

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
<b>Bromford Housing Group 'B'</b>	Sustainable affordable housing (outline) - Land at Hinton Fields (off Dale Close) Catshill, Bromsgrove (as amended by plans dated 28.06.2007)	GB	B/2007/0306 26.09.2007

**RECOMMENDATION:** that permission be **REFUSED**.

### Consultations

WCC(HP) Consulted - Original submission scheme prior to direction - Recommend refusal. Dale Close is a small cul-de-sac with limited road width. Whilst the principle may be acceptable due to the exiting road design and connection back to Stourbridge Road, it would not be suitable for a significant increase in traffic movements. The proposed access arrangements are not acceptable. Dale Close should be extended and the redundant area of the tuning area stopped up. The layout is inadequate. Point of access in a suitable or designed to cater for more than 25 units (including the existing number of houses) - 16.04.2007.

Consulted on revised submission - Raise no objections subject to suitable Section 278 and Section 38 Agreements, and conditions of a maximum of 19 units permissible of this access removal of raised platforms and realignment of access.

Catshill PC Consulted on original submission prior to direction. Recommends application be refused. This area of Green Belt should not be developed. Not in keeping with affordable housing developed by Bromford Housing Group elsewhere in the village - -02.04.2007

Consulted on revised submission:

- The BDLP designated this area as Green Belt hence this proposal is contrary to BDC's own guidance.
- Greatly increase traffic in area - implication on local residential amenity.
- Lead to opening up of area for further development and further erosion of Green Belt.
- 4 bed room house may not be considered affordable.
- Out of context to the area.
- Reduced access for emergency vehicles - 17.07.2007.

CAO Consulted - Request received for information on this site - Awaiting comments.

CEHO Consulted - no objection; suggest conditions in connection with land survey - 05.04.2007.

WWT Consulted - Suggest baseline survey to be carried out for protected species given issues of bats and badgers being raised, survey should be in line with PPS9 - 19.04.2007.

- WWT (cont'd) Amended proposal: Note contents of survey and progress application with suitable conditions and recommendations in report. Hope to see ecological benefit built into scheme. Perhaps SUDS and low carbon housing - 05.07.2007.
- ENG Consulted on original submission prior to direction.
- Storm water disposal shall be by means approved in writing by Local Planning Authority. There is no public surface water sewer available and no surface water will be allowed to discharge to the foul water sewer (application incorrectly states Mains).
  - Due to the relief of the land in question there will be difficulties in controlling surface water run off. There is no direct outfall available and protection is required for existing properties on the low side of the proposed development. On site retention will be required and details.
  - Foul sewage shall be to sewer in Stourbridge Road, as sewer in Hinton Fields is private - 13.04.2007.
- Amended submission:
- Storm water disposal shall be by means approved in writing by LPA. There is no public surface water sewer available and no surface water will be allowed to discharge to the foul water sewer.
  - Due to the relief of land and the lack of outfall for storm water then a designed discharge is needed. There will be a requirement to protect the existing property.
  - Structures drives and land drainage is to be controlled by an attenuated discharge which could have an outfall to the Stourbridge Road and hence to Battlefield Brook. Doubtful whether a soakaway could contain such a discharge (no FRA required).
  - Foul sewage to Stourbridge Road - 10.07.2007.
- LP Consulted - 1st submission and amended submission - comments awaited.
- Strategic Housing Officer Consulted - in principle, require more affordable housing in Bromsgrove; however, note restraints. Further comments awaited.
- Urban Designer Consulted - Sloping site and rows of houses will have considerable differences in levels. Street scene drawn incorrectly as presently shown on level site. Houses 12-15 would be impossible to build as drawn given level changes. This also applies to the level changes from the front and back of the houses. Rectangular paved area is totally inappropriate in both size and shape. If the cartilage parking was utilised, this would preclude any use of parking in the rectangular area; again; the slope of the land would make this appear most incongruous. Amount of hard surfacing could lead to flooding of house in Hinton Fields.
- House type is rectangular with blank sides suitable for building in rows and terraces. House type 'C' has, therefore, blank gable walls facing the road with a rear garden behind. No windows face the road and are considered unsuitable for a corner plot. The layout should change to

eliminate this isolated plot or there should be a change of house type. This also raises questions about the buffer zone and play area. Especially, the purpose and the location and size of the play area, which would be in shadow after 11.00 hrs.

Application appears to take no account of topography, house type or arrangements. The design of the road and hard surfaces is considered formulaic and unimaginative which would not achieve a satisfactory sense of place - 17.08.2007

#### Publicity

15 Neighbour letters sent for original and revised submission

1st Site Notice posted 02.04.2007; expires 23.04.2007.

2nd Site Notice posted 06.07.2007; expires 27.07.2007.

1st Press Notice posted 28.03.2007; expires 18.04.2007.

2nd Press Notice posted 05.07.2007; expires 26.07.2007.

1 petition received with 21 separate signatures.

- Outlining concerns based on designation of land as Green Belt.
- Increase in Noise.
- Traffic implications.
- Potential for increase in anti social behaviour 11.04.2007.

1 unaddressed detailed response.

44 separate individual detailed responses (please note: this recorded number excludes further representations from the same objectors and further comments made, which take the total over 50; however, comments received are recorded below and reiterated in later responses.

Comments include, in summary, as follows:

- Loss of further countryside.
- Erosion of the space between Bromsgrove and Catshill especially since the limits of Bromsgrove were extended by the Barnsley Hall Development.
- More pollution.
- Concerned about the future and development of further parts of site will be lost from Green Belt if this proposal goes ahead.
- Access off Dale Close and implications for traffic generation and congestion. Access onto Stourbridge Road is already problematic and this will worsen situation. This will be especially relevant at peak times for both vehicular and pedestrian safety, especially with little and no pavement in places in Stourbridge Road.
- Development will have an adverse impact on wildlife and protected species, such as badgers and wide variety of bird life.

- Contact with BBC Springwatch and 'Number 10' in respect to impact on wildlife, especially birds, badgers, etc.
- Potential for more crime / disorder.
- Devaluing properties in local area.
- Loss of village feel of Catshill.
- Concerned that this is a smoke screen for profit rather than affordability.
- Loss of Green Belt, contrary to national policy. Thought this was only to be released in very exceptional circumstances.
- Shouldn't other brown field sites be developed before this site? Government policy indicates that priority will be given to brown field sites.
- Pressure on related services; that is, health, dentists. Availability is already stretched.
- Traffic on Rocky Lane already an issue, with lorries, etc.
- What about the current moratorium of further housing in the district?
- Erosion of rural nature of the area.
- Further encroachment into the countryside causing further intrusions.
- Setting an unwelcome precedent.
- This is not the right way forward for the area, whilst appreciating high prices in the area and local needs.
- Concerned about notification of application. Hope this was not deliberate so less people would object.
- Real and potential danger of flooding given the low lying of the houses in Dale Close and the potential for run off from the development.
- Visually detrimental and blighting view for some distance and local visual amenity.
- Issues of too much development in Catshill already raised at PACT Meeting and issue of unsuitable tenants in properties already managed by Bromford Housing Association in the village.
- Access arrangements will be problematic for emergency services to get access especially at peak times.
- 2 letters from MP requesting further comments on issues raised above by two residents.

### The site and its surroundings

This particular site relates to a parcel of land that is situated north-west of the Stourbridge Road on the outskirts of the village of Catshill. The site is presently bounded by Rocky Lane to the east, Dale Close and Hinton Fields to the south, with Hinton Fields following the remaining boundary. The land is presently utilised in connection with agriculture and

is presently gazed. Towards the southern end of the site is an agricultural barn / shelter / store.

Topographically, the land has significant changes in levels from northwest to south-east. The land clearly slopes up to follow Rocky Lane up to the other entrance of Hinton Fields. Mature hedgerows and trees bound the land. The present agricultural access is made via the turning head in Dale Close where there are now two field gates. In the field are agricultural shelters and stores. Substantial hedgerows border the whole site; however, a hedge line runs along the western boundary of this proposal with a smaller hedge and tree towards the centre of the site.

The land in question is within confirmed Green Belt.

### Proposal

This proposal remains as an outline application for the construction of 19 dwellings with access off Dale Close.

Members will note that the application was originally received on 21.03.2007 and the Council directed the applicant under Article 3 to provide more details in order to formally assess the application. This included access arrangements, scale and layout of the dwellings, not only access to the site. Also included in this request was a baseline phase 1 habitat survey, as the land has never been previously developed. This requested information was eventually received on 21.06.2007 and the application was then revalidated and re-advertised with adjoining neighbours notified accordingly and site and press notice posted.

It should be noted that when this directed information was received, it included changes to the original submission, including a change to the site area, a change to the description of the development, the number of dwellings reduced (possibly in response to Highways comments on the original submission), which also involved a submission of a new application form, new design and access statement (including an assessment of other sites) and the phase 1 ecological survey.

<b>Original submission</b>	<b><i>Revised submission</i></b>
Site area - 0.538 ha.	<i>Site area - 0.520 ha.</i>
Application description- Proposed Affordable Residential Housing Scheme	<i>Application description- Sustainable Affordable Housing</i>
No of Units - 24	<i>No of Units - 19</i>
Layout scale and massing indicative	<i>Alterations to layout scale and massing of buildings elevations provided</i>
Design and Access Statement (including market assessment)	<i>Design and Access Statement (including market assessment) Supporting Statement of other potential sites in Catshill Ecological Survey</i>

## Relevant Policies

RSS	CF2, CF3, CF5, CF6, PA1, QE1, QE3
WCSP	SD.1, SD.2, SD.4, SD.7, CTC.1, CTC.5, CTC.8, D.1, D.2, D.3, D.4, D.6, D.7, D.8, D.9, D.12, D.38, D.39, T.1
BDLP	DS2, DS13, S9, S16, TR11
Other	PPS1, PPG2, PPS3, PPS7, PPS12, PPG13 SPG1, SPG10

## Relevant Planning History

B/2006/0562 Extend Existing Field Access and Gates - Granted 02.08.2006

## Notes

The original submission was an Outline submission with all matters reserved. However, indicative details on siting access were provided. Subsequently, an Article 3 Direction requested additional information regarding the submission proposal. The requested details included scale, layout and appearance; and, also, a Phase 1 habitat survey of the land. These details were considered necessary as the proposal is clearly within Green Belt and it is important to be able to assess the impact of the proposal on this against all the necessary criteria.

These were subsequently provided by the applicant, including details altered as indicated above. As a number of details had been altered, it was necessary to re-consult residents and re-advertise the application both by way of site notices and press notices.

## *Issues relevant to this Proposal*

### **The Development and SPG10**

Members will note the adopted Supplementary Guidance in terms of the management of housing in the District. The existing oversupply of housing is presently at odds with Regional County targets, hence the adoption of the guidance.

This proposal is for the provision of 19 affordable units through a Registered Social Landlord. The proposal is for 100% affordable units and a robust housing survey has been provided. This indicates that there is proven local need and, in this instance, I would find the proposal acceptable in terms on your adopted policy advice.

### **Green Belt / Affordable Housing**

The proposal site is outside the residential area of Catshill in confirmed Green Belt.

The policies particularly relevant to this case are policies S9 and S16 of the BDLP 2004. The land is situated within confirmed Green Belt, outside the residential area of Catshill where the provision of new dwellings outside existing villages would be considered inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt. The proposal is, therefore, considered in relation to provisions of policies D.12 and D.39 of the WCSP, policies DS2, S9 and S16 of the BDLP and the provisions of PPG2. As the development is considered inappropriate, it is therefore necessary for the

applicant to demonstrate that very special circumstances exist to outweigh the harm caused to the openness of the Green Belt. Policy S16 considers proposals for affordable units in the Green Belt. This policy is read in conjunction with policy S9. Explanatory paragraph 9.13 (policy S9) expands this general thought and states:

*In general, planning policy has prevented housing development in open areas of the countryside and restricted it elsewhere in the Green Belt. Nevertheless, there has been an insidious intrusion of dwellings in some traditional semi-rural parts of the Green Belt which threatens to undermine the character of these areas. The District Council seeks, by this policy, to confirm its intention to safeguard all Green Belt areas from continuing pressure for piecemeal residential development*

Both the original and revised submission have been supported by a Housing Needs Survey and has been supported with maps and statistics provided for Catshill and Marlbrook.

The site, as identified, appears to cover the whole of the land, although the site to which the proposal refers only represents a part. The background to, and site description, appear to refer to the whole of the land and not the parcel of land in question and I would therefore question whether the survey concludes that the whole site has been assessed, or just the element of the site currently under review as part of this application.

Policies S9 and S16 are particularly relevant in this instance for assessment for affordable housing in the Green Belt.

Policy S9 cross-refers to policy S16, which expands on the criteria of affordable housing.

Policy S16 identifies a number of provisions

- (a) *The site should be within or adjoining the boundary of the settlement and should be small scale and suitable for the location*

Whilst the site is adjoining the boundary with the settlement of Catshill, I do not consider it to be an appropriate scale and suitable for the location as, by my comments identified within this report, especially in respect to the site layout and local topography.

- (b) *The application on unallocated land should be accompanied by a local need survey which shows conclusively that there is genuine need*

This is not a rural exception site and a local needs survey / housing market appraisal has been provided. This has drawn information from a number of sources. It clearly indicates that there is a requirement for affordable housing in the District. Figures have been provided for Catshill, the type of dwelling set against the number of applications and the number of lettings. It states that there are 56 households waiting for each 1 bedroomed flat which become vacant. I appreciate these figures as provided. These figures have not been clearly broken down to indicate that these applications are for purely Catshill, as the same applicants could be applying for Belbroughton, Hagley or Wythall. The same is true for the house types. It would be unconceivable that someone on a waiting list

for a home would exclude their opportunity for other types of properties so their interests may be recorded in the figures more than once. Therefore, the figures may not, in fact, reflect the true situation. The survey also goes onto to consider the other sites within the residential area of ownership. All have been discounted due to unknown ownership or the potential that these sites may be too expensive for the Housing Association to purchase. Whilst I appreciate these comments, no further assessments of these sites have been provided. There is no proof that these sites will or will not be available or, in fact, affordable. More unusually, there is already an ADR site identified for Catshill. The area is identified in the Bromsgrove District Local Plan as BROME. This site is located off the Stourbridge Road and covers a substantial area. Again, no assessment of this area has been provided.

- (c) *The site should conform with all the environmental and control policies in both the Local and County Structure Plan*

It is clear that the site does not comply with the provisions of Green Belt policy and its related policies in the local and county structure plan and the provision thereof. The scheme would cause harm to the openness and visual amenities of the Green Belt.

- (d) *The proposal must include arrangement to ensure that the benefits of affordable housing are retained for future occupiers*

I note the site is on behalf of a Registered Social Landlord and conditions may be imposed to ensure that the benefits of affordable housing is retained as 100%.

- (e) *The proposal does not involve cross subsidy*

The proposal does not involve cross subsidy in this particular instance.

The very special circumstances put forward by the applicant have been outlined in paragraphs 1 - 3 as follows:

1. There is proven need for affordable housing in Catshill and this housing can be provided without the need for cross subsidy, making a valuable contribution to meeting that need.
2. The site is within Green Belt policies S9 and S16, which provides for the opportunity to permit the development of affordable housing in the Green Belt. Applications should be judged on their own merits.
3. The site contains a number of low grade agricultural buildings and these unsightly buildings will be removed as part of the proposal. The site is not defined as a Site of Special Scientific Interest (SSSI) or Landscape Protection Area (LPA) and, therefore, the environmental impact will be limited. The scheme is well designed with good landscaping and should not be out of keeping with the area.

In conclusion, the report indicates the circumstances justify the development of the site for affordable housing.

In response, Members will note the explanatory paragraph under policy S9 which considers that housing development in the Green Belt has been restricted; nevertheless, there has been an insidious intrusion of dwellings in some traditional semi-rural parts of the Green Belt. Policy S16 expands on this and considers the merits of affordable units for rural exceptions sites. This site lies outside the residential boundary of Catshill in confirmed Green Belt. Whilst the gap between Bromsgrove and Catshill is narrow in this location, the Green Belt performs an important function in contributing to the fundamental aim of Green Belt policy, preventing further encroachment out into undeveloped countryside on the urban fringe. The proximity of the Catshill residential area, and Bromsgrove, which are both the focus for development, could not, in this instance, consider this proposal site as a rural exception site. Annex E of PPG2, nor Paragraph 30 of PPS3, suggest any relaxation of Green Belt policy as set out in PPG2.

Any proven need for affordable housing does not, in my opinion, and in this particular case, amount to very special circumstances necessary to allow the relaxation of Green Belt policy or the justification of inappropriate development within the Green Belt.

I draw Members attention to a recent decision notice on the outskirts of Stafford in confirmed Green Belt (land at Tittensor Road). The Inspector in this case did not consider the release of a further parcel of Green Belt was a very special circumstance in terms of any local need for affordable housing. The land in question was, in this case, not a rural exception, but on the urban fringe similar to this proposal.

I have also considered the public inquiry into the local plan modifications and, in particular, draw Members attention to the report of the public inquiry in 2002 for the BDLP proposed modifications and, in particular, considering the objection to the omission of the site at Hinton Fields (Dale Close) as an ADR (Area of Development Restraint). Members will appreciate this application covers a small proportion of this site.

**The Inspector concluded that the site was "reasonably sustainable. Moreover, its agricultural land quality is not so exceptional as to preclude it from consideration as an ADR."**

**More importantly he went on to add "the site does perform a valuable Green Belt function. It serves to maintain the integrity of the narrow and still largely undeveloped gap between Bromsgrove and Catshill. Further development here would not only encroach into the countryside extending urban influences along the south edge of Catshill, but would be visually intrusive in longer distance. Given the need for less safeguarded land and the availability of better sites elsewhere, I see no reason to identify this site as an Area of Development Restraint."**

The proposed development of this land is clearly not on land previously supported for release from Green Belt protection and, given the Inspectors comments in 2002, and consequently the adoption of your Local Plan, the proposed land clearly plays an important Green Belt function and role. Members will note the significance of this assessment whilst also noting there is already an identified ADR in Catshill (BROM5E), just off the Stourbridge Road. The application has concentrated on the assessment of sites in the Housing Capacity Study within the residential area of Catshill. No consideration of this other ADR site has been offered or discounted from any assessment provided; therefore, I maintain my objection as the main thrust of the objection to the

release of this proposed land from the Green Belt which is contrary to the associated policies and provisions PPG2. The other sites have mainly been rejected on ownership and whether they may or may not be available, but this does not imply will not be available now or in the future.

Furthermore, Members will note Annex E of PPG2 which expands on affordable housing; however, Circular 11/2005 re-affirms the Government commitment to the principle of Green Belt as set out in PPG2, which indicates that applications for development in the Green Belt should be subject to the most rigorous scrutiny and, consequently, I consider this proposal does not justify the relaxation of the adopted Local, County and National guidance.

The argument put forward by the applicant to justify the development, given the quality of the landscape / low grade agricultural land is, I consider, misplaced. Whilst the quality of the land may not be of high grade in agricultural terms, or provide any visual benefits for the removal of the low grade agricultural building, this again does not in itself justify the setting aside of adopted policy in terms of Green Belt which is, by emphasis, based on openness.

### **The Issue of Precedent**

Furthermore, Members will appreciate the issue of precedent to this site on both a local and wider basis. Objections have been raised in terms of this issue and I share the residents concerns. The release of this land could lead to further proposals and, consequently, further intrusions into the Green Belt. Such approaches could be applied throughout the urban fringe, especially in respect to Catshill and Bromsgrove. This issue is especially relevant given the Inspectors previous comments. Members will appreciate how it will seriously undermine the key aims of Green Belt policy in preventing urban sprawl and maintaining openness.

### **Layout Design / Scale / Density**

The revised and reduced proposal indicates that 19 dwellings will be accessed directly off Dale Close. The route will turn and provide houses to either side of the access, which widens to a turning area. This area will provide pedestrian and vehicular access to all the properties. At the end of the development is a narrow area marked as an environmental buffer zone.

The development would provide a density of development which equates to 37 dwellings per hectare, which may be considered appropriate to this type of location and in line with the guidance in policy D.9 of the WCSP. A basic design and access statement has been offered by the applicant / agent which suggests that the scheme reflects the existing building line of the development of Dale Close with active frontages and natural surveillance, with hard and soft landscaping to create a square arrangement. An area of public open space has been provided in the centre of the development overlooked to provide natural surveillance with an environmental buffer zone recommended from the habitat survey. It goes on to state that the height and form has been taken from the general existing form of the adjacent dwellings - mainly 2-storey with soft neutral materials to blend in to the existing area.

Members will appreciate that the topography of the area is not that of a level site, indicated by the elevations provided. The site slopes considerably from west to east, the lowest point being next to the site entrance from Dale Close. The difference in levels exceeds 5 metres in places. Consequently, there is a substantial difference in levels between the two rows of houses.

The Council's Independent Urban Designer, and objections received, have commented on the scheme and have also raised the issue of ground levels. The street scenes clearly indicate level ground which is not the case for this submission and no levels or sections have been provided through the site to demonstrate how this layout may be achieved. The dwellings could not be built as proposed due to the changes in levels; this refers to both the street scenes and the changes of levels between the front and back of the dwellings.

The Independent Urban Designer has further commented on the central square and associated expanse of hard paving, which does not appear to be justified. The rectangular paved area bears no consideration of the local topography. It would look out of place on a flat site but the slope of the land would increase the impact of this very large area of hard surface. Two parking spaces appear to be provided per house; this would preclude any parking in the square. He has further added that there is no justification for the play area adjacent to the buffer zone. It appears to be a left over space and is in an inappropriate place, shadowed by the hedge after 11.00 hrs. I too share these concerns and note that, whilst the buffer zone depth was requested by the ecological findings, the parking areas appear to encroach on this area, thus reducing its benefit.

I draw Members attention to the Design and Access Statement which indicates that the development fronts onto the public realm and highway to provide active frontages and natural surveillance. Plot 1 is house Type C which has no openings facing the highway. The gable end walls will be blank and the rear garden (and potential enclosure) does not provide any active frontage or surveillance. The applicants design and access statement indicates that unsupervised gable ends have been designed out, when this is clearly not the case in terms of plot 1, as the house types are designed for use as a terrace. I would concur with the Council's Independent Urban Designer and do not consider the house type responds positively to the context of the site and the development as a whole, and does little to respond to provide any sense of place.

The Council's Independent Urban Designer has also commented on the suburban standard layout with road carriageway and pavements to either side. The standard formula reduces the ability of the development to effectively integrate and respond, diminishing its sense of place.

The houses have been designed to lifetime standards; however, I believe this should not be used as a reason to make this, or any, scheme more acceptable. The standards are acceptable but this should be the standard on all submissions rather than being utilised as special. The requirements will become the standard in 2012 anyway.

PPS1 suggests that good design is indivisible from good planning. Paragraphs 34 and 35 consider the design of a development should respond positively and add to the character and quality of the area. This is also reflected in PPS3. I consider the scheme has a number of shortcomings that have not been adequately considered and would be

contrary to the principles of this guidance and policy DS13 of the Bromsgrove District Local Plan.

### **Highways / Access / Parking**

Members will note the original prepared scheme was for 24 units with access off Dale Close. Consequently, Highways objected to the scheme as the access point was considered unsuitable for the number of units, and the scheme was revised to reflect the number of dwellings which could be supported off the turning head and access. This figure was subsequently reduced to 19.

Highways have suggested that the principle of the access arrangements are acceptable and would be subject to the standard highways Agreements including S.278 and S.38.

A number of concerns have been raised by residents in terms of the access and highway safety. I appreciate these concerns; however, the scheme was reduced to the maximum permissible off a turning head. The application has been considered by Highways and no objections have been raised by them in terms of egress onto Stourbridge Road by either vehicles or pedestrians. This includes the number of vehicles using the access, its access onto the Stourbridge Road and the changes associated with these vehicles and pedestrian movements or any detrimental issues in connection with emergency vehicles. It would be difficult in this instance to sustain a refusal based on this aspect alone.

### **Drainage**

The site is sloping predominantly from northwest to southeast. A large number of concerns have been raised in respect to the drainage of the site, especially in respect to the lower lying houses in Hinton Field and Dale Close. The Council's Drainable Engineer has indicated that storm water provision will not be allowed to discharge to the foul water system. Soakaways have been proposed; however, he has indicated that these may not be practical. He has gone on to state that, due to the relief of the land, there will be difficulties in controlling surface water run off as there is no direct outfall available and protection is required for the existing properties on the low side of the development. Retention of water on site is required and further details for this should be provided.

Members will note that the Drainage Engineer has not specifically recommended in this instance to refuse the application, whilst appreciating the local drainage issues in the area. A flood risk assessment is not required for the size of the development and it would be difficult to refuse the application on drainage issues alone as issues may be controlled by conditions. Further details are recommended via the imposition of conditions; this includes the areas of hard surfacing which have not been specified and would have to be permeable to ease any local issues.

### **Wildlife Ecological Issues**

The applicant was requested under the Article 3 direction for details on a baseline ecological survey to be undertaken on the site in line with the guidance contained in PPS9.

The survey focused on the following which mainly concerns the determination of the potential of the area of the proposed development works to support protected species which must be taken prior to, and during, the planned works in accordance with legislation (Wildlife and Countryside Act 1981, NERC 1994, Protection of Badgers and Countryside and Rights of way Act 2000). The survey also aimed to identify habitats and species recognised, and to suggest appropriate mitigations, if required

The Report supplied with the application submitted concluded that the vegetation on the site is not considered to be of significant conservation value; however, there could be opportunities to enhance the biodiversity of the site by incorporating a wildlife friendly scheme in line with PPS9. The main thrust of the recommendation centred around the value of the site for nesting birds (in the hedge) and the potential of the site for roosting bats; whilst no evidence supported bats roosting in the agricultural buildings, the other main consideration was in connection with badgers.

There was evidence of badger activity and, as badgers are protected, licences would be required. Further surveys were also suggested.

I note the large number of objections and concerns raised in terms of the potential for wildlife on the site. Again, I appreciate the number of concerns raised. The Baseline Survey has suggested a number of mitigations and conditions, which may be applied, and it would be unreasonable not to consider the imposition of conditions to ensure the development is acceptable.

### **Amenity**

SPG1 sets out standards for residential development. This includes separation standards. These are embodied to avoid detrimental amenity issues. Standard distance separations are provided between window-to-window walls. A 21 metre standard is normally applied to achieve a degree of privacy. As this site slopes, the distance separations are increased to ensure adequate privacy levels are maintained. This is not wholly clear on this site with the implications from the submission that the site is level; however, this is clearly not the case and the sloping ground requires more consideration. Concerns over views are appreciated; however, this in itself does not represent a reason to protect any individual rights would not amount to a loss of amenity.

### **Other Issues**

A number of concerns have been raised in respect to local services and related access, and to anti-social behaviour. Whilst I appreciate these concerns, I note little weight has been applied to the impact of services in the area.

The issue of anti-social behaviour falls within other legislation outside the remit of Local Planning Authority (that is, the Police). Any issue should be reported to the appropriate party and dealt with accordingly and, if this relates to the Housing Association, it would be internal management of that organisation rather than the Local Planning Authority to control. It would be difficult to refuse an application on these grounds when the issues are not proven, as the development is not in place.

## Conclusion

The proposal represents inappropriate development in the Green Belt. The loss of this parcel of land would harm the openness of the Green Belt and prejudice the purposes of Green Belt policy. Any proven need for affordable housing does not, in my opinion, and in this particular case, amount to very special circumstances necessary for the relaxation of Green Belt policy or the justification of inappropriate development in the Green Belt.

The scale, layout and design of the proposal does not effectively respond to the local area. PPS1 suggests that good design is indivisible from good planning. Paragraphs 34 and 35 consider the design of a development should respond positively and add to the character and quality of the area. This is also reflected in PPS3. I consider the scheme has a number of shortcomings that have not been adequately considered and would be contrary to the principles of this guidance and policy DS13 of the Bromsgrove District Local Plan.

**RECOMMENDATION:** that permission be **REFUSED**.

1. The application site falls within Green Belt as designated within the Bromsgrove District Local Plan. The scheme for 19 affordable dwellings represents inappropriate development in the Green Belt that would harm the openness of the Green Belt and prejudice the purposes of Green Belt policy. The very special circumstances submitted to justify the setting aside of inappropriate development in the Green Belt exist or outweigh the harm caused. As such, the proposal is contrary to policy QE1 of the West Midlands Spatial Strategy, policies D.8, D.12, D.39 and SD.7 of the Worcestershire County Structure Plan, policies DS2, DS13, S9 and S16 of the Bromsgrove District Local Plan, and the provisions of PPG2 and PPS3.
2. The layout and scale of the development responds poorly to both the local context of the area or having a positive impact on its character. The land contours of the site are not appreciated in the submission, leading to an inaccurate portrayal of the elevations and layout of the scheme. The proposal is contrary to policy QE3 of the Regional Spatial Strategy (RSS), policies CTC.1 and CTC.5 of the Worcester County Structure Plan, policy DS13 of the Bromsgrove District Local Plan, the guidance in Supplementary Guidance Note 1 and national policy guidance contained in PPS1 'Delivering Sustainable Development' and PPS3 'Housing'.