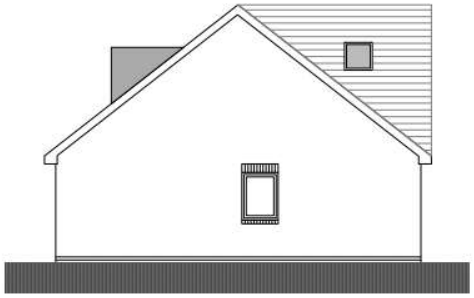


Ground Floor Plan
Plot 12 HANDED

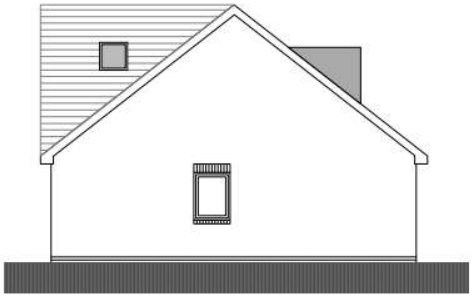


First Floor Plan

Front Elevation



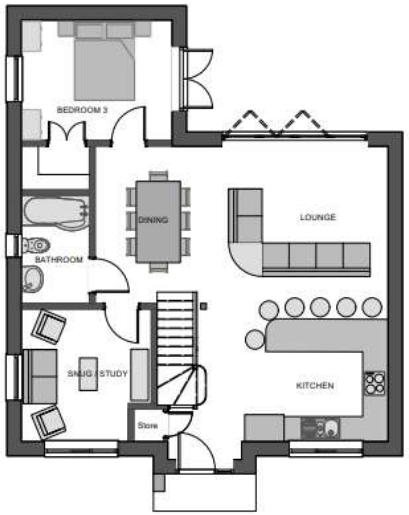
Left Hand Side Elevation



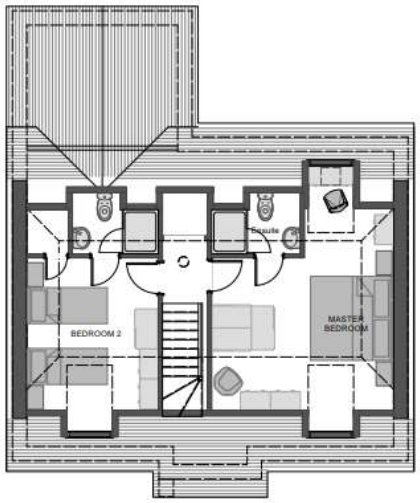
Right Hand Side Elevation

Rear Elevation

3 bed detached dormer bungalow HT3 Plots 3,6,7,27



Ground Floor Plan
Plot 3 HANDED



First Floor Plan

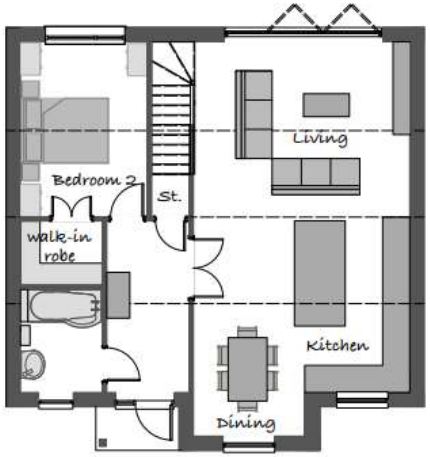
Front Elevation

Right Hand Side Elevation

Rear Elevation

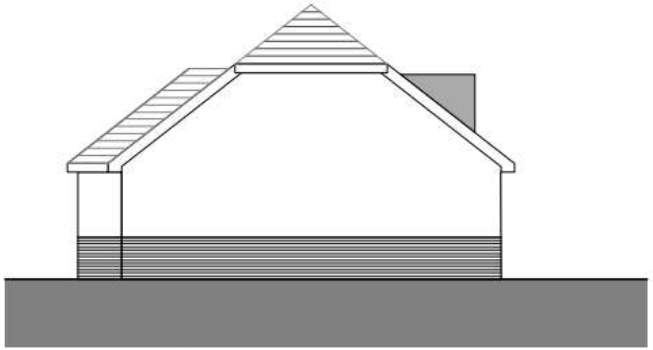
Left Hand Side Elevation

3 bed detached dormer bungalow HT1 Plots 12,17,26

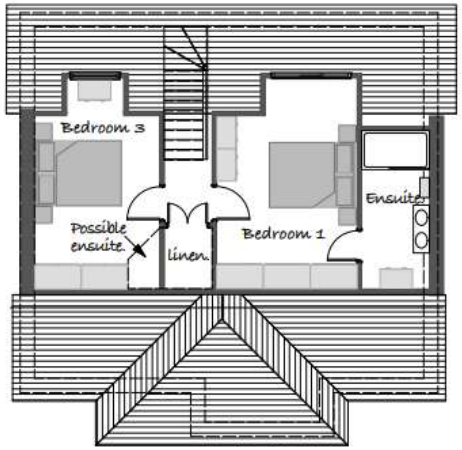


Ground Floor Plan

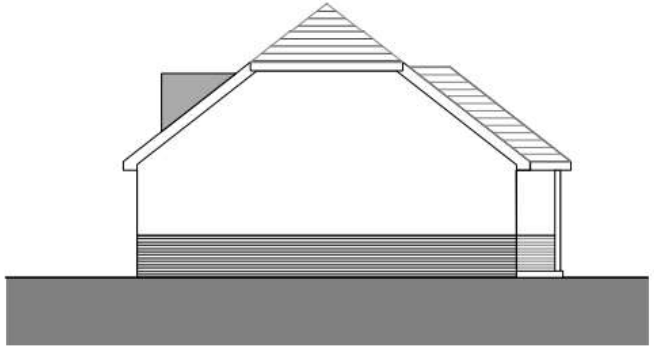
Front Elevation



Right Hand Side Elevation



First Floor Plan



Left Hand Side Elevation

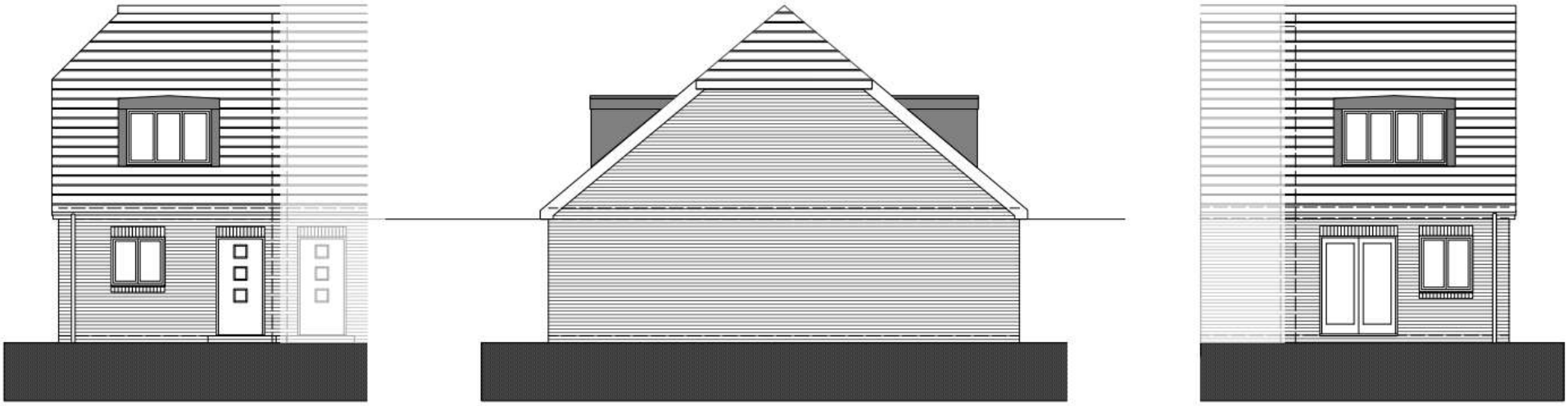
Rear Elevation

2 bed semi-detached dormer bungalow HT9 Plots 4,5,18,19,21-24

Ground Floor Plan

PLOTS 5, 8, 23 & 25. HANDED

First Floor Plan

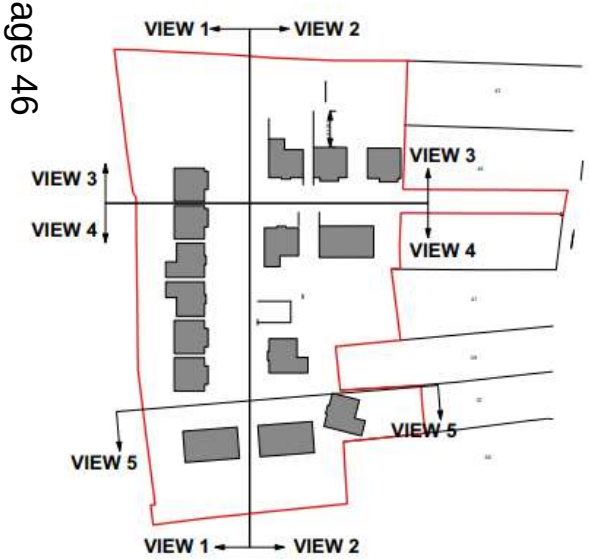


Front Elevation

Gable Elevation

Rear Elevation

Proposed Street Scenes



Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Tony Nicholls	Demolition of garage and sun-lounge; erection of one and a half storey side extension with dormers to front and back and single storey rear extension. 60 East Road, Bromsgrove, Worcestershire, B60 2NS,	18.10.2023	23/00952/FUL

This planning application is considered by Planning Committee rather than being determined under delegated powers as the applicant is related to a Council employee.

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

Consultations

Four letters sent 30 October 2023 (expired 23 November 2023).
No representations received.

Relevant Policies

Bromsgrove District Plan (BDP) 2017
BDP1 Sustainable Development Principles
BDP19 High Quality Design

Others
National Planning Policy Framework (NPPF) 2023
Bromsgrove High Quality Design SPD 2019

Relevant Planning History

B/12876/1985	New double garage and convert ex-garage to family room.	Approved	15.05.1985

Assessment of Proposal

The description of development and proposals have been amended during the determination process following Officer discussion with the Agent.

60 East Road is located on the corner of East Road and Slideslow Avenue, in the residential area of Bromsgrove. To the north of the site is No.62 East Road, to the east of the site is No.1 Slideslow Avenue, to the south is Slideslow Avenue with No.58 East Road beyond and to the west of the site is East Road with the garden area of No.15 North Road beyond.

The site comprises a two-storey red brick dwelling c.1950s, with projecting gable, cat slide roof with flat roof dormer and single storey side garage extension. The dwelling is set back from East Road with access, driveway and front garden. The existing rear garden is enclosed by dwarf wall, close boarded fence and landscaping to Slideslow Avenue.

The existing garage c.4.8m wide and c. 4m8m deep is to be demolished and replaced by a new garage c.5.6m wide and c.8m deep, set back c.1.1m from the front elevation. The extension would provide first floor accommodation within the roof space to provide two ensuite bathrooms to existing bedrooms. The roof would be hipped and set down from the main ridge by c. 1.3m. Dormer windows are proposed within the side extension at the front and back and would follow the form of the existing flat roof front dormer, albeit the depth of the proposed dormers are lightly deeper to allow for insulation as required by Building Regulations.

The existing sun-lounge at the rear of the dwelling would be demolished with internal alterations allowing for an extension to provide a single storey kitchen/dining/family room with sliding rear doors to the garden and roof lanterns.

The proposed materials for extensions are to match the existing facing red brick and small clay tile roof.

The site is located in the residential area and therefore the principle of an extension is acceptable. The proposed side extension is considered to be subordinate in size and prominence with the extension being set down from the ridge of the dwelling and set back from the principal elevation.

The overall size of the proposed extensions maintain the balance and harmony of the dwelling and do not have a detrimental effect on the street scene. The side extension would be set behind the existing dwarf wall which would provide a small section of defensible space and buffer, albeit limited, to the public realm. The hip roof of the side extension would reduce the overall impact to Slideslow Avenue in addition to this small area of defensible space. The side extension would not maintain the building line of the properties on Slidelow Avenue; however, the existing rear garden of the site when measured from the proposed garage is c.33m with existing established landscaping and therefore this is not considered to harm the street scene.

There are no windows proposed in the side extension onto Slideslow Avenue to offer natural surveillance; however, due to the length of boundary this would not alter the existing situation to cause additional harm.

Due to the substantial rear garden length there are no concerns in respect of residential amenity to No.1 Slideslow Avenue or any other nearby dwelling.

Overall, the proposals are considered acceptable and accord with the Development Plan.

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:

- Location Plan dated 21/08/2023
- Proposed Site Plan Drawing Number: 057/04A
- Proposed Floor Plans Drawing Number: 057/03B
- Proposed Elevations Drawing Number: 057/05A

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

3. All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building.

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

Case Officer: Rosie Paget Tel: 01527 881184
Email: rosie.paget@bromsgroveandredditch.gov.uk

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23/00952/FUL

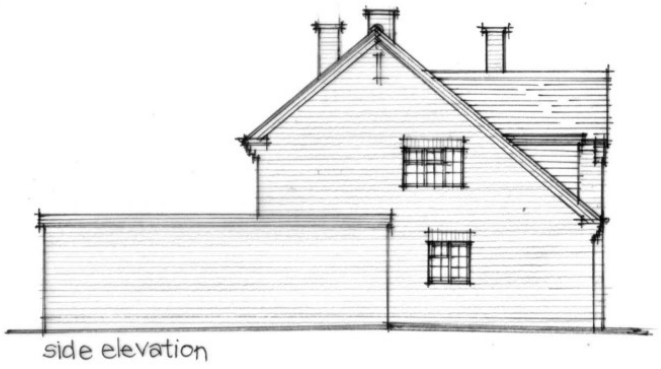
60 East Road, Bromsgrove, Worcestershire, B60 2NS

Demolition of garage and sun-lounge; erection of one and a half storey side extension with dormers to front and back and single storey rear extension.

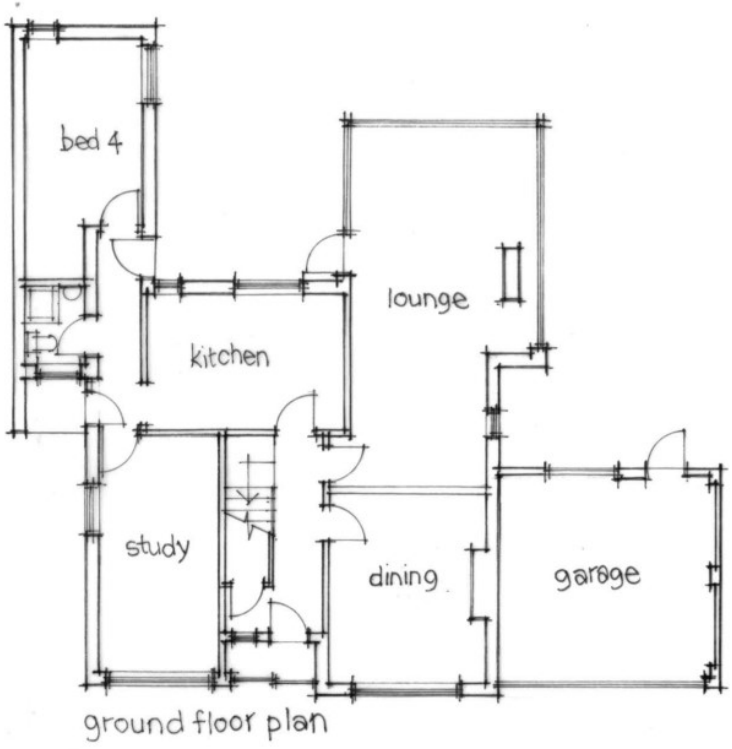
Recommendation: Grant subject to planning conditions

Location Plan

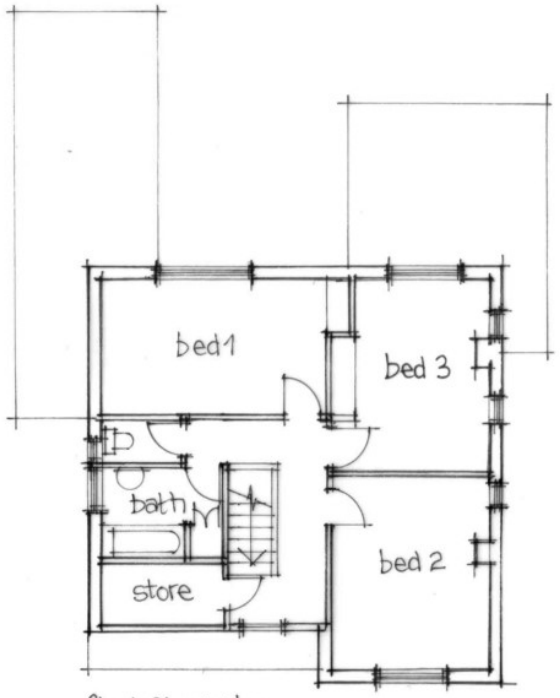
Existing Elevations



Existing Floor Plans



ground floor plan



first floor plan

Site Photos

Photo from East Road – front elevation of 60 East Road

Photo from corner of East Road and Slideslow Avenue towards 60 East Road

Site Photos

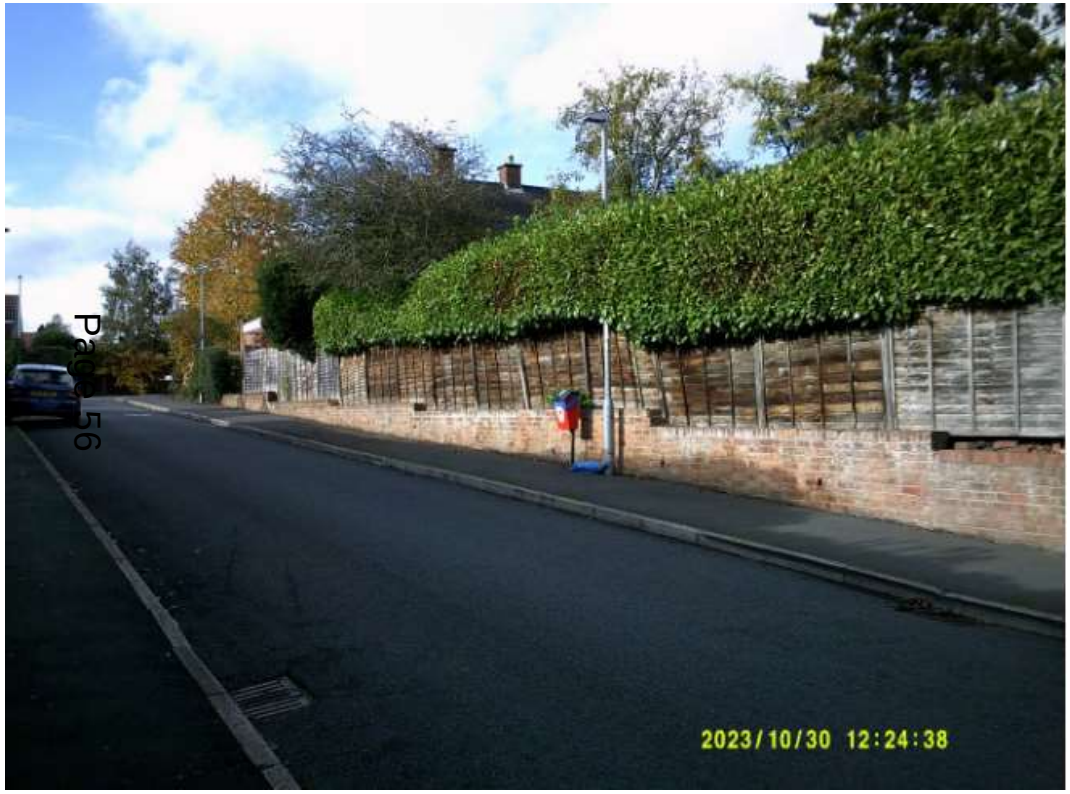
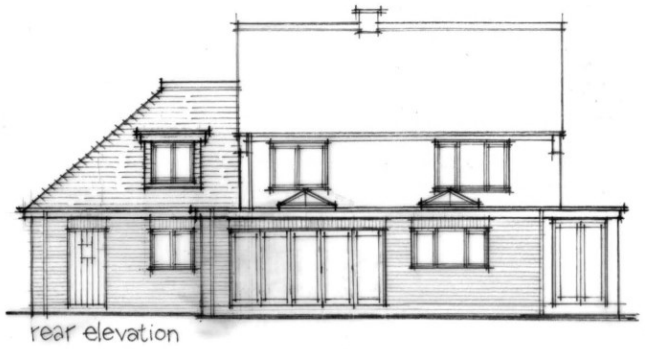


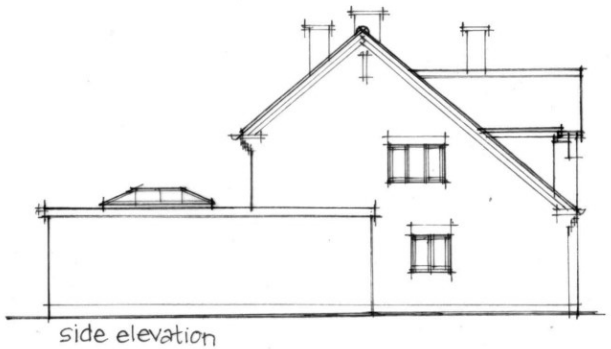
Photo from Slideslow Avenue looking west towards the site

Photo from corner of North Road looking north towards the site

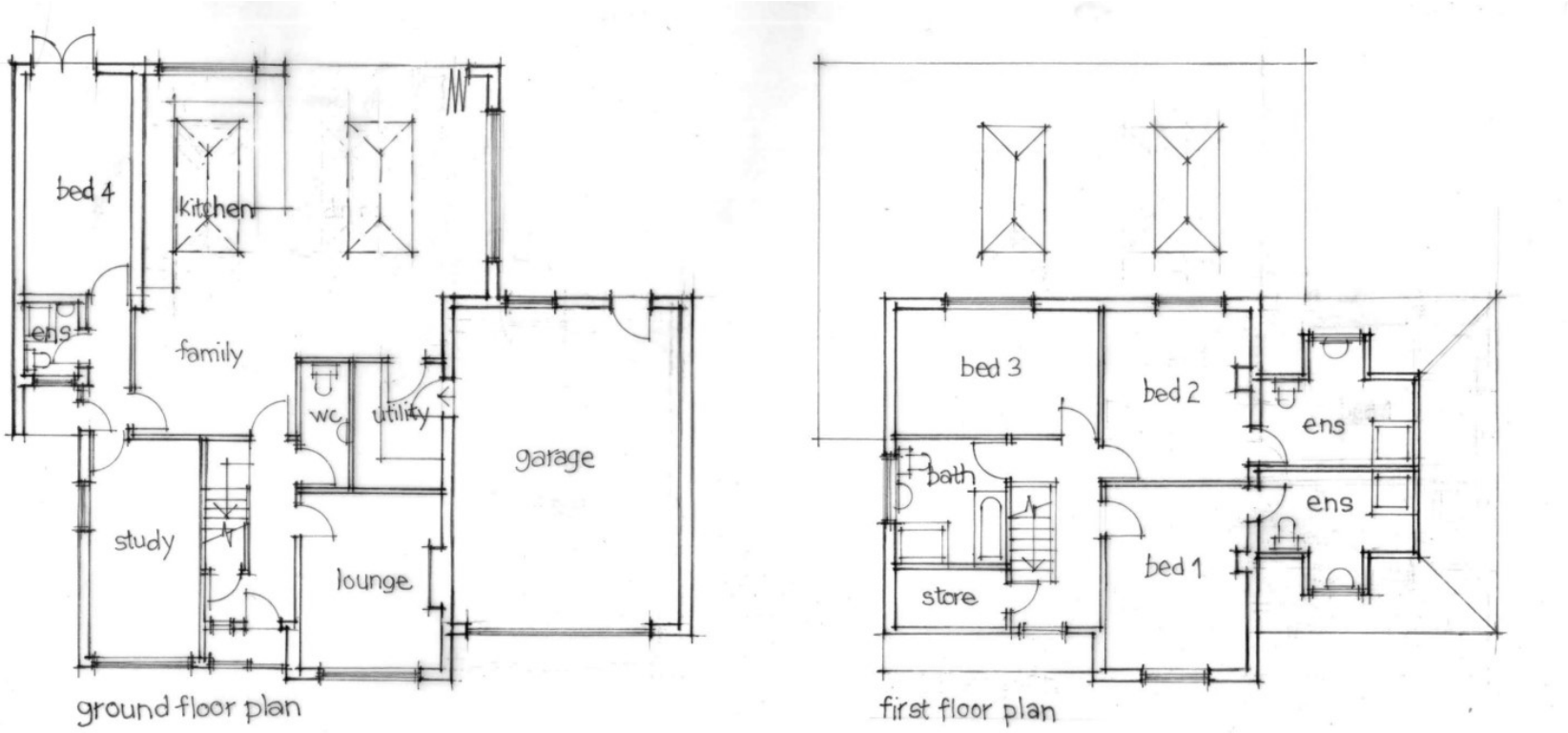
Proposed Site Plan

Proposed Elevations





Proposed Floor Plans



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B R O M S G R O V E D I S T R I C T C O U N C I L

MEETING OF THE PLANNING COMMITTEE

MONDAY, 6TH NOVEMBER 2023, AT 6.00 P.M.

PRESENT: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), S. J. Baxter, D. J. A. Forsythe, E. M. S. Gray, C.A. Hotham (substituting for Councillor A. Bailes), B. McEldowney, S. T. Nock (substituting for Councillor R. Lambert), J. Robinson, J. D. Stanley and D. G. Stewart

Officers: Mr. A. Hussain, Mr. M. Dunphy and Mr. G. Nock, Jacobs (via Microsoft Teams), Mr. M. Howarth, Mr. D. M. Birch, Ms. S. Williams, Mr. P. Lester, Mrs. E. Darby, Ms. K. Hanchett, Worcestershire County Council, Highways, Mrs. P. Ross and Mr G. Day

32/23 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors A. Bailes, with Councillor C. A. Hotham in attendance as the substitute Member; and Councillor R. Lambert with Councillor S. T. Nock in attendance as the substitute Member.

33/23 **DECLARATIONS OF INTEREST**

Councillors M. Marshall and D. G. Stewart both declared a Non-Pecuniary Interest in relation to Agenda Item No.5 – 23/00869/REM, Land at Perryfields Road, Bromsgrove, having made previous public statements with regard to previous applications in respect of Land at Perryfields Road, Bromsgrove. Councillors M. Marshall and D. G. Stewart left the meeting room for the duration of this item and took no part in the Committee's consideration nor voting on this matter.

Councillor C. A. Hotham declared in relation to Agenda Item No.6 – 22/01419/FUL, Land to rear of Smedley Crooke Place, Redditch Road, Hopwood, Worcestershire, in that he would be addressing the Committee for this item as Ward Councillor under the Council's public speaking rules. Following the conclusion of the public speaking, Councillor C. A. Hotham left the meeting room.

Councillor J. Robinson declared in relation to Agenda Item No.5 – 23/00869/REM Land at Perryfields Road and Agenda Item No.6 – Land rear of 1-6 Smedley Crooke Place, Redditch Road, Hopwood,

Worcestershire; in that he was employed by National Highways who were one of the consultees on planning applications. Councillor J. Robinson explained that he had been granted a Dispensation and remained on the Committee for the consideration of both of these items.

34/23 **MINUTES**

The minutes of the Planning Committee meeting held on 4th September 2023, were received.

RESOLVED that the minutes of the Planning Committee meeting held on 4th September 2023, be approved as a correct record.

35/23 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING**

The Chairman announced that a Committee Update had been circulated to all Planning Committee Members and asked all Members if they had received and read the Committee Update.

All Members agreed that they had received and read the Committee Update.

36/23 **23/00869/REM - RESUBMISSION OF RESERVED MATTERS APPLICATION OF PHASE 1 (21/01626/REM), 149 RESIDENTIAL UNITS ON LAND ABUTTING STOURBRIDGE ROAD/PERRYFIELDS ROAD, WHICH IS IN LINE WITH THE OUTLINE PLANNING PERMISSION FOR 1,300 DWELLINGS (APPLICATION REFERENCE 16/0335) ALLOWED AT APPEAL UNDER REFERENCE APP/ P1805/W/20/3265948. THE RESERVED MATTERS APPLICATION SEEKS CONSENT IN LINE WITH CONDITION 1 FOR DETAILED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT, AND SCALE. LAND AT, PERRYFIELDS ROAD, BROMSGROVE, WORCESTERSHIRE. TAYLOR WIMPEY UK LTD**

The Chairman reminded the Committee that as detailed in the Officer's report, that the application before them was a resubmission of the Reserved Matters Application; and that this was an allocated development site and that outline planning permission with the Reserved Matters of Access had been allowed on appeal in 2021.

Therefore, for consideration by Members at tonight's meeting was the Reserved Matters Application which sought consent in line with Condition 1 for detailed matters of appearance, landscaping, layout and scale.

Officers drew Members' attention to the Committee Update, which detailed additional comments submitted by The Bromsgrove Society and the technical comments submitted by the applicants Highway Consultant in response to the issues raised by The Bromsgrove Society. Additional information in respect of minor drainage detail matters, and that North

Worcestershire Water Management were satisfied with the details submitted. The applicant had submitted a briefing note which was distributed to all Planning Committee Members on 27th October 2023.

Officers presented the report and the presentation slides, as detailed on pages 36 to 66 of the main agenda report.

Officers reiterated that the current planning application was a resubmission of planning application 21/01626/REM. The Phase 1 development would take access from the proposed signalised junction with Stourbridge Road connecting via a new proposed spine road.

The section of the spine road relevant to this planning application had been designed in accordance with the principles agreed as part of the outline planning consent set by the Planning Inspectorate; and that the required 20mph design speed had been achieved through appropriate horizontal alignment, as referred to in the Transport Statement (TS) submitted for application 23/00869/REM.

Members were reminded that planning application 21/01626/REM was considered by the Planning Committee on 3rd July 2023 and that the application was refused, for the reasons as detailed on pages 23 and 24 of the main agenda report.

It was noted that Worcestershire County Council, had recalled the concerns raised by Planning Committee Members in respect of the previous application (21/01626/REM). WCC Highway Authority had now acknowledged that the supporting TS submitted by the applicant, for application 23/00869/REM, had provided an overview of transport matters and had sought to address the specific issues raised by Planning Committee Members during the meeting held on 3rd July 2023; as detailed on pages 28 and 29 of the main agenda report.

Officers referred to the 'Active Route Corridor' and the comments received from Active Travel England (ATE), as detailed on pages 30 and 16 respectively; and that ATE had recommended approval of the application (23/00869/REM).
Members were further reminded that a total of 149 dwellings were proposed in this phase generally comprising of 2 storey dwellings, however, 6 No. bungalows were proposed and 10 No, dwellings would be 2½ storeys incorporating dormers.

Officers drew Members' attention to the Relevant Planning History, as detailed on pages 22 to 23 of the main agenda report.

The outline planning permission was allowed on appeal subject to a condition that the Reserved Matters would be in accordance with the indicative development area parameter plans. The plans approved as part of the outline application included detailed plans for the access arrangements/improvements for Stourbridge Road, Kidderminster Road and other nearby roads indicated for highway improvements.

The approved plans also included parameter plans that showed indicative details of the access and movement of the potential development. The Access and Movement Plan showed a 'main movement route corridor'; as shown on pages 38 to 40 of the main agenda report.

At the invitation of the Chairman, Mr. J. Gerner on behalf of The Bromsgrove Society addressed the Committee in objection to the application. Ms. G. Johnson, the applicant's Planning Agent and Mr. M. Axon, the applicant's Highway Consultant, addressed the Committee on behalf of the applicant.

Members then considered the Reserved Matters application, which officers had recommended be approved.

Officers responded to questions from Members with regard to the comment received from ATE in respect of separate footpath provision and cycleway with equal widths preferably wider than 1.75 m for each route. Officers clarified, that as detailed on page 15 of the main agenda report that, the designer had accepted the findings and that a 3.5 metre wide shared use path would be provided.

Members raised some questions on highways issues, the 20mph limit and the Access and Movement Plan, with regard to traffic on Perryfields Road, Stourbridge Road and Kidderminster Road.

At this stage in the meeting, the Chairman took the opportunity to remind the Committee that as she had stated at the beginning of the report; Members were being asked to consider the Reserved Matters application which sought consent for detailed matters of appearance, landscaping, layout and scale; and reiterated that the outline planning permission was allowed at appeal by the Planning Inspectorate.

It was noted that as detailed on page 15 of the main agenda report Mott MacDonald had reviewed the evidence presented in the revised Reserved Matters application for Phase 1 of the Perryfields development; and that this was undertaken to consider the highway related reasons for refusal of the previous application, by Planning Committee Members at the Planning Committee meeting held on 3rd July 2023.

The Worcestershire County Council, Highway Officer and the Development Management Manager (BDC / RBC) commented that the outline planning permission was subject to significant scrutiny by the Planning Inspectorate at appeal; this had included consideration of traffic movement and highway safety and that the Planning Inspectorate had deemed it acceptable and that there would be no traffic impact on Bromsgrove or impact on the highway.

In response to the concern raised by Mr. Gerner on behalf of The Bromsgrove Society about the spine road not being suitable for buses and HGV's; officers confirmed that the road was suitable for both.

Officers further commented that the section of the spine road relevant to this planning application had been designed in accordance with the principles agreed by the Planning Inspectorate; and that the slight curvature of the road would make the development more attractive, giving the houses a better outlook.

Officers further responded to questions from the Committee with regards to the shortfall of 2 affordable dwellings on Phase 1 of the scheme. Officers reassured Members that, as stated on page 27 of the main agenda report, the developers had clarified that the shortfall would be made up in the next phase of the development.

RESOLVED that the Reserved Matters application be approved subject to: -

a) delegated powers be granted to the Head of Planning, Regeneration and Leisure Services to agree the final scope and detailed wording and numbering of Conditions, as set out on page 33 of the main agenda report.

37/23 **22/01419/FUL - DEVELOPMENT OF 34 AFFORDABLE DWELLINGS, ASSOCIATED LANDSCAPING, SITEWORKS AND CONSTRUCTION OF NEW ACCESS FROM EXISTING HIGHWAY ROUNDABOUT, LAND TO REAR OF 1-6 SMEDLEY CROOKE PLACE, REDDITCH ROAD, HOPWOOD, WORCESTERSHIRE. CAWDOR CAPITAL (HOPWOOD) LTD AND STONEBOND PROPERTIES**

Officers presented the report, which highlighted that the application was for the development of 34 affordable dwellings, associated landscaping, site works and construction of a new access from the existing highway roundabout.

Officers referred to the Site Description and Proposal, as detailed on page 71 of the main agenda report. The site was in the Green Belt and was also within the Alvechurch Parish Neighbourhood Plan area; and was located adjacent to but outside of the defined Village Envelope of Hopwood. Page 77 referenced the Alvechurch Neighbourhood Plan and Policy H2 which stated

'Policy H2: Housing for Hopwood and Rowney Green of the Alvechurch Parish Neighbourhood Plan (ANP) was relevant in the consideration of this application, Policy H2 supported housing developments, subject to several detailed criteria as to their location'.

Officers also referred to the following presentation slides: -

- Satellite View

- View of site from Birmingham Road
- View of site
- Proposed Layout
- Proposed Mix of Dwellings
- Proposed Landscaping
- Proposed Access

The application proposed that all of the dwellings to be social rented. The proposed housing mix was detailed on page 72 of the main agenda report.

Officers further referred to the 'Relevant Planning History, as detailed on page 70 of the main agenda report, and in doing so, explained that the new application before Members proposed a very different scheme with 100% affordable housing. Officers drew Members' attention to the 'Affordable Housing' information and the 'Affordable Housing Statement' submitted by the applicant, as detailed on page 81 of the main agenda report.

Officers referred to the comments received from Worcestershire County Council (WCC), Highway Authority, as detailed on pages 82 and 83 of the main agenda report. The Highway Authority had determined that the impact would not be severe based on the evidence supplied.

Several factors had been promoted by the applicant as comprising benefits which could clearly outweigh the harm to the Green Belt (and any other harm) to comprise the Very Special Circumstances (VSC) necessary to approve inappropriate development.

Officers concluded that in reaching a conclusion on Green Belt issues, a judgement as to the balance between harm and whether the harm was clearly outweighed by other considerations, including the benefits of the development, must be reached.
In the context of the NPPF paragraph 148 which states: "Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

In this case, it was considered that the contribution towards housing land supply and that the proposal would provide 100% affordable housing were material considerations that weigh very strongly in favour of the proposals.

However, these benefits must be weighed against the harm to the Green Belt. It was concluded that the Green Belt arguments were no longer finely balanced. For this application, it was considered that the benefits of the proposals now clearly outweighed the harm to the Green Belt, and consequently, VSC did apply.

At the invitation of the Chairman, Mr. C. Robinson, the applicant's Agent and Councillor C. A. Hotham, Ward Councillor, addressed the Committee.

Members then considered the application, which officers had recommended be approved.

Members commented that they were torn when considering this application, since the application proposed 100% affordable housing and differed from the previous application.

However, Members raised a number of concerns with regard to the sustainability of the development in the location; and that in their opinion 100% affordable housing did not justify VSC.

Officers stated that at the 2012 appeal the Planning Inspectorate had not raised any concerns about sustainability; and that officers were steered by WCC Highway Authority on sustainability and that sustainability had never been raised as a sufficient concern to warrant refusal.

Mr. G. Nock, on behalf of Worcestershire County Council, Highways, stated that with regards to transport sustainability, there had been an interesting, long and varied history. There were existing public transport services within the limited local area and that a contribution of £96,000 had been secured in tandem as part of the Brockhill East development to enhance public transport services. This was currently being looked at by WCC Highway Authority and local bus service providers to enhance peak time services. The application was deemed acceptable by WCC Highway Authority.

Members raised further concerns in respect of VSC, 100% affordable housing and the Council's five year housing supply.

Officers responded and stated that each application should be determined on its own merits. However, as stated in their report, the contribution towards housing land supply and that the proposal would provide 100% affordable housing provide social and environmental benefits and as whole were considered VSC. The 34 proposed dwellings were of a good mix and there had been very significant consideration on this application, it was a unique scheme in terms of provision.

Members reiterated their main areas of concern as follows: -

- Green Belt, and that the Local Plan was under review.
- 100% Affordable Housing on the same site.
- Sustainability
- Education
- Health care

34 socially rented dwellings on the same site were not beneficial to that community as it might become an insulated development. There was no

community transport in the area and school transport would have to be built in, how could you guarantee building in community transport how was that sustainable, was this really viable. The development would be very isolated.

Officers explained that there were wider facilities, there was no school provision in Hopwood itself, education facilities in Alvechurch were used. No contribution to education was required due to the tenure of the dwellings proposed. Hereford and Worcestershire CCG had sought a financial contribution.

Members questioned the circumstances that enabled the proposed development to override the criteria set out in the Alvechurch Neighbourhood Plan (ANP).

Officers drew Members' attention to pages 77 and 78 of the main agenda report, and further referenced planning balance and that the benefits of the scheme outweighed the ANP.

The Chairman then referred to the Recommendation, as detailed on pages 86 to 93, with no proposer or seconder, and Members having expressed their concerns an Alternative Recommendation for refusal of the application was proposed and seconded, on being put to the vote it was

RESOLVED that planning permission be refused for the following reasons: -

a) inappropriate development in the Green Belt, there were no Very Special Circumstances to outweigh the harm identified to the Green Belt; and

b) the proposed development would be in an unsustainable location.

38/23 **LOCAL GOVERNMENT ACT 1972**

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraphs of that part, in each case, being as set out below, and that it is in the public interest to do so:-

Minute No.	Paragraphs
39/23	2 & 6

39/23 **ENFORCEMENT MATTERS**

(During the consideration of this item, Members discussed matters that necessitated the disclosure of exempt information. It was therefore

agreed to move to exclude the press and public prior to any debate on the grounds that information would be revealed which related to; information relating to any individual, information which was likely to reveal the identity of any individual and information which revealed what the authority proposed (including the authority holding that information)).

The meeting closed at 7.52 p.m.

Chairman

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