

**Appeal made against the refusal of planning permission**

<b>Appeal reference</b>	APP/P1805/A/10/2136206
<b>Planning application</b>	10/0378-JT
<b>Proposal</b>	Residential Development of 38 dwellings (outline)
<b>Location</b>	Land at Brook Crescent, Hagley, Worcestershire
<b>Ward</b>	Hagley
<b>Decision</b>	Refused by Planning Committee in accordance with officer recommendation. Appeal allowed

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**Discussion**

The application site forms part of the Hagley Area of Development Restraint (HAG2) described as "Land off Kidderminster Road South and Western Road" and comprises 1.58Ha in area. The LPA accepted the principle of development on this site. However, the application was refused because of insufficient detail submitted with the outline application. It was not demonstrated how the proposal would deliver a well-designed development and contribute to the creation of a sustainable community in Hagley. It was considered to undermine the emerging Core Strategy. In particular, the application submission failed to adequately demonstrate how granting outline permission for the development of the site would deliver a suitable design and layout, which would allow for integration with any future development on the larger HAG2 Area of Development Restraint, secure an acceptable character and appearance and the retention of protected trees, prevent or minimise crime and disorder, and take account of climate change.

The proposal did not demonstrate how affordable housing would be delivered and made inadequate provision in terms of contributions to open space, highway and education infrastructure.

The Planning Inspector attached significantly less weight to these points and instead focused on the principle in favour of development, the absence of a five year supply of housing and the ability of the proposal to meet some of the urgent housing need of the District. Paragraph 71 of PPS3 says that where local planning authorities cannot demonstrate an up-to-date 5 years' supply of deliverable sites; planning applications for housing should be favourably considered. The District has 2.19 years of supply and the Inspector attached significant weight to this shortfall.

In terms of the insufficient detail submitted with the outline application and the failure to meet the requirements in the 2010 *Guidance on Information Requirements and Validation* (GIRV) (DCLG), the Inspector considered that the application complied.

A Unilateral Undertaking was received 16th November 2010 during the appeal process. This included contributions towards the provision of public transport enhancement, play space, educational infrastructure, air quality mitigation and the

legal means to secure the provision of the proposed affordable housing. The Inspector considered that the UU was an adequate means of meeting the Community Infrastructure Levy Regulations. This removed the second reason for refusal.

### **Costs application**

No application for costs was made.

### **Appeal outcome**

The appeal was **ALLOWED** (21st February 2011).

### **Recommendation**

**The Committee is asked to RESOLVE that the item of information be noted.**