

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. D. Reading and Mr. A. Walpole 'A'	Proposed outline application at ADR Alve 7, Birmingham Road, Alvechurch, for up to 10 residential dwellings with associated open space, site access and infrastructure - Land at Birmingham Road, Alvechurch, B48 7TE	ADR	11/0529-DK 15.09.2011

RECOMMENDATION: that permission be **REFUSED**.

Consultations

Alvechurch PC Consulted 27.06.2011. Response received 05.07.2011.

Alvechurch Parish Council objects to the application. We have broadly supported the emerging Core Strategy 2 (Draft CS2) and consider that this application is quite wrong when compared against the principles and policy intent of the Draft Core Strategy.

There are far too many large houses in the District already, the scale of the houses and plots make for a poor use of land, given the limited availability of land in the Parish and District.

The emerging DCS2 states that on housing sites, residential development should reflect local housing needs and contain a high proportion of 2 and 3 bedroom properties. Development should also contain 40% affordable housing.

There is a context and strategic dimension to this application that cannot be ignored.

APC are obviously concerned about a proposal which now seeks to provide 10 dwellings on a substantial site which could accommodate 30. Given the proposal for development on the site on the opposite side of Birmingham Road, this will effectively take out, in one go all of the available sites for the village. This will inevitably lead to an early unwelcome review of the Green Belt boundaries in the Parish.

The Parish Council is also concerned about the lack of affordable housing being provided on the site given the significant and growing need for it. An appropriate mix of homes on the ADR sites would enable the creation of a more sustainable community.

This proposal would effectively wreck the emerging Draft Core Strategy 2 and the rationale put forward by BDC to the RSS panel. This application should be considered by Planning Committee and Alvechurch Parish Council would seek to exercise its speaking rights at the meeting.

WH Consulted 27.06.2011. Response received: 19.08.2011.

Recommends that the permission be deferred for the following reasons:-

The applicant should submit updated drawings of the site access. The proposed road width is indicated at 6m which is excessive for the purpose and allows vehicles to enter the proposed road at greater speed than desirable. Whilst the road width is dependent on the design of the estate and the roads character which is a matter for future consideration the width should be reduces to 4.8m to ensure that it would be compatible with a future design.

Amended plans received 16.09.2011. Further response received from WH 20.09.2011:

No objection subject to condition HC40 - Modified Highway improvements / offsite works.

HA Consulted 27.06.2011. Response Received: 15.07.2011.

No objection. Noise mitigation measures may be necessary. The site is located approximately 115m to the south of the M42 boundary fence therefore, there will be no impact on the integrity of the embankment.

WCC PROW Consulted 27.06.2011. Response Received: 12.07.2011.

The proposal affects a public right of way as recorded on the Definitive Map. The path is Alvechurch footpath 560 (AV-560). Vehicular access appears to affect the public right of way. It should be noted that under section 34 of the Road Traffic Act 1988 any person who, without lawful authority drives a motor vehicle on a public right of way commits an offence. The applicant should make themselves satisfied that they, and anyone else who may use public rights of way for private vehicular access in connection with the development, has a right to do so. They may wish to seek legal advice on the matter. The County Council is responsible for maintaining rights of way to a standard suitable for their usual *public* use. The safety of the public using the public right of way is to be ensured at all times.

However, the proposal should have *no* detrimental effect on the public right of way.

The applicant should note Policy RST3 of the Worcestershire County Structure Plan to ensure that the development does not reduce the utility, convenience, recreational value, attractiveness and historic significance of the public right of way.

RA Consulted 27.06.2011. No response received.

ENG Consulted 27.06.2011. Response received 13.07.2011.

No objections subject to conditions. FRA warranted.

SPM

Consulted 27.06.2011. Response received 16.08.2011.

The above site is situated within an Area of Development Restraint (ADR) adjacent to the residential area of Alvechurch in the Bromsgrove Local Plan.

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 complex. On the 6th June 2010 a Parliamentary Statement was released stating that Regional Spatial Strategies (RSS) 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 10 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. On the 16th December the temporary block was removed by the high court and the weight that the RSS had in the Planning System was left for Local authorities to determine. Further to that a hearing on the 7th February 2011 ruled in favour of the government and judged that it was lawful for Local authorities to consider the intention to remove RSS's as a material consideration once again. Cala Homes appealed against this decision but on 27th May 2011 the Court of Appeal dismissed Cala Home's claim that the Government's intention to revoke regional strategies could never be a lawful material consideration in planning decisions. It has been recognised that in the majority of cases that the RSS is a still a material consideration. The current draft Core Strategy 2 contains the most recent housing targets for the District which are in accordance with those published in the WMRSS phase 2 revision Examination in Public panel report and it is with these in mind that the application should be considered.

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. The housing target of 4,000 for the period up to 2021 is set out within the Draft Core Strategy 2. It should be remembered that the 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 4000 figure up to the year 2021, a supply of only 1.50 years can be demonstrated when taking into account completions and current commitments since 2006, which is the start of the plan period that the 4000 dwellings figure relates to.

In this case clearly material factors other than just housing supply still need to be considered when releasing an ADR for development. Of particular relevance is BDLP policy DS8 which states that permission for the permanent development of an ADR should only be granted following a local plan review. The BDLP policy was written before the introduction of the current planning regime, which itself is under scrutiny by the coalition government. The review of the Local Plan is taking place in the form of the Core Strategy. The Draft Core Strategy 2 was approved by Cabinet and Full Council for consultation in January 2011. The consultation period ran for 12 weeks and has now closed. It should be noted 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, appendix 3B of the BDLP also confirms that the purpose of this provision is to provide land that may be needed to meet longer term development needs of the whole district, this approach is consistent with emerging policy contained in the Draft Core Strategy 2.

The Council's Strategic Housing Land Availability Assessment identifies the potential for the delivery of at least 4,000 dwellings within the plan period to 2021. This site is included within the SHLAA and therefore has the ability to contribute towards the delivery of the 4,000 figure. Whilst the main purpose of the SHLAA is to inform the plan-making process it does highlight that there are no obvious constraints on the site and that the site is suitable and available for housing delivery.

When considering releasing any of this ADR land before the adoption of the Core Strategy (or other successor document) the Council would need to be confident that the proposal is in conformity with national guidance and the emerging Core Strategy. The Draft Core Strategy 2 identifies Birmingham Road as a development site that can accommodate a minimum of 27 dwellings and highlights in Policy 4B key considerations in the delivery of housing on development sites. These include that residential development should be a high percentage

of 2 and 3 bedroom properties and also developments should consist of 40% affordable housing. It would appear that the proposals conflict with this policy as 60% of the units are 4 bedrooms or larger and only 10 dwellings are proposed. This proposed development of primarily large detached dwellings will not meet the housing needs identified in the Bromsgrove Housing Market Assessment (2008).

The inclusion of just 10 dwellings on a 1 hectare site equates to a gross density of 10 dwellings per hectare. Whilst the minimum density of 30 dwellings per hectare has been removed from PPS3 paragraph 45 does still state that "*using land efficiently is a key consideration in planning for housing.*" Paragraph 50 goes onto emphasise that "*If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.*" This highlights that higher densities can be achieved without harming the character and appearance of Alvechurch. Policy S7 of the BDLP sets out criteria for new dwellings outside the Green Belt including ensuring that the density of development is not inappropriate for a site. The proposed very low density is clearly inappropriate for a site that does not have significant physical constraints and is not burdened by historic built environment designations (e.g. listed buildings, conservation areas). There are significant pressures to release Green Belt land for development in the district and therefore it is essential to make the best and most efficient use of land that is outside of the Green Belt. This will help to minimise the amounts of Green Belt land that will need to be released in the period after 2021.

The scheme provides no affordable housing on site, which is contrary to Policy S15 of the Local Plan. Policy S15 states that the Council will negotiate with the developer on all major sites to ensure that a proportion of affordable housing is provided. Paragraph 9.25 clarifies that major sites have a threshold of 25 or more dwellings or are greater than 1ha in size. In this instance the site measures 1.08ha and therefore an on-site contribution towards affordable provision should be sought. Policy CP7 of the Draft Core Strategy 2 states that 40% affordable housing should be provided. This Core Strategy policy has been acknowledged by the applicant through the offer a financial contribution that equates to 40% provision.

The applicant has acknowledged the importance of providing affordable housing in this area by offering to provide a financial contribution to make up for the deficit in actual provision of new affordable housing on site. Paragraph 29 of PPS3 states "*that the presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing.*" It is acknowledged that where it can be robustly justified a financial contribution can be acceptable. The only reason put forward by the applicant is that they are seeking to bring forward a quality development of detached dwellings to both compliment and enhance the dwelling mix currently

available in the village. Alvechurch primarily contains a mix of semi-detached and detached dwellings and there is no evidence to suggest that there is a particular need for a development consisting of just large detached dwellings. There is also no reason why the development cannot still be of a high standard whilst including a larger number and greater mix of dwelling types and sizes including affordable housing. In any case, affordable housing should be designed to the same high standards as market dwellings and therefore the inclusion of affordable housing within the scheme should not undermine the overall quality of the development.

The Draft Core Strategy 2 consultation has now closed and only 3 responses were received that focused solely on the Alvechurch Development Sites. It was highlighted that the sites should only come forward when a need had been proven and that the sites should be protected from speculative low density development.

As the proposal is for 10 units, SPG11 should be applied. The amount of play space generated by this development is 1164sqm. As the scheme is for less than 50 units a local area of play (LAP) should be provided on-site. It is noted that outline proposals include an area of open space on the site that exceeds 1164sqm, however it has been specified that is for private use. With this in mind, it is appropriate for the development to still pay the associated maintenance cost which would be incurred should this facility be maintained by the Council as there is nothing to stop the residents of this scheme using nearby Council facilities. Based on the formula in SPG11 this equates to £40,973.

In conclusion whilst there is not currently a 5 year supply of housing land and the site is allocated within the Draft Core Strategy 2. However, the application is not supported in its current form. The proposal conflicts with PPS3 due to the inefficient use of land and the lack of justification for the financial contribution towards affordable housing provision. The application is also contrary to Policy S15 of the Local Plan due to the lack of on-site affordable housing, and the provision of solely large detached dwellings conflicts with housing needs set out in CP4B and CP6 of the Draft Core Strategy 2. The site has the potential to make a greater contribution to towards meeting identified housing needs through the provision of not only a greater number of dwellings (minimum of 27 in total) but also through a high percentage of 2 and 3 bedroom properties and on-site affordable housing (40%). Until these matters are satisfactorily addressed permission should be refused.

SPM
(Open Space)

Consulted 27.06.2011. Response received: 17.08.2011.

My recommendations are that the offsite contribution for open space enhancement could be used at Wiggin Memorial (The Meadow) and also for allotment provision in the area.

EHO (Contaminated Land)	<p>Consulted 27.06.2011. Response received: 12.09.2011.</p> <p>Records indicate that the proposed development site lies within 250m of a former landfill site. The landfill site, known as Perryfields / Roberts Corner was though to have accept inert, industrial, special and some household wastes between 1987 and 1991. There are no objections, subject to the following condition:</p> <p>A risk assessment should be undertaken to establish whether the proposed development is likely to be affected by gas emissions from the landfill site, provided to and approved in writing by the Local Planning Authority, prior to commencement of the development.</p> <p>Where significant risks are identified or insufficient data hinders an appropriate risk assessment, a targeted site investigation proposal or proposed remedial measures must be provided to and approved in writing by the Local Planning Authority, prior to commencement of the development.</p> <p>Reason: To ensure that the risks to buildings and their occupants from landfill sites are adequately addressed.</p>
EHO (Noise)	<p>Consulted 27.06.2011. Response received: 11.08.2011.</p> <p>No objections so long as the scheme is constructed in accordance with the recommendations of the RPS Noise Report B6555/ENV/P1 dated 12th May 2011.</p>
SHM	<p>Consulted 27.06.2011. No response received.</p>
Urban Designer	<p>Consulted 20.09.2011. No response received.</p>
CLIMCHG	<p>Consulted 27.06.2011. No response received.</p>
WMC	<p>Consulted 21.09.2011. No response received.</p>
WWT	<p>Consulted 27.06.2011. No response received.</p>
WCC (CA)	<p>Consulted 27.06.2011. No response received.</p>
WCC (EA)	<p>Consulted 27.06.2011. Response received: 29.06.2011.</p> <p>The schools affected by the proposal are Crown Meadow First, Alvechurch Middle and Shared North/South Bromsgrove High. The total required is £36,024.</p>
STW	<p>Consulted 27.06.2011. Response received: 08.07.2011.</p> <p>No objection subject to conditions.</p>

TREES Consulted 27.06.2011. Response received: 21.09.2011.
No objection subject to conditions.

COMSAF Consulted 27.06.2011. No response received.

Publicity Site Notice posted 14.08.2011. Expired 05.09.2011.
Press Notice posted 28.07.2011. Expired 18.08.2011.

1 Response received as follows:

We have become aware that the planning department have indicated that the housing numbers on the site should be increased to 27. Whilst we may support 10 houses, we would not support 27.

The site and its surroundings

The site comprises a self contained field on the east side of Birmingham Road, Alvechurch. The site is bisected by a public right of way running on a north east/south west axis. The property called 'Woodfield' is located to the north of the site but does not adjoin. The site adjoins Old Rectory Lane to the south with residential properties on the opposite side of the lane. There are some mature trees on the boundaries of the site, most notably on the western one. The M42 motorway lies approximately 200m to the north of the site. The site is designated as an ADR (Area of Development Restraint) called ALVE7 under the Bromsgrove District Local Plan 2004 and is identified as a Development Site in the Draft Core Strategy 2 (DCS2).

Proposal

The proposal is an outline application for up to 10 residential dwellings with associated open space, site access and infrastructure. The proposed houses will all be detached and four of them will be three bedroom units and the remaining six will be four bedroom. The application is in outline form and an indicative proposed site plan and street scene have been provided. In this respect, the proposal complies with paragraph 52 of Circular 01/2006 which requires the applicant to submit sufficient detail on the scale and layout of the proposal. The issue of access is being considered at this stage, but appearance, landscaping, layout and scale remain reserved matters. The application is accompanied by a Design and Access Statement, Affordable Housing Delivery Plan, Archaeological Desk based Assessment, Findings of Arboricultural Assessment, Drainage Statement, Ecological Appraisal, Noise Survey, Transport Statement and Registration Ledger from the Public Consultation Day on 26.02.2011. Members are encouraged to read all of the submitted documents which are available on the planning file and on Public Access for Planning.

Relevant Policies

WMRSS CF2, CF3, CF5, CF6, PA1, QE1, QE2, QE3, QE4, QE6, QE7, QE8, QE9,
T1, T2, T3

WCSP SD.2, SD.4, SD.5, CTC.1, CTC.5, CTC.6, CTC.8, CTC.9, CTC.14, CTC.15,
D.6, D.43, T.1

BDLP	DS3, DS8, DS11, DS13, S4, S7, S14, S15, C4, C5, C12, C16, C17, C36, C37, ALVE7
DCS2	CP2, CP3, CP4, CP6, CP7, CP14, CP17, CP19, CP20, CP21, CP22, CP23
Others	PPS1, PPG2, PPS3, PPS9, PPG13, PPG17, PPG24, PPS25, Circular 05/05, Circular 06/98, Circular 06/05, SPG1, SPG11, Bromsgrove District Housing Needs Study (2004), Strategic Housing Market Assessment (2007), Housing Market Assessment (2008), Strategic Housing Land Availability Assessment (2011)

Relevant Planning History

11/0046 Outline proposal to build 9 detached dwellings: Pre application advice.

Notes

The site is an identified Area of Development Restraint and the main issues in respect of the application are firstly whether the site should be released for development in the context of the prevailing development plan policies, national guidance and other material considerations. Secondly, it must be considered whether the density, form and layout of the development is acceptable in the context of the development plan and local character.

I consider that the main issues in the consideration of this application are the following:

- (i) The principle of releasing the ADR site for development
- (ii) The Type of accommodation provided
- (iii) The Design, Form, Layout and Density of the proposal
- (iv) Impact on residential amenity
- (v) Highway impact
- (vi) Tree, Landscaping and Ecological Issues
- (vii) Infrastructure provision

(i) Principle

Members will note the site is identified as an Area of Development Restraint (ADR) on the BDLP Proposals Map of the adopted Bromsgrove District Local Plan (BDLP). This is one of two sites which have been removed from the Green Belt to the north of Alvechurch. The site is classified as a development site in the emerging Draft Core Strategy 2 (Draft CS2). Members should refer to Core Policy 4B of the Draft CS2 (Other Development Sites Policy) in which the existing ADR sites are outlined in Table 3 and Map No. 2. The minimum housing capacity of the ADR sites will be discussed in greater detail in Section (ii) below.

Policy DS8 of the BDLP refers to the ADRs as selected sites where land will be held in reserve for future development and the explanatory text states that the ADRs are subject to the same strict measures as land within the Green Belt *until such time that the release of this land can be justified*. Policy ALVE7 specifically identifies the site as an ADR following the recommendation of the Inspector at the (Proposed Modifications) Inquiry 2001. The summary of the site from the report is as follows:

'As regards its sustainability, the objection site is situated relatively close to the village centre which has a range of local facilities. It is located on the main Birmingham Road. This is a bus route with fairly frequent services. The site is within the 5 minute drive isochrone of Alvechurch railway station, and within a 15 minute cycle ride (although research carried out in 1995 for the DoE shows that this mode of travel represents only a small percentage of the total). It is slightly closer, distance-wise, on foot at about 1.5km. While this is beyond the 800m advocated as being within 'easy' walking distance in 'Planning for Sustainable Development: Towards a Better Practice', it is not in my view excessive..... It has no significant constraints that would inhibit future development.'

The Inspector assumes that the identified ADRs in Alvechurch should at least be able to provide a minimum of 20 dwellings/hectare in terms of housing capacity.

In terms of justification for the release of the site, Members should note the views of Strategic Planning. The release of an ADR largely depends on whether there is a five year housing land supply in accordance with the requirements of PPS3. The SPM has commented that the five year supply figure is based on a need to provide 4000 additional homes in the District up to the year 2021, a figure based on robust local evidence and advanced during the Regional Spatial Strategy (RSS) Review. On the basis of these figures, a supply of only 1.5 years can be demonstrated when taking into account completions and current commitments since 2006, which is the start of the plan period that the 4000 dwellings figure relates to. The 1.5 year supply figure was also endorsed in a recent appeal decision at Norton Lane (APP/P1805/A/11/2150938) (Application Ref: 10/0931). In another appeal at the ADR site at Brook Crescent, Hagley (APP/P1805/A/10/2136206) (application reference 10/0378), the Inspector placed weight on 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.

Members should note that the site is also included in the Council's Strategic Housing Land Availability Assessment (SHLAA), enabling contribution to housing supply. Whilst the purpose of the SHLAA is to provide an evidence base for the Core Strategy, the site is identified as having no obvious constraints and is suitable for housing delivery.

Paragraph 71 of PPS3 states that 'where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing', *having regard to other policies in PPS3.*

Taking all of the above matters into consideration and most notably the absence of a five year housing land supply, there is sufficient justification for the release of ALVE7 for the purposes of housing development.

(ii) Type of Accommodation

Core Policy 4B of the emerging Draft CS2 states that (for solely housing sites), residential development should reflect local need and should contain a high proportion of 2 and 3 bedroom properties. Proposal should also seek to create a sustainable and balanced community that integrates into the existing built fabric of the settlement to which it relates. Development should also contain 40% affordable housing with a tenure mix of 66% social rented and 33% intermediate.

Paragraph 71 of PPS3 states that development needs to achieve a good mix of housing, reflecting the accommodation requirements of specific groups, in particular, families and older people. These consultees are both strongly of the view that the proposal will not provide the type of accommodation needed in the village for the following reasons.

Firstly, the scheme will only provide 10 units and 6 of these are four bedrooms or larger. 60% of the units are 4 bedrooms or larger and only 10 dwellings are proposed. This proposed development of primarily large detached dwellings will not meet the housing needs identified in the Bromsgrove Housing Market Assessment (2008) and clearly conflicts with Core Policy 4B of the emerging Core Strategy. I conclude that this is contrary to the spatial vision for the area and therefore breaches paragraph 71 of PPS3.

Members should note the views of Strategic Planning and Alvechurch Parish Council in this respect. The consensus view is that there is concern about providing 10 dwellings on a substantial site which could accommodate 30. This proposal could inevitably lead to an early and unwelcome review of the Green Belt boundaries Alvechurch.

Affordable Housing

Policy S15 of the BDLP states that on any major site which comes forward, the District Council will negotiate with developers to achieve a mix of housing types and to ensure that a proportion of affordable housing is provided. Satisfactory arrangements should be made to ensure that:

- occupancy of affordable housing will be restricted to those in housing need;
- affordable dwellings will always be available for occupation at a tenure appropriate to and at a price which is and which will remain affordable by persons on low incomes;
- affordable housing will be available to all initial and subsequent occupiers on these terms; and
- occupancy criteria will be controlled, by planning conditions or a planning obligation where a registered social landlord is not involved.

The explanatory text of policy S15 states that financial contributions towards affordable housing may be acceptable in some circumstances. The emerging Core Strategy policy 7 makes no reference to the provision of a commuted sum in lieu of on site affordable housing provision. This accords with the advice of Paragraph 29 of PPS3 which states *"that the presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing."*

I am of the view that a financial contribution towards affordable housing provision off site should only be accepted in the most exceptional circumstance and the applicant has put forward a case in the Affordable Housing Delivery Plan. Paragraph 4.3 of this document states that the proposal is seeking to 'bring forward a quality development of detached dwellings to both compliment and enhance the dwelling mix available in the village and this appear to be the only reason for not providing the affordable units on site. I do accept this argument and there is no reason why appropriate provision of affordable housing cannot be made on site in accordance with the requirements of the Development Plan and National Policy.

The applicant has also presented a report (dated 30.08.2011) detailing the calculations for the off site contribution. There is no further justification for this approach and I note the views of the SPM that, because the density of the proposal is low, therefore the applicant calculates that the requirement for affordable housing units is low so the net outcome is that very few units would be provided (whether on site or through the commuted sum) meaning that the Council would be at an overall loss, given the number of affordable units which should really be provided on a site of this scale.

The Parish Council is also concerned about the lack of affordable housing being provided on the site given the significant and growing need for it. An appropriate mix of homes on the ADR sites would enable the creation of a more sustainable community.

I conclude that the proposal would not provide an appropriate mix of housing or meet the policy requirements for affordable housing, contrary to policy S15 of the BDLP and CP7 of the emerging Core Strategy 2.

(iii) Design, Form, Layout and Density of the proposal

In respect of the above criteria, policies S7 and DS13 of the BDLP and the advice of PPS1, PPS3 and SPG1 are most relevant. Policy S7 of the Bromsgrove District Local Plan states that proposals involving development of new dwellings Local will be considered favourably providing that they meet the following criteria:

- the proposal does not lead to development at a density inappropriate for the site;
- the form and layout of the development is appropriate to the area;
- the proposal minimises the loss of mature hedges, trees and landscaping;
- the proposal does not adversely affect the existing amenities of adjoining occupiers;
- the proposal does not involve a loss of open space, allotments or other amenity areas which it is desirable to maintain;
- the development can be appropriately serviced;
- the proposal would not have unacceptable traffic implications or perpetuate a traffic hazard;
- it conforms with other relevant policies of the Plan.

Members should also be mindful of paragraph 69 of PPS3 which requires the Council to have regard to:

- Achieving high quality housing;
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people;
- The suitability of a site for housing, including its environmental sustainability;
- Using land effectively and efficiently; 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 e.g. addressing housing market renewal issues.

Design

The approach to the design of the scheme is outlined in the Design and Access Statement. There is a detailed appraisal of the existing landscape features of the site, movement to and from the site and the design principles employed draw on the surrounding build environment. I note that the vernacular characteristics of the village are reflected in the design of the dwellings. I consider that this allows for a sense of place to be achieved and have no objection to the design per se.

Form and Layout

I note that the application is in outline form and the precise details of scale and layout are reserved matters. However, a considerable amount in respect of form and layout can be determined from the proposed site layout plan for the scheme and by virtue of the fact that the proposal is for 'up to 10 dwellings'. The principles outlined in the Design and Access Statement also focus on the layout as presented at this stage.

Notwithstanding the above, I would have significant concerns about the form and layout of the development. I appreciate the objective of achieving an active frontage for Birmingham Road and this reflects the traditional pattern in the area. However, the proposed housing is set back very substantially (up to 50m) in a crescent shape and this is more than twice the set back of the existing properties opposite on Birmingham Road. I also consider that plots 8 and 9 are poorly related to the other plots and plots 1 and 2 effectively are turned away from the properties on Old Rectory Lane. Notwithstanding the information presented in the Design and Access Statement, there is no street within Alvechurch which has an equivalent form and layout to the proposal.

Density

The application site is just above 1 Hectare in size and therefore the density proposed is 10 dwellings per hectare. Whilst the minimum density requirements of PPS3 have been removed, it is still necessary to use land effectively and efficiently as outlined above.

I do not consider that there are any site specific constraints which limit the density of the proposal. Members should note the concerns of the Parish Council and Strategic Planning that the proposal would result in the loss of a valuable ADR site to a low density housing scheme which could inevitably result in greater pressure on unallocated Green Belt sites. The views of the Urban Designer in terms of the design, density, scale and layout of the proposal are awaited.

I note the existing hedges and trees on the boundaries will be retained. However, I consider that given the layout and low density that this leads to the creation of an enclave of isolated development poorly related to the rest of the village. The density and layout of the proposal also leads to a poorly defined urban edge for the village.

The matter of principle of the development of the site has been established above. However, there are several other requirements which a proposal must fulfil in order to ensure that the policies of the BDLP, those of the emerging Core Strategy and wider planning and housing objectives would not be undermined. The requirement for inclusive and sustainable design is enshrined in local and national policy. It is covered in policies

S7 and DS13 of the BDLP and repeatedly in PPS1 and PPS3. I do not consider that the proposal would result in a sustainable, well designed development taking all matters into account.

(iv) Residential Amenity

Policy S7 and the advice of SPG1 are relevant to the consideration of residential amenity. SPG1 sets out design guidance for residential development including separation distances to existing dwellings so as to avoid detriment to residential amenity due to overlooking and overbearing affects. New development with main windows overlooking existing private spaces should be set back by a distance of 5 metres per storey from the site boundary where it adjoins a private garden area.

The application is in outline form with the detailed layout and scale reserved for future consideration. However, it is evident that, on the basis of the indicative site layout, that most of the houses would be separated by between 60m and 80m from the properties opposite on Birmingham Road. I also consider that the separation distance to the properties on the south side of Old Rectory Lane is adequate and the substantial screening on the application site is noted. The private amenity space for each of the dwellings is generous but varies enormously between the plots. This does not lead to an inclusive design, an issue which is reflected in the low density and lack of an appropriate mix of housing types and sizes, as discussed previously.

(v) Highway Issues

Members should note that access to the site is being considered at this outline stage. The application is accompanied by a Transport Statement which concludes that the development can be adequately serviced using a simple access junction onto Birmingham Road without any changes to other roads or junctions. The views of WH are noted and there are no objections raised to the amended plans received 16.09.2011. There is also no objection from the Highways Agency.

(vi) Trees and Ecological Issues

Members should note that the application is accompanied by an Ecological Appraisal and a report on the findings of and Arboricultural Assessment. The site is not covered by any international statutorily designated sites and the Bittell Reservoirs SSSI is too far away for ecological connectivity. There are no in principle ecological objections to the development of the site and the report makes a number of recommendations for further mitigation/survey work.

The existing mature trees are generally on the boundaries of the site and the proposed site plan indicates that these are to be retained. The Arboricultural Assessment report makes a number of standard recommendations in terms of tree protection. The views of the Tree Officer are awaited.

(vii) Other Issues

The application is accompanied by a Drainage Statement which incorporates a Flood Risk Assessment in accordance with the requirements of PPS25. The views of the

Drainage Engineer are noted and there is no objection subject to conditions. The application has been accompanied by an Archaeology Desk based Assessment which concludes that the site has a low archaeological potential. The views of the WCC Archaeologist are awaited. In the interests of clarity, the report refers to the conservation area but this is located considerably to the south of the application and the setting of the conservation area is not an issue with respect to this application.

The issue of noise, due to the relative proximity of the M42 has been addressed in the Acoustics Report presented with the application and a number of recommendations have been made. There are no objections from Environmental Health provided that these recommendations are followed.

In terms of education and public open space infrastructure, (as required by policy DS11), the applicant has been notified of these requests. There is some POS being provided on site and Strategic Planning have requested a contribution for maintenance. The applicant is in the process of preparing a Unilateral Undertaking to meet these requirements and I understand that this will include the off site affordable housing contribution which is still not considered acceptable.

Conclusion

The proposal is located on an allocated ADR in Alvechurch. The Strategic Planning Manager advises that ADR land should not be released before the adoption of the Core Strategy unless the Council is confident that the proposal is in conformity with national guidance and does not undermine the emerging Strategy. Members should note that the Council does not currently have a 5 year supply of housing land and paragraph 71 of PPS3 seeks favourable consideration of planning applications in these circumstances. Members will be aware that the wider spatial planning context should be taken into account. The objectives of the Development Plan and national guidance in PPS1 and PPS3 include the need to make effective and efficient use of land and provide housing development which meets the identified needs of the area. Clearly the provision of large detached houses is contrary to Draft Core Strategy Policy 4B which specifically requires a high proportion of 2 and 3 bedroom properties to be provided on identified sites. The proposal fails to provide an appropriate mix of housing which undermines the spatial vision for the area as outlined in the Core Strategy contrary to paragraph 69 of PPS3.

There is no affordable housing being provided on site and I do not consider that off site provision is acceptable and no valid reasons have been presented to show why it cannot be provided on site.

The layout, form and density of the scheme is unacceptable in physical terms, but the limited provision of critically needed housing on such a large site with good potential is a significant concern, as raised by Strategic Planning and the Parish Council. In a District with 91% Green Belt, it is imperative that the available identified sites are utilised to their proper capacity. I would concur with the view that such a proposal could result in greater pressure for the release of Green Belt sites, further impacting on the emerging spatial vision as outlined in Draft CS2. Furthermore, the low number of units means that limited affordable housing would be provided by the development, whether these were provided on or off site. The low density of the scheme (approximately 1/3 of what would be

expected for the site) results in the reduction in the yield of affordable housing by 66%. (4 Affordable Dwellings would be provided instead of 12).

Whilst there is no highway or other technical objections to the scheme, the design and density proposal is unacceptable. There is a failure to make an efficient use of the limited land supply and the arrangements for affordable housing are unacceptable.

RECOMMENDATION: that Planning Permission be **REFUSED** for the following reasons:

1. The proposal does not reflect the layout, form and density of development in the area contrary to policies S7 and DS13 of the BDLP, and the advice of PPS1 (Delivering Sustainable Development) and PPS3 (Housing).
2. The proposal fails to make an effective and efficient use of land contrary to policies SD8 of the WCSP, S7 of the BDLP and the advice of PPS3 (Housing).
3. The proposal does not provide an appropriate mix of housing to fulfil the housing needs of the area contrary to policy SD5 of the WCSP, policy DS13 of the BDLP, and the advice of PPS3 (Housing).
4. The proposal does not provide affordable housing on site contrary to policy D6 of the WCSP, policies S15 and DS13 of the BDLP and the advice of PPS3 (Housing) and PPS1 (Delivering Sustainable Development).