

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. S. Dudley	Proposed New Dropped Kerb & Access To Provide Separate Access & Car Parking To The Lodge, Beacon Hill, Rednal, B45 9QL	Green Belt Landscape Protection Area	12/0310-HR

RECOMMENDATION: that Planning Permission be **APPROVED**.

Consultations

WH Consulted: 13.04.12. Response received 12.04.12.
No objection subject to conditions listed below.

Ramblers Association 13.04.2011 - No comments received.

Public Rights of Way 13.04.2011 - No comments received.

Tree Officer 13.04.2011 – Objection received.

Though there are currently no Tree Preservation Order protected trees on the site, there are a high number of trees on the site that are worthy of Tree Preservation Order protection. To achieve the required ground levels and grading as to allow the installation of the drop curb and proposed entrance would cause excessive damage to the root plates on one Sweet Chestnut tree and one Beech tree close to the boundary of Beacon Hill. These trees are a prominent feature to the area forming an integral part of a wider group of trees that offer a high level of visual amenity value to the area. Therefore these trees are worthy of protection. The estimated impact of this work on the root plates of these trees is likely to have a detrimental affect on health and possibly the stability of both trees. Therefore I recommend that this proposal is refused.

Publicity Press Notice Posted 20.04.2011 expires 11.05.2011
Site Notice posted 13.04.12; expires 04.05.12

One Neighbour notification letter posted 13.04.12; expires 04.05.12

No letters of objection received.

The site and its surroundings

The application site relates to a detached dwelling located on Beacon Hill, Rednal, Bromsgrove which is situated within a Landscape Protection Area and within the Green Belt as defined in the Bromsgrove District Local Plan 2004. A residential dwelling is situated to the south of the site and Green Belt land is situated to the north, east and west of the site.

Proposal

It is proposed to remove the existing hedge and to lower a 4.6 metre wide section of the kerb to the front of the property and create a driveway with stone chippings with a new turning area and a car parking space within the site boundary. The existing rear access road to the Lodge will be permanently closed off and the existing front access drive currently serving the two dwellings, the Lodge and the Heanor, will only serve the property known as the Heanor.

Part 2 Minor Operations, Class B of the GPDO states '*The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).*'

Beacon Hill is a classified road and thus planning permission is required for the construction or alteration of a means of access.

Relevant Policies

WMSS	QE3
WCSP	T.1, CTC.5, D38, D39.
BDLP	TR11, DS2, DS13, C1, C4
DCS2	CP22
Others	NPPF

Relevant Planning History

None

Assessment

The main considerations in this application are:

- 1) whether the proposal will maintain a safe means of access and egress to the site for the interests of highway safety.
- 2) whether the proposal would have a detrimental affect on the Landscape Protection Area and Green Belt
- 3) whether the proposal would have a detrimental affect on health and possibly the stability of both trees

Access and egress

Policy TR11 of the BDLP requires that 'all development incorporates safe means of access and egress appropriate to the nature of the local highway network and includes sufficient off-street parking.' It is considered that Policy TR11 is consistent with the policy objectives of the NPPF. The proposal would maintain a safe means of access and egress to the site in the interest of highways safety and would be in accordance with Policy TR11 and the NPPF.

Landscape Protection Area

The site is within a Landscape Protection Area and although landscape protection is not explicitly included in the NPPF, Paragraph 17 (Core Principles) states that the intrinsic value and character of the countryside should be *recognized*.

Policy C1 of the Bromsgrove District Local Plan identifies Landscape Protection Areas as local designations of areas where it is considered that the character of the countryside and the quality of the landscape merits special protection. It is noted that Policy C4 identifies specific criteria for assessing development proposals within Landscape Protection Areas by stating that any proposed development should not have a materially detrimental effect on the landscape.

Special attention is given to development on prominent slopes and the proposed site's location on a hillside, whilst providing panoramic views to the south-east, requires careful design that is sympathetic to the landscape. It is therefore necessary to ensure that all new development is sympathetic in form, scale and materials used.

Policy C1 and C4 of the Bromsgrove District Local Plan is consistent with Paragraph 17 (Core Principles) of the NPPF.

It is therefore considered that as the proposal would be small scale, the proposal would not cause significant undue harm to the amenities of the Landscape Protection Area.

Green Belt

Policy DS2, DS13 of the Bromsgrove District Local Plan is consistent with Section 9 of the NPPF. As the proposal would be small scale, the proposal would not cause significant undue harm to the visual amenities and the openness of the Green Belt.

Trees Issues

Policy C17 of the Bromsgrove District Local Plan states that development proposals should retain trees wherever possible and is consistent with Section 11 of the NPPF. Paragraph 118 of Section 11 of the NPPF states, 'Planning permission should be refused for development resulting in the loss or deterioration irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'.

It is considered as there are currently no Tree Preservation Order protected trees on the site, the proposal would be acceptable.

Conclusion

The proposal would not cause significant undue harm to the amenities of the Landscape Protection Area, to the visual amenities and the openness of the Green Belt or to the existing trees, which are not currently Tree Preservation Order protected trees.

Thus, it is considered the proposal will maintain a safe means of access and egress to the site for the interests of highway safety and would be in accordance with Policy TR11 of the BDLP and the NPPF. As such permission should be granted.

RECOMMENDATION: that permission be **GRANTED** stc:

C001A (In accordance with approved plans)

HC8 (Vehicle access construction)

HC13 (Modified Access Closure - use of site - vehicular)

Notes

This decision has been taken having regard to the policies within the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan 2004 (BDLP) and other material considerations as summarised below:

WMSS: QE3

WCSP: T.1, CTC.5, D38, D39.

BDLP: TR11, DS2, DS13, C1, C4, C17

DCS2: CP22

Others: NPPF

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance; there are no justifiable reasons to refuse planning permission.

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor following the issue of a license under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Council's Highways Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Council's Approved Contractor at the applicant's expense.