

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. A. Plant, St. Francis Group 'A'	Outline application for approximately 50 car parking spaces for Wythall Railway Station with associated provision of approximately 2.1 hectares of open space with up to 65 market and affordable dwellings (as augmented by Phase 1 Desk Study, Proposed Site Layout (amended), Illustrative Main Street and Public Open Space Elevations, Received 09.12.2010; Illustrative Ground Floor House Type Plans, Received 11.01.2011) - Land at Norton Lane, Wythall, B47 6HA	Green Belt	10/0931-DK 14.04.2011

RECOMMENDATION: that permission be **REFUSED**.

COMMITTEE SITE VISIT: 24th March 2011.

Consultations

WH Consulted 05.10.2010. Response received: 02.12.2010.

No objection subject to the following conditions:

HC5 - Visibility Splays

HC25 - Access, Turning and Parking

HC44 - Wheel Washing

HC51 - Parking for site operatives

HC53 - (Modified) Welcome Pack Condition

The following informatives are also required:

HN1 - Mud on Highway, HN4 - Private Apparatus within the Highway, HN6 Section 278 Agreement, HN7- Section 38 Agreement details, HN8 Drainage Details for Section 38, HN9- No Drainage Discharge to Highway, HN12 Protection of Visibility Splays, HN16 Design of Street Lighting for Section 278, HN24 Temporary Direction Signs to Housing Developments.

S106 Agreement Heads of Terms:

The applicant should enter into a Section 106 Agreement to contribute £30,000 towards:

- Improvement to the footway between the pedestrian access at the railway station pedestrian access.

- Install alternative pedestrian crossing points near Lea Green Lane/Station Road, Norton Lane so there is better connection towards the shops in Station Road and the school further along.
- Provide cycle improvements to improve accessibility for cyclists to the Sainsburys Supermarket at the Maypole and the schools in Shawhurst Lane and the shopping area near Simms Lane, effectively to the village centre.

ENG Consulted 05.10.2010. Response received: 24.11.2010.
No objection subject to conditions.

STW Consulted 09.03.2011. No response to date.

SE Consulted 09.03.2011. No response to date.

SHM Consulted: 05.10.2010. Response received: 18.11.2011.
The affordable housing on-site provision has not been identified at this stage. 40% affordable housing should be provided on the following basis:

- The tenure split of the affordable housing to provide 75% social rent and 25% intermediate housing (which can consist of a mix of shared ownership units and intermediate rental units provided at no more than 80% of open market rent)
- A proposed split of units to be provided would be:
 - 1 bedroom flats: 4
 - 2 bedroom houses 8
 - 3 bedroom houses 10
 - 4 bedroom houses 2
 - 2 bedroom bungalows 2
 - Total: 26The applicant should be in discussion with an RSL provider and come forward with proposal on the basis of the above tenure split.

LP Consulted 05.10.2010. Response received: 01.12.2010.

There is a general presumption against inappropriate development in the Green Belt and this proposal does not meet the exceptions listed in DS2 or PPG2. The proposed 65 dwellings and 50 space car park would significantly reduce the level of openness on the site. The applicant attempts to put forward 5 very special circumstances to outweigh the material harm to the openness of the Green Belt. Each of these will be addressed in turn.

1. Housing Need

The first 3 circumstances put forward can be addressed together as they are housing related and refer to the need to meet targets, provide affordable housing and achieve a 5 year supply of housing.

It is important to consider the issue of Housing supply in the determination of this application but following the change in Government, the policy situation is far from clear. On the 6th June 2010 a Parliamentary Statement was released stating that Regional Spatial Strategies were being revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and will thus no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004. However, on the 9th August Cala Homes submitted a High Court challenge against the decision of the Secretary of State for the Communities and Local Government (CLG). On the 10th November the High Court ruled that the Secretary of State's decision to revoke RSS was unlawful on 2 grounds. Immediately after this ruling the CLG Chief Planner wrote to all local authorities stating that the ruling changed little and the intention to remove RSSs was still a material consideration in the determination of planning applications. On the 19th November Cala Homes then issued a second claim, seeking a declaration from the Court that the government's stated intention to revoke Regional Strategies is not a material consideration for the purposes of making planning decisions. On 29th November the court placed a temporary block on the government's claim that its plans to abolish Regional Strategies must be regarded as a material consideration in planning decisions. A full hearing is currently pending to assess the CLG advice. Whilst the future of the RSS and the localism agenda is not entirely clear, currently the RSS remains part of the Development Plan and needs to be considered when assessing planning applications.

The determination of whether the Council has a five year supply of housing land should be based on the most up to date and relevant information. For Bromsgrove specific housing issues, this is considered to be the planning inspectorates report into phase 2 revision of the RSS which recommended an initial housing target of 4,000 dwellings. It should be remembered that this figure was also put forward by the Council at The Examination in Public. It was considered that this initial allocation of 4,000 houses would help to address affordable housing needs and begin to re-balance the housing market; a significant element of the justification for this level of development was the existence of deliverable ADR sites across the district which could help meet the needs whilst not requiring green belt development or a full green belt review. The Council's approach of carefully targeting smaller units to meet identified needs across the district was strongly endorsed by the Panel. As this figure of 4,000 was based on robust local evidence and conforms with what was the emerging RSS, it is considered by officers as the most relevant target to use when addressing matters of housing supply.

At April 2010, when using the 4,000 figure, a supply of only 2.19 years can be demonstrated when taking into account completions

and current commitments since 2006 which is the start of the plan period the 4000 dwellings figure relates to.

Whilst a 5 year supply does not currently exist, other material factors need to be considered before releasing Green Belt land for development. The Strategic Housing Land Availability Assessment (SHLAA) identifies a number of sites that are suitable and available and could deliver in excess of the 4,000 target. The majority of these sites are identified as Areas of Development Restraint (ADRs) in the Local Plan. It should be remembered that the purpose of the ADR designations in the BDLP was to provide a sufficient reserve of land to allow development post 2001 but to ensure the permanence of Green Belt boundaries to 2021. It is therefore logical that development should occur on ADRs before the release of sites in the Green Belt. The applicant has made no attempt justify why this site is more suitable for housing or more deliverable within 5 years than these ADR sites. The deliverability of the ADRs is highlighted by the submission of recent planning applications at the Selsdon Close (76 units) and St. Godwalds Road (212 units) ADRs. These submissions have the potential to begin to address the supply shortfall and address affordable housing needs. In particular the Selsdon Close scheme, if approved, could deliver affordable housing which could help meet local needs in Wythall.

The Core Strategy is still emerging and has been developed with regular Member involvement over a considerable number of months. Subject to the resolution of the high court proceedings and the publication of the localism bill, the Draft Core Strategy 2 is to be published in early 2011. It is anticipated the Core strategy will identify strategic sites around Bromsgrove Town and also set out a framework for the delivery of the remaining ADRs. The combination of these strategic sites and the other ADRs will ensure that a 5 year supply can be achieved and then maintained for a significant number of years. It is therefore considered that the release of Green Belt land to achieve housing targets cannot be justified when there are deliverable and suitable ADRs.

The Affordable Housing Delivery Plan highlights that the proposed breakdown of affordable housing is 2/3 social rented and 1/3 intermediate with 26, 2 and 3 bedroom properties to be provided. This broadly conforms with the Council's long term strategy although the views of the Strategic Housing Manager should be sought for any specific requirements for provision in this area. It appears that the 26 smaller / affordable units are in proximity to the railway line and the car park with the rest of the site being larger units further away from the railway line and fronting onto the open space.

The Council's Housing Market Assessment (2008) identified a high level of need for two and three bedroom properties and this is reflected in policies within the Draft Core Strategy 2. It is noted that

about one third of the properties are 4 and 5 bedroom. It is considered that at least 70-75% of the units should be 3-bedroom or smaller.

2. Car Parking for Wythall Station

The applicant has put forward the need for a car park to serve Wythall Station as a very special circumstance. This is supported by policy WYT10 of the Local Plan. However no detailed assessment of the need for a station car park at Wythall has taken place. The submitted Transport Assessment (TA) contains very little information that identifies a need for the car park. The TA does highlight that the growth in passenger numbers between 1994 and 2005 at Wythall Station is below average in percentage terms when compared to other Worcestershire train stations. However, this is not surprising when there is generally only one train an hour at Wythall Station. At stations where there are more frequent trains there is greater potential for passenger numbers to grow.

The TA highlights that there is some on-street parking near to the station but this does not in itself justify a 50 space car park. Wythall is a local station that for much of the day has only an hourly service to Birmingham and Stratford. The station serves the local community the majority of which can comfortably reach the station by a sustainable mode of transport. Those travelling from further a field by car have the opportunity to use the next station along the track (Whitlocks End) where there are over 100 parking spaces. It is understood that the county council will expect contributions to be made to improve local walking and cycling infrastructure should this scheme be approved, if this is the case then the requirement for the car park would be further lessened as the accessibility of the station locally would be improved reducing the need to access it via car.

It would appear that no formal agreement has yet been reached as to who would manage the station. The TA states that "Centro currently support the station and it is expected that they will operate and maintain the car park." Without a clear management plan in place there is no mechanism to ensure that the car park is used solely by rail users rather than overspill parking for the proposed residential development. It would be expected that any official station car park would require the co-ordinated involvement of Centro but in this instance it is unclear what discussions have taken place between Centro and the applicant.

Even if a need for the car park could be justified this does not explain why 65 homes should gain consent in a Green Belt location. There is no evidence to suggest that precisely 65 homes are required to fund the car park and make it viable. WYT10 of the local plan supports a car park *'which is designed to minimise its appearance and effect on adjacent land uses'* the inclusion of 65

houses in the scheme certainly does not minimise its appearance and effect on adjacent land uses. Further to this the supporting text for WTY10 identifies the proposals for the recreational use which exist on part of the site and indicates that the possibility for a dual use car park is examined. The application makes no attempt to examine this possibility of a dual use car park on this or any other site, and should the residential scheme gain consent and be developed the recreational scheme would no longer be possible. WYT10 at no point makes any reference to a residential scheme or any other development type being used as an enabler for the car park and as stated above there is no evidence submitted which identifies that 65 houses is the required amount to fund what in effect is a fairly minor element of the overall scheme. Whilst it could be seen on the face of it that this application conforms with policy WYT10, the real position is that only the car park element in isolation conforms with WYT10 and any other development associated with it is contrary to this and many other parts of the development plan.

3. Open Space

The 5th circumstance put forward by the applicant is the provision of open space. The applicant has made no attempt to identify whether there is a shortfall of open space in the district or more locally in Wythall or why this site is the most appropriate location for public open space. Open space should be provided on any residential scheme of this size as an essential community facility and is in no way considered to be a very special circumstance that overrides Green Belt harm. In my view the open space is also not well integrated into the overall scheme and should the outline permission be granted further consideration of this should be made at the detailed stage.

In summary it is considered that the applicant is using the perceived need for a car park as a method of gaining consent for housing in a Green Belt location. However it is considered that there are no very special circumstances to outweigh the material harm to the openness of the Green Belt caused by either the car park or the housing scheme.

LP
(Open Space)

Consulted: 05.10.2010. Response received: 03.02.2011 as follows:
The amount of play space generated by this development is 6,483sqm. The amount of open space currently proposed on site comfortably exceeds this and accords with SPG11. However, only natural and informal areas of play are proposed. A local equipped area of play (LEAP) should be provided since the development is above 50 units. The area of open space proposed generates on-site maintenance costs of £244,539.

Head of Leisure Services Consulted 05.10.2010. Response received: 03.02.2011.

I have roughly measured the distance by road to the nearest LEAP (Hollywood Lane) and it is estimated 0.8 miles and therefore would just fall outside the above.

It is also our long term vision to reduce the number of smaller LEAPs and create/enhance larger POS with play provision within the community. However, due to lack of provision in this location we would suggest that the site would benefit from a suitable play provision in accordance with the Worcestershire Play Strategy and we would request that BDC are fully involved in the implementation, consultation and design process.

With regard to the POS then as advised this is purely indicative at this stage and detail has not been provided - apart from size contribution. However, I would refer any contribution calculations to include balancing pond and associated water areas in line with recommendations from Clive Wilson at Redditch.

I hope this will be sufficient information at this early stage in the application and I look forward to reviewing the proposed open space contribution when supplied in more detail.

WMRA Consulted 08.10.2010. No response received.

WCC Education Consulted: 27.01.2011. Response received: 28.01.2011.

The application requires a contribution towards education provision in the locality. The contributions required for this area are currently:

£5,345 per open market 2 or 3-bed house
£8,018 per open market 4+bed house
1 bed properties and social housing are exempt.

On the basis of the mix of dwellings proposed and accounting for the affordable units, the total contribution would be £245,881.

Urban Designer Consulted 08.10.2010. Response received: 18.10.2010.

Site Planning

The general site planning principles are sound. The new housing would be concentrated on the higher land next to the railway and existing housing. The lower levels are proposed for open space and the entrance to the site is in the only possible location.

Density

The density at 25 dwellings/hectare, excluding the open space is low. This will form the edge of the urban area and a more compact form would result in a more defined edge.

Layout

The layout proposed is conventional suburban. There is little evidence of the advice of Manual for Streets in terms of spatial enclosure, walking and cycling or placemaking. The properties are set 20m apart on the proposed street which could be reduced. There is no pedestrian movement possible other than on the sides of the vehicle carriageway.

Form

There is reference to examples of local housing types with no analysis of them. The architectural vocabulary has not been enhanced as could be the case.

Sustainable Design

There is no reference for example to passive or active solar energy collection or sustainable drainage systems.

Central Squares

These are a welcome departure from the conventional suburban layout. However, the squares should not be disaggregated.

Riverwalk footpath

In principle, this is a good proposal, but its implementation is unsatisfactory because nowhere does it come closer than 10m to the river. The route is not part of a joined up network.

Station Car Park

The change in the location of the car park described in paragraph 4.26 appears to be a positive move. However, there is no direct connection from the car park to the station platform.

Summary

Whilst the Design and Access Statement makes reference to PPS3, Manual for Streets, Building for Life, etc.) there is little evidence in the scheme that these principles have been taken on board. The applicant should raise their aspirations to produce a development of greater quality and distinction.

Augmented Plans (Received 13.01.2011) following the serving of an Article 3(2) Direction. Urban Designer re-consulted 19.01.2011. Response received: 07.02.2011.

General

The layout is much improved with a clearer block structure and more permeability. The planning and enclosure of the station car park is now quite positive. The possibility of a direct link to the station is being explored.

Summary

The augmented plan is an improvement over the original. However, the principles of the architectural language of the site need clarification and should be evident at this, outline stage. The information provided in this respect gives little confidence that there are architectural principles which can be drawn through to reserved matters stage.

WMERC

Consulted 05.10.2010. Response received: 19.10.2010.

1. I note the proposals to include up to 40% affordable housing. Most affordable housing is constructed to secured by design standards to reduce the risk of crime and disorder. I feel the whole development would benefit from construction to such a standard.
2. Whilst I appreciate this is an outline application, I raise objection to the car park for the station. It is isolated and there are no clear lines of sight. The vehicles would be vulnerable to attack.
3. I have concerns in relation to the path leading to the car park. It would have to be open and lit in order to reduce the fear of crime and prevent robberies.

WCC
Landscape
Officer

Consulted 05.10.2010. Response received: 10.11.2010.

The site is identified by the Worcestershire County Landscape Character Assessment (LCA) as being an area of Timbered Pastures that extends across Wythall. There are densely scattered hedgerow oak trees and a small scale pattern of hedge trees. It is an ancient landscape, in good condition and extremely vulnerable to development pressure.

The application site was historically quarried and later used for landfill. The River Cole SWS runs alongside the application site. The Landscape and Visual appraisal provided by Pegasus Planning is adequate but does not refer to the LCA. The removal of the site from the Green Belt is contrary to policy DS2 and would result in the coalescence of the settlements.

NE

Consulted: 05.10.2010. Response received: 22.10.2010.

Natural England has no objection to this proposal. We advise securing the recommendations made in the Ecological Scoping Survey through

conditions. We also recommend a condition to ensure the delivery of ecological enhancement, in line with PPS9 key principle iii.

WWT Consulted 05.10.2010. No response received.

EHM Consulted 05.10.2010. Response received: 29.11.2011.

Contaminated
Land

Objection. There is insufficient information to demonstrate that the site can be made suitable for use with regard to contaminated land and the associated risks to human health. The principal risks arising are because of the past use of the site as a sand and gravel pit. Previous studies have identified heavy metals and the groundwater is also known to contain elevated levels of selenium, boron, copper and zinc. Landfill gas risk assessment must also be undertaken.

The applicant provided a Phase 1 Desk Study (SP Associates, Ref: S1238) on 08.12.2010.

Additional Comments from EHM received 08.03.2011.
No objection subject to conditions.

EHM Noise Consulted 05.10.2010. Response received: 16.02.2011.
No objection.

EA Consulted 05.10.2010. Response received: 01.11.2010.

Objection - there is insufficient information in respect of the risk of flooding and pollution to controlled waters.

The applicant provided a Flood Risk Addendum letter (Ref: SG.CD.LUK14-15895-FRA) on 16.11.2010. This sought to address River Section Chainage Labels, Finished Floor Levels and Maintenance of the Water Features.

Revised comments received from EA 13.01.2011 as follows:
The EA is now in a position to withdraw its objection on the grounds of flood risk since the letter provided resolves the three outstanding issues raised.

The applicant provided a Phase 1 Desk Study (SP Associates, Ref: S1238) received 09.12.2010.
EA Re-consulted 22.02.2011, no response to date.

Final comments received: 16.03.2011
No objection subject to conditions.

NR Consulted 05.10.2010. Response received: 25.10.2010.

Network Rail Town Planning have no objection in principle to the development, however due to its close proximity to the operational railway a number of advisories should be attached to any consent.

The developer has sought to include an area for Wythall railway station parking there is no detail as to its management going forward. Network Rail has no specific objection to 3rd parties looking to enhance the travelling experience of rail passengers and it should obviously be encouraged. Linking it to the station would be something that London Midland, as resident Train Operator and holder of the station safety case would have to comment on - so the proposal would obviously be subject to more specific consents. Of real importance to London Midland would be the spec and management of the area as if its publicised as a station car park then, any queries on it once built would be directed to the Train Operator of Wythall Station. Therefore the developer should have contacted London Midland to discuss this issue in detail and to obtain any consents.

CENTRO Response received 09.02.2011.

Centro supports the principle of this development and associated park and rise along the Shakespeare Line as it assists in making public transport a viable alternative to the private vehicle.

WCC
Transportation Response received 27.10.2010.

Worcestershire County Council has spent time searching for suitable site to provide parking facilities adjacent to Wythall station and therefore would support the proposals. The proposal for a car park is supported by policy RAIL4 of the Worcestershire Local Transport Plan 2006-2011. WCC prepared an 'options' document' on the feasibility of various sites for a station and the preferred option was identified as site A which is contiguous with the station and accessed from *Norton Drive*.

London Midland
Rail Services Consulted 28.10.2010. No response received.

National Grid Consulted 11.03.2011. No response received.

Solihull MBC Consulted 28.10.2010. No response received.

Wythall PC Consulted 05.10.2010. Response received: 15.10.2010.

The application was considered by the Planning Committee of the Parish Council at the meeting held on the 13.10.2010 and the following are the agreed comments:

- Objection - the land is Green Belt. However, the park and ride scheme would be welcome.

- There appears to be no survey conducted as to whether the existing infrastructure could support the additional traffic on this dangerous section of Norton Lane.
- There are a small number of parking spaces proposed within the site which could result in displacement.
- The Local Plan Inspector ruled out the site as an ADR because it would result in the coalescence with development to the east.
- The land has formerly been used as a tip and would be unstable for the building of dwellings.

Re-Consulted 19.01.2011. Response received 11.02.2011.
Objection as per letter dated 15.10.2010.

Tidbury Green
PC Response received: 22.10.2010.

We object to the application on the following grounds:- development of the Green Belt; development on a land-fill site which was an unregulated tip building on the flood plane reduce the 'space' between Wythall and Tidbury Green where there is still the possibility of TG being developed at the back of Lowbrook Lane which would result in no 'gap' if this development is permitted impact significantly upon traffic usage along Norton Lane.

Wythall
Residents
Association Response received: 20.12.2010.
Objection - Green Belt development.

Publicity 11 letters sent 05.10.2010, expired 26.10.2010.
4 letters sent 22.02.2011, expired 15.03.2011.
Re-consultation: 184 letters sent 19.01.2011, expired 09.02.2011.
2 identical site notices posted on 02.11.2010. (expired: 23.11.2010)
Press Notice posted 14.10.2010 (expired 04.11.2010).

205 letters received objecting to the application and the main issues are outlined. These also summarise the responses received following re-consultation.

- The loss of a Green Belt site and the coalescence of the settlements
- The precedent which would be set for other developers to swallow up Green Belt land
- Substantial increases in the levels of traffic and insufficient capacity in the highway network to cope. There would be an increase of anything between 280 and 350 additional cars on the roads as a result of these developments
- Norton lane has become a 'rat run' connecting the new developments at Dickens Heath with the M42
- Additional pressure on the local road junctions including Norton Lane, Lea Green Lane and Lowbrook Lane
- Proposed entrance will conflict with the Lowbrook Lane/Norton Lane junction

- There would be an increased risk of road accidents
- The position of the proposed car park limits its utility
- The Council should not rely on RSS figures since the responsibility for land use planning and housing supply has been handed to Local Authorities under the localism agenda
- Inadequate justification provided for proposed car park. The existing community all live within walking distance of the station
- There is only one hourly train service to Birmingham and a much reduced service at weekends. The limited timetable and choice of destination greatly reduces the justification for a 'Park and Ride' facility
- Inadequate existing sewerage infrastructure
- Public transport is inadequate and one bus route has been lost in Wythall
- There are inadequate services including medical services in the area
- Loss of wildlife and habitat. The environmental survey was conducted after the land was cleared.
- Conflict with government policy which seeks to protect the environment
- The application is outline so the number of dwellings could be increased
- Potential for reduced water pressure
- The contaminated nature of the site
- The risk of flooding
- Lack of local shops and services
- Lack of school capacity
- Detrimental impact on local house prices
- Light pollution
- Anti social behaviour
- Security concerns
- Loss of the rural and semi rural feel of Wythall and attendant loss of quality of life

The site and its surroundings

The application site comprises a large area of land (4.72 Ha in all) in a single field enclosure located within the Green Belt on the north eastern edge of the settlement of Wythall. The River Cole forms the eastern boundary of the application site and also forms the boundary of the District with Solihull. The site has been the subject of landfilling and the gradient generally falls from west to east. The rear gardens of Nos. 8 - 26 Norton Lane form the southern boundary of the application site. There is a relatively new housing (Norton Drive) on the south western boundary of the application site. There is open farmland to the east and north of the application site.

There is a vehicular access to the site from Norton Lane and a pedestrian access which adjoins Norton Drive. A substantial area of hardstanding lies immediately to the north of the existing vehicular access. There are currently a number of mature trees on the application site, some at the entrance at the SE of the site and along the eastern boundary. The remainder of the site is open and currently disused with a mixture of scrub

and rough grassland. There is evidence of inert waste. There are two existing pools on the site close to the River Cole on the eastern and northern boundaries.

The predominant surrounding land uses are residential with a mix of interwar housing in linear formations along Norton Lane, Lea Green Lane and Lowbrook Lane. Lea Green Drive and Norton Drive are examples of later infill development.

Proposal

The application relates to an outline application for the erection of 65 dwellings. The scheme will provide a minimum of 2.1Ha of open space, arrangements for access and associated infrastructure. There will also be 50 parking spaces provided for Wythall Station and a pedestrian link to the station via Norton Lane.

The application originally reserved all matters for future consideration apart from access. Since the development is located in the Green Belt and the scale of the impact of the proposal upon openness must be determined, it was considered that the scale of the proposal could not remain a reserved matter. Therefore, on 15th October 2010, the Council served the requisite notice under Article 3 of the Town and Country Planning (General Development Procedure Order 1995) requiring details to be provided of the scale and appearance of the proposal. These details were received on 13th January 2011. The indicative site layout has also been revised (Ref: SJD-009-021, Received 09.12.2010) and provides detail on the layout and extent of the proposal. The Design and Access Statement was also updated to that effect. This accords with the advice of paragraph 52 of Circular 01/2006 which requires the parameters of a proposed development to be provided at outline stage.

The scheme proposes 2.1Ha of open space located adjoining the eastern boundary of the application site. The Design and Access Statement envisages the provision of separate informal and equipped children's play space and youth and adult play space.

The remainder of the application site would be developed for residential purposes comprising 65 dwellings with a mix of housing types and an average density of 25 dph.

Property Type	No. of bedrooms	No. of units	Proportion of mix
House	1 bed	4	6%
	2 bed	17	27%
	3 bed	22	34%
	4 bed	12	18%
	5 bed	10	15%
Total		65	100%

The mix will comprise semidetached, detached and terraced housing with the larger detached properties proposed for the eastern edge of the site facing the open space and the smaller properties located in the core of the application site. The scheme will be entirely two storeys.

The development will provide up to 40% affordable housing providing a mix of social rented and intermediate tenure.

The proposed 50 parking spaces for Wythall Station will be provided on the western side of the application site and pedestrian access is proposed from the car park south to Norton Lane to enable access to the existing station entrance to the west. A direct pedestrian link onto the platform is being explored.

It is proposed to use sustainable building techniques in the scheme in accordance with the Code for Sustainable Homes and to utilise Sustainable Urban Drainage Systems to reduce surface water runoff on the site. A range of additional measures to enhance the sustainability of the scheme are proposed at the detailed application stage.

The application is accompanied by the following documents:

Design and Access Statement (Revised November 2010), Planning Statement, Phase 1 Desk Study, Tree Survey, Statement of Community Involvement, Affordable Housing Delivery Plan, Ecological Scoping Survey, Landscape and Visual Appraisal, Flood Risk Assessment, Drainage Strategy, Contamination and Ground Assessment, Report on Existing Noise and Vibration Climate and Transport Assessment. These are available on the planning file and on Public Access should Members wish to view them.

Relevant Planning History

B/1993/0100	Erection of steel palisade fence and gate to back of pavement. Granted 24.05.1993.
B19235	Change of use from tipping site to recreational/leisure facility (Resubmission of B11248). Granted 16.07.1990.
B11248	Change of use from tipping site to recreational/leisure facility. Granted 04.11.1984.
B10092	Change of use from tipping site to recreational/leisure facility with associated living accommodation. Refused 18.11.1982.
BR/896/1973	Use of land for the tipping of hardcore and soil in former gravel pit. Granted 01.07.1974.
BR/920/1967	Tipping Granted 09.12.1967
BR/576/1962	Residential development. Refused 09.10.1962

Relevant Policies

WMRSS	RR1, RR3, RR4, CF2, CF3, CF4, CF5, PA1, QE1, QE2, QE3, QE5, QE6, QE7, QE8, QE9, T1, T2, T4, T7.
WCSP	SD.2, SD.3, SD.4, SD.5, SD.8, CTC.1, CTC.2, CTC.5, CTC.6, CTC.7, CTC.8, CTC.9, CTC.15, CTC.17, CTC.18, CTC.19, D.6, D.8, D.12, D.38, D.39, T.1, T.3, T.9
BDLP	DS1, DS2, DS3, DS5, DS11, DS13, S9, S14, S39, C4, C5, C9, C10A, C12, C16, C17, TR1, TR8, TR11, TR13, ES1, ES2, ES4, ES6, ES7, ES8, ES11, ES14, ES16, RAT5, RAT6.
Draft CS2	CP2, CP3, CP4B, CP6, CP7, CP14, CP17, CP19, CP20, CP21, CP22, CP23

Relevant Policies (cont'd)

Others PPS1, PPG2, PPS3, PPS4, PPS7, PPS9, PPG13, PPG17, PPS23, PPG24, PPS25, Circular 06/05, SPG1, SPG11. Draft Affordable Housing SPD.

Notes:

The site is located in the Green Belt and I consider that the main issues in the consideration of this application are:

- (i) the impact of the proposal on the openness and visual amenity of the Green Belt
- (ii) whether the proposal amounts to inappropriate development in the Green Belt
- (iii) if considered inappropriate, whether the harm by virtue of inappropriateness, and any other harm would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development
- (iv) whether there is sufficient identified housing need to justify the proposal
- (v) the case for provision of a car park for Wythall Station and the suitability of that proposed,
- (vi) the design, form and layout of the proposal
- (vii) the impact of the proposal on the existing highway infrastructure and the safety of the proposed access and egress to and from the site
- (viii) The affect of the proposal on residential amenity
- (ix) The acceptability or otherwise of the proposal in the context of the previous use of the site
- (x) The impact of the proposal on drainage and flood risk
- (xi) The impact on trees, ecology and biodiversity

(i) Green Belt

The site is located within established Green Belt and therefore Planning Policy Guidance Note 2 (PPG2), policies D.28 and D.39 of the Worcestershire County Structure Plan (WCSP) (1996 - 2011) and Policy DS2 of the adopted Bromsgrove District Local Plan (BDLP) 2004 apply to the development in that respect. Core Policy 22 of the Draft Core Strategy 2 is also a material consideration. It is noted that the CS policy reiterates the existing policies of the development plans in seeking to resist development in the Green Belt, except for specific categories of development.

The essential function of the Green Belt is defined in the paragraph 1.5 of PPG2 as follows:

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

The proposal must be assessed as to whether it will have an impact on the above functions. It is seeking permission for the erection of 65 housing units. Paragraph 1.4 of

PPG2 states that the most important attribute of Green Belts are their openness and therefore the proposal must be considered in terms of its impact on openness.

The proposed area of development is approximately 2.6Ha including the housing, access roads, proposed station car park and associated infrastructure. The remainder of the site (2.1Ha) to the east towards the River Cole is proposed for public open space though it will contain footpaths. The housing is proposed on the higher level of the site and will have the effect of merging the existing development along the north side of Norton Lane with the railway to the west extending the built form of the settlement along the railway by at least 200m from the existing furthest extent of development at Norton Drive. As noted above, the applicant has provided further details in respect of the scale and appearance of the development. This includes the floorspace proposed for each house type and the proposed streetscene.

In terms of floorspace, this varies from 90m² for a 2 bed house to 170m² for a typical 3-bed corner property and 180m² for a typical 4/5 bedroom property. Taking an average of 160sqm, the total built form of the development equates to over 10,000m². This does not include the access roads or any other infrastructure. The typical height of the properties is approximately 7.5m and the illustrations of the streetscape show a variety of roof and gable arrangements. A development of this scale would be highly visible from the existing properties on Norton Lane and also from the railway, Lea Green Lane and Lowbrook Lane. There would also be harm to the visual amenity of the Green Belt at this location. The Planning Statement and Landscape and Visual Appraisal presented with the application contend that the proposal would be visually well contained by the surrounding landscape features. It concludes that development of the nature and scale proposed is acceptable. I do not consider that the application site has such a unique complement of landscape features such that the harm caused to openness as a result of the proposal could be mitigated.

In terms of the function, the applicant considers that the proposal is acceptable in terms of openness 'because it is based on a landscape and visually led approach' avoiding unrestricted sprawl, retaining a gap between Wythall and Tidbury Green and providing a defined development boundary with the countryside. The applicant also contends that the development will result in the reclamation of a former tip and thereby recycle 'urban' land.

Members should note the wording of paragraph 1.5 of PPG2 as outlined in paragraph 2 above and also the comments reiterated several times in the representations received in respect of the effect of the proposal in causing a coalescence of Wythall and Tidbury Green. In terms of the function of the Green Belt in paragraph 2 above, the proposal would have a direct conflict with three of the five purposes and an indirect impact on a fourth. The function of maintaining the setting and special character of historic towns is not relevant in this case. The functions of Green Belt outlined in paragraph 1.5 of PPG2 are much more definitive in ruling out development which would precipitate urban sprawl, cause the merging of towns or encroach on the countryside. The landscape approach does not address these issues and the site is located in the Green Belt and cannot be considered previously developed in accordance with the definition of Annex B of PPS3 which excludes:

Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures.

The planning history shows that the site has been used for the quarrying and tipping of waste and planning permission BR896/73 made provisions for the ceasing of tipping operations and appropriate restoration of the site. A copy of this decision notice is available on the planning file. In summary, the proposal would conflict with four of the five purposes of including land in the Green Belt.

(ii) Whether Inappropriate Development

Policies D28 and D39 of the WCSP and DS2 of the BDLP conform with the advice of PPG2 in defining the types of development which are acceptable in Green Belt locations. The proposal under consideration is clearly not essential for agriculture, outdoor sport or recreation nor does it involve the conversion of existing buildings to alternative uses or their replacement such that Green Belt openness would be retained. Therefore, I consider that it amounts to inappropriate development.

Members should note the extent of the development as evaluated above and need to be mindful of this in considering the case for very special circumstances provided by the applicant.

(iii) Very Special Circumstances

The requirement for a case for very special circumstances to be provided by the applicant is stated within paragraph 3.4 of PPG2.

"Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development."

Members should note the 'very special circumstances' amount to an entirely special and unique occurrence which could not result in a precedent being set for the proposal or analogous proposals elsewhere in the Green Belt. Whilst there is no specific prescription of the circumstances in the context of PPG2 which amount to very special circumstances, Members should seriously consider whether or not the circumstances of this proposal are entirely unique or special.

The applicant's agent has submitted a case for very special circumstances which are included in the Planning Statement presented with the application (pages 16 - 18). The full details may be viewed on the planning file or on Public Access. There is also a lengthy appraisal of all of the policies of the WCSP, BDLP which are considered to apply to the proposal and reference to the identification of the site in the Council's Strategic Housing Land Availability Assessment (SHLAA) (Site BDC 59).

(iv) - (v) The case can be summarized as follows:

1. The need to provide housing and absence of a five year housing supply
2. Shortage of affordable housing
3. The need for a car park for Wythall Station
4. The delivery of extensive public open space

1. Identified Housing Need

The applicant considers that Bromsgrove District Council does not have a five year supply of housing land. Members should note the detailed response from Strategic Planning on the issue of housing supply. The Examination in Public on the Phase 2 Revision to the RSS identified a need for 4,000 additional homes in Bromsgrove District. This figure is based on up to date evidence and would indicate that a housing supply of only 2.19 years can be demonstrated. In accordance with paragraph 71 of PPS3, the LPA should consider favourably applications for housing where an up to date five year supply of deliverable sites cannot be demonstrated. It should be noted that the requirements of paragraph 69 also need to be met such that the site in question is acceptable in terms of sustainability, the effective use of land and

'Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg. addressing housing market renewal issues'.

A recent appeal case at Bata Field, East Tilbury, Essex is referred to and comprised a scheme of 299 dwellings which were allowed in the Green Belt because of the absence of demonstrable five year supply of housing. The applicant contends that the scheme will provide market and affordable housing for locally generated needs and not encourage migration from the MUA's, despite another stated benefit of the scheme to provide commuter parking spaces for Wythall station.

I do not consider that the housing supply scenarios of Bromsgrove and Thurrock Thames Gateway (to which the above appeal relates) are equivalent to each other either in scale or complexity. Whilst the Inspector attaches significant weight to the lack of a demonstrable five year housing supply, there are several other issues. Firstly, the need for housing in Thurrock was pressing and the Inspector commented that: *I have no doubt that TTGDC is taking what action it can to bring forward identified sites, but there is no clear evidence of this leading to a substantial upturn in delivery in the near future.* He went on to say that: *I recognise the problems inherent in bringing forward complex brownfield sites and that construction rates have been drastically affected by the lack of effective demand, the identified need for housing, and particularly affordable housing, remains pressing* (para 345). These issues clearly do not apply to Bromsgrove District and there is a ready availability of alternative allocated sites to address any shortfall in housing supply.

As Members are aware, there are a number of ADR sites identified in the District and evaluated in the SHLAA to the effect that a five year supply of housing can be provided using these sites. Indeed, one of the reasons for the identification of the 4000 unit figure from the RSS process was the availability of ADR sites for development in the District,

obviating the need to review Green Belt boundaries before 2021. The applicant has not justified why the application site is more suitable for the delivery of housing than the designated ADRs. In terms of constraints, it is noted in the planning history that previous applications for development for leisure purposes (B11248 and B19235) were allowed to expire without implementation. There are a number of constraints on the site as detailed below in terms of potential contamination which are not a constraint on the ADR identified on the opposite side of the railway accessed from Selsdon Close. The suitability of this site has been thoroughly evaluated and a recent planning application (Ref: B/2010/0920) recommended for approval. The Core Strategy also provides an appropriate long term framework for the delivery of housing on the identified ADRs and also retains the existing Green Belt boundaries in accordance with policy C22 where it is not envisaged that there will be any significant changes to Green Belt boundaries during the period to 2021 (para 7.2).

2. Shortage of Affordable Housing

The applicant states that the proposal will provide an appropriate range of housing, of which 40% would be affordable. This is augmented by an Affordable Housing Delivery Plan which is a separate document presented with the application. A tenure split of two thirds social rented and one third intermediate housing is proposed and the comments of Strategic Housing should be noted above. Members should be aware that the provision of affordable housing is required both in the current local plan policy S15 and in the Draft Core Strategy. Thereby, the provision of affordable housing units is a mandatory policy requirement on housing applications above a certain threshold and could not be regarded as a very special circumstance to justify development in the Green Belt. The applicant has enumerated the local affordable housing requirements and stated that there is no affordable housing in Wythall. Whilst the need for affordable housing is accepted, there is no recognition of the potential of the ADR site at Selsdon Close to deliver substantial affordable housing for Wythall. It is also evident that the scale of the proposal means that the site could not be regarded as an exception site for the provision of affordable housing in the Green Belt in accordance with policy S16.

3. The Need for a Car Park for Wythall Station

The applicant states that there is a long standing and unrealised policy commitment to the provision of a park and ride site to serve Wythall Station. A Transport Assessment (TA) has been presented to substantiate the need for a car park for the station. The proposal for a car park is supported by policy RAIL4 of the Worcestershire Local Transport Plan 2006-2011 and policy WYT10 of the BDLP. The TA refers to the peak times of operation of the car park (before 0815) and thereby avoid conflict with the rush hour departures from the residential development. It is also clear that a pedestrian link will operate to Norton Lane as indicated on the revised site layout plan. The TA refers to the management of the car park by CENTRO and outlines that a direct pedestrian link to the platform is 'plausible'. Members should note that the scheme does not incorporate a Management Agreement with CENTRO nor is the provision of direct access to the platform certain. The applicant has presented a plan outlining station and platform improvements at Wythall but the provision of a direct pedestrian link remains unclear. Members should note that the parking is proposed in a relatively more enclosed position that would be expected of a station car park and the position of Norton Drive would have been more ideal. Motorists would need to travel through the housing development to

reach the station which is not ideal from a functional perspective. The County Council have commented in respect of the issue of parking provision for the station. A feasibility study was carried out in 2006 which examined a number of sites and access for a car park and concluded that the most cost effective was a car park accessed from Norton Drive, rather than the alternative of providing a longer access in a similar position to that proposed in this development. In summary, whilst policy WYT10 supports a car park for the station, it is supposed to minimise the effect on adjacent land uses and clearly the provision of 65 houses with the station car park would not conform with the policy.

Members should note the comments received in the representations in terms of the frequency of trains and variety of destinations from Wythall. The applicant has not provided any evidence that the train service will be improved in the event of the provision of a car park. Overall, the provision of a car park for the station would not require the provision of a large housing scheme and no evidence has been presented to show that the development of a 50 space car park would be unviable in the absence of a substantial housing scheme.

4. Open Space Provision

The proposal provides for an extensive area of open space along the corridor of the River Cole allowing for a variety of recreation uses. This is considered to enhance the amenity and biodiversity value of the site. The provision of open space in housing developments is a requirement under policy RAT5 of the BDLP and would be expected in every scheme of this scale. There is no evidence presented to the effect that there is a significant deficiency in terms of open space provision in the locality. The provision of the area of open space is largely down to the technical constraints of developing this part of the site which falls into flood risk zones 2 and 3. Therefore, the benefits of the provision of the open space do not amount to very special circumstances to justify the harm to the openness of the Green Belt outlined in detail in section (i) above.

Conclusions in terms of VSC

The applicant accepts that the development amounts to inappropriate development in the Green Belt but contends that there are very special circumstances which justify the proposal. These are the limitation of the harm to openness by virtue of the landscape design for the scheme, the need for housing and the absence of a five year housing supply, delivery of affordable housing, provision of a station car park and a large area of open space. The Planning Statement (page 4) refers to the existence of an extant permission for a '*Change of use from tipping site to recreational/leisure facility*' granted in 1990. This is assumed to be application B19235, consent dated 16th July 1990. The applicant states that this consent has been implemented and refers to work on the construction of the access. The permission did provide an access and turning head to the east of the present access but there is no physical evidence of the proposed access having been built and no Certificate of Lawfulness such that the original consent has been implemented. Members should note, therefore that the 'fallback' position referred to permitting a leisure scheme on the site, is far more uncertain than the applicant has stated.

Paragraph 8.4 on page 7 of the BDLP makes it clear that changes to established Green Belt boundaries have only been proposed where there exists special circumstances,

providing an overriding justification for so doing. The case for very special circumstances has been thoroughly examined and it is not considered that there is any overriding justification to allow the loss of a site in the Green Belt to a large housing scheme.

(vi) Design, Form and Layout

The requirements of the Development Plan are to ensure that the distinctive character of the District is retained and where possible enhanced. The requirement to retain or enhance local landscape character is outlined in policies CTC1 of the WCSP and DS13 of the BDLP. PPS1 also seeks to promote a high quality of design appropriate for the context in which it is situated. Policy S9 of the BDLP sets out criteria for the development of new dwellings in the Green Belt and the proposal would not fall into any of the acceptable categories.

SPG1 sets out some of the requirements for residential developments which are expected to make positive contribution to the local environment. Paragraph 5.10 sets out design objectives for new residential development which seek to ensure adequate levels of privacy and daylighting and provision of adequate public and private amenity space. The application is outline at this stage. However, additional details of the scale and layout of the proposal have been provided through the Article 3 procedure.

There is a detailed Design and Access Statement accompanying the application which logically begins with an assessment of the context of the site, evaluation of the existing landscape features, movement patterns and existing local design. The design of the scheme has attempted to provide a view corridor with respect to Norton Lane, with many of the new dwellings have unobstructed views of the countryside to the east. The revised masterplan for the site to provide better definition of the area designed for parking for the railway station and of the street hierarchy. There is an additional street added in the central part of the scheme and the proposed central squares have been redesigned. The provision of key buildings as focal points terminating a vista and providing interest on a corner are welcome. The Design and Access statement is a clear, readable and detailed document as would be expected for a residential development of this scale.

In terms of the requirement to protect and maintain the existing trees and landscape features, (in accordance with policies CTC1 and CTC5 of the WCSP) there is an Arboricultural Survey and Landscape and Visual Appraisal accompanying the application.

Members should note the views of the urban designer on the application. The amended scheme is considered to be preferable in terms of its urban design. The overall density of the scheme is considered low for the site and a more compact form is recommended to maintain the edge of the urban area. The station car park is now more effectively enclosed and the overall block structure and permeability of the site has been enhanced through the addition of the mews in the centre of the scheme. The provision of a direct pedestrian link to the station platform is considered an excellent aspiration from an urban design perspective and also for the functionality of the proposed car park as outlined in section (iv) (3) above. Whilst it appears that the general structure and permeability of the development is acceptable, there are omissions in terms of the architectural principles for the site which should be present at outline stage.

(vii) Traffic and Highway Issues

The requirements of the development plan in terms of transport are set out in policies TR11 and TR13 of the BDLP which seek to ensure the provision of adequate off street parking and provide a variety of means of transport respectively. These policies are supported by the guidance of PPG13 (Transport).

Members should note the concerns raised by residents in the consultation process, in terms of the impact of the proposal on the existing highway infrastructure arising from the additional traffic that the development would generate. The proposal would be close to the station which is supported by policy TR13. There is a Transport Assessment provided with the application. This evaluates the trip generation arising from both the proposed station car park and the residential scheme itself. The TRICS data predict 11 arrivals and 26 departures in the morning peak hour and 25 arrivals and 15 departures in the evening peak hour. These trips would be distributed along Norton Lane, Lea Green Lane and Station Road. The capacity of the junction between the former two roads has been examined and considered acceptable. The proposed access road with a width of 5.5m accords with the provisions of Worcestershire County Councils Highway Design Guide. Members should note that there is no objection from WH to the proposal subject to conditions and the applicant entering into a Legal Agreement to promote sustainable access to an from the site. These include the installation of alternative pedestrian crossing points near Lea Green Lane/Station Road, Norton Lane. A contribution of £30,000 has been requested and agreed by the applicant.

(viii) Impact of the proposal on residential amenity

Members should note that the issue of residential amenity has been raised in a number of the representations and includes the impact of the proposal in terms of light pollution and antisocial behavior. The properties on the north side of Norton Lane and Norton Drive adjoin the application site. SPG1 provides guidance on the appropriate separation of residential properties (Fig 14 and para. 8.5) to minimize the loss of light and privacy for the occupiers. Members should note that the application is in outline form, but the layout of the development is well defined on Dwg Ref: SJD-009-021 and additional details of the scale of the proposals have been provided. The properties on Norton Lane have large rear gardens and there is significant separation between them and the proposed new dwellings to the north (>50m). There is a shorter set off of the proposal from the properties adjoining Norton Drive, but I am satisfied that there would not be an undue loss of residential amenity. The topography of the site means that the proposal would be reasonably visible from the rear of properties on Lowbrook Lane but the position of the houses and gardens mitigates the loss of amenity from the lane itself. I consider that the site is not directly visible from Lea Green Lane. I consider that any outstanding issues in terms of residential amenity could be resolved at reserved matters stage, if necessary, through appropriate design alterations.

(ix) Previous Use

Members should note that many of the representations received raised concerns in respect of the previous use of the site for quarrying and tipping. The planning history confirms this. It appears that the site was used for the tipping of inert waste which appears to have ceased in the 1980's. Initially, there was an objection the scheme both

from the EHM and the EA due to insufficient information to demonstrate that the site can be made suitable for use with regard to contaminated land and the associated risks to human health. There was also considered to be a risk in terms of the pollution of controlled waters. Policy ES14 of the BDLP states that developments which are proposed on or close to polluted sites need to be able demonstrate that sufficient measures have been undertaken to reduce any risk.

The applicant provided a Phase 1 Desk Study (SP Associates, Ref: S1238), received on 09.12.2010 and have discussed the matter with the EA. There are now no objections from the EHM in respect of pollution risk. However, Members should note that stringent compliance with the conditions set out will be necessary to comply with policy ES14 and ameliorate any risk to human health or to controlled waters. The final views of the EA were received on 16.03.2011 and there is no objection subject to conditions.

(x) Drainage and Flood Risk

Policy ES2 of the BDLP states that development will not normally be permitted on lands where there is a known risk of flooding. Members should note that many of the representations from Third Parties related to the issue of drainage, in particular.

Part of the site falls within Flood Zone 3 and the EA have been consulted on the application. The applicant presented a FRA and the EA initially objected to the proposal on 01.11.2010 requesting additional information on three points in order to ensure that the proposal would comply in full with the requirements of PPS25.

The applicant provided a Flood Risk Addendum letter (Ref: SG.CD.LUK14-15895-FRA) on 16.11.2010. This sought to address River Section Chainage Labels, Finished Floor Levels and Maintenance of the Water Features. The EA withdrew its objection on the grounds of flood risk since the letter provided resolves the three outstanding issues.

In terms of drainage, the Council's Drainage Engineer has raised no objections. There will need to be a landfill report on the site, which then inform the drainage options which may be either soakaway systems or a direct attenuated discharge to the watercourse.

(xi) Trees Ecology and Biodiversity

The site consists of mature trees, hedgerows, pasture, standing and running water. The River Cole is designated as a Special Wildlife Site (SWS). Regulation 3 (4) of the Habitats Regulations (from the Habitats Directive) for European Protected Species places a duty on Local Planning Authorities to have regard to the requirements of the Directive.

The application is accompanied by a Tree Survey, Landscape and Visual Appraisal and Ecological Scoping Survey. The survey concluded that there was no evidence of reptiles, bats, water voles, otters or protected amphibians and that the site had an insignificant ecological value. There are a number of recommendations made in respect of birds and badgers. There is no objection to the proposal from Natural England subject to appropriate conditions to deliver ecological enhancement in accordance with PPS9 (Key Principle (iii)). The Tree Survey examined 84 trees on the site and identified the majority for retention and 8 for felling. The views of the Tree Officer are awaited.

Other Issues

The railway runs on the western boundary of the application site. In accordance with the requirements of PPG24 and policy ES14A of the BDLP, noise sensitive developments need to be located away from significant sources of noise. A survey of the proposed noise and vibration levels on the application site has been conducted. There is no objection raised by the EHM in respect of noise.

In terms of the requirements for new developments to demonstrate adaptations to mitigate climate change (outlined in the Climate Change Supplement to PPS1), there are details of this presented in the Design and Access Statement (Section 4). The development will follow the Code for Sustainable Homes. Sustainable Urban Drainage Systems (SUDS) will be used to reduce surface water runoff using the existing balancing ponds. The scheme also proposes the use of renewable technology for water conservation, etc.

There is a duty on the LPA to promote development which seeks to reduce the risk of crime in the neighbourhood. These principles are outlined in para 38 of PPS1 and under Section 17 of the Crime and Disorder Act 1998. Members should note the comments of the West Mercia Police Crime Risk Manager. It is recommended that the development is built to the Secure by Design standard. The position of the proposed car park for the station in the scheme is considered isolated and vulnerable. The pedestrian access from the car park to Norton Lane is acceptable if it is adequately lit.

In terms of educational and social infrastructure, Worcestershire County Council Education Services have requested a contribution from the applicant towards the provision of local education facilities. This amounts to £245,881. A large amount of open space is being provided on site and it is understood that the applicant wishes to establish a management company to look after this. The applicant will provide 40% Affordable Housing in accordance with the tenure requirements of Strategic Housing outlined above. A draft S106 Agreement has been prepared and Members will be updated on this matter. I am satisfied that the proposal accords with the requirements of policy DS11 of the BDLP in respect of providing contributions towards the provision of physical and social infrastructure to serve the development.

Conclusion

The proposed development comprises 65 dwellings on a Green Belt site to the north of Norton Lane, Wythall. The development also proposed a new car park with 50 spaces to serve Wythall Station. There is a pedestrian link to Norton Lane proposed from the car park and a vehicular access further to the east at the end of the existing run of development on Norton Lane. The applicant has presented comprehensive technical information with the application which successfully addresses the physical constraints on the site including contamination and flood risk. The issues of ecology, drainage, trees and community involvement have also been addressed in the application. The views of the Urban Designer are noted. I consider that the information presented in the form of the detailed drawings and Design and Access Statement would accord with the requirement of the recent Government Guidance on Information Requirements and Validation and would allow for a development of an appropriate design for the site.

In terms of fundamental planning principles, the proposal is located in the Green Belt where there is a strong presumption against new housing development. The applicant has presented a case for very special circumstances in the Planning Statement but this is notably more concise compared with the details provided to address the physical constraints above. The views of Strategic Planning should be noted. It is clear that there is sufficient capacity in the identified Areas of Development Restraint (ADR)s to meet the housing needs of the District and in the case of Wythall, there are ADR sites at Bleakhouse Farm and Selsdon Close. The applicant has not demonstrated why these sites will not provide adequate housing such that there is a need to release a site in the Green Belt. Whilst the need for a car park for Wythall Station is identified under policy WYT10 of the BDLP, the policy makes no provision for a large housing development. The applicant has failed to demonstrate that the housing is either an acceptable or appropriate enabling development for the car park, if it is required as an enabling development at all. The provision of affordable housing and public open space are not unique requirements and obviously not very special circumstances. Members should note the comments of Network Rail above that there is no detail provided in respect of the long term management of the car park. The applicant has presented an indicative plan of proposed platform extensions to commence in June 2011 (Ref.: T10153-R-002). There is still no definite link proposed from the proposed car park to the platform. The representations received from Third Parties raised concerns about the merging of the settlements as a result of the development of the site. This concurs with the view of the Inspector at the BDLP (Proposed Modifications) Inquiry 2001 in respect of the site:

"In simple terms, this gap of open countryside consists of a shallow valley between the built-up areas on higher ground. It is wide enough to maintain a sense of the physical distinctiveness of Grimes Hill and Drakes Cross. Site A consists of virtually the whole of this gap. If it were entirely removed from the Green Belt, to facilitate house building, the sense of physical separation would be lost, contrary to the objective of Policy GB.1(b). That would be so, even if, as suggested by the objector, an open corridor were maintained along the stream. Such an open corridor, whilst no doubt a pleasant feature, would function more like an urban park than a stretch of open countryside. There would be material harm to an important Green Belt purpose." (para 1.6.93)

The identified priority sites in terms of housing provision in the District (namely the existing ADRs) form an important part of the current Local Plan and emerging Core Strategy for the District. The granting of planning permission for this application for residential development would not only amount to inappropriate development, harmful to the Green Belt, but also undermine the adopted and emerging strategies for housing delivery in the District.

RECOMMENDATION that planning permission be **REFUSED** for the following reason:

- (a) The proposal is inappropriate development in the Green Belt and would cause significant harm to the openness and visual amenities of the Green Belt in this location and would conflict with four of the five purposes of including land within the Green Belt as set out in Planning Policy Guidance Note 2. No very special circumstances have been put forward or exist that clearly outweigh the harm caused and therefore the proposal is contrary to policies SD.2, D.28, D.38, and D.39 of the Worcestershire County Structure Plan and policies DS2 and DS13 of the Bromsgrove District Local Plan and the provisions of PPG2 (Green Belts).