

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
HAGLEY HALL ESTATE "A"	New single storey visitor centre, single storey ranger's accommodation, car park (178 vehicles including disabled spaces and coach parking), new access and access drive on to the A456 Hagley Causeway and associated landscaping Land south A456, Hagley	GB LP LPA	14/0501 02.09.14

RECOMMENDATION:

(a) MINDED to APPROVE FULL PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:

- (i) The securing of the Ranger's accommodation to be occupied by person or person(s) and his or her immediate dependants employed directly and exclusively in relation to the activities at Hagley Park only and for no other purpose

Consultations

Worcestershire Highways

Consulted - views received 16 October 2014:

- No objection subject to Conditions relating to:
 - Details of the engineering details of the left in and left out access
 - Details of the engineering details of the pedestrian crossing alterations at Wassell Grove Lane roundabout
 - Details of the drainage and construction details of the access, turning area and parking facilities
 - Secure cycle parking facilities
 - Submission of Travel Plan

Highways Agency

Consulted - views received 7 August 2014:

- No objection

English Heritage

Consulted – views received 24 July 2014:

- No objection
- The design, massing and elevational treatments are very well considered.
- The scheme addresses long term expansion requirements without the need to add further new extensions to the landscape.
- We do not consider that the proposed new visitor centre, ranger's house, car parking and access road will have a negative impact on the historic landscape or on the

designated heritage assets and we do not consider that there will be harm caused to these.

- We emphasise that a landscaping scheme should be devised that would enable the new buildings to fit within the agricultural landscape.
- We note the Block Plan carries overall details of this and we consider this satisfactory, however we would advise you determine this in consultation with your expert landscape advice to ensure it is appropriate for the rural setting and the specific planting and landscape there.
- We note reference to materials in the Design and Access Statement such as the Welsh-slanted roofs. We also consider that the type and style of the brickwork (colour, texture, bond, mortar, lack of expansion joints etc) will be very important and we would be interested in advising further on this if you could add a planning condition for the approval of same.
- We remain very supportive of the overall project and of this specific element.

Council for British Archaeology

Consulted 2 July 2014: views awaited

Ancient Monument Society

Consulted 2 July 2014: views awaited

Georgian Group

Consulted 2 July 2014: views awaited

The Garden History Society

Consulted 2 July 2014: views awaited

Hereford and Worcester Gardens Trust

Consulted – views received 18 July 2014:

- The Hereford and Worcester Gardens Trust support this application and would comment:
- The Trust has long been concerned about the restoration and preservation of the park at Hagley Hall. As one of only two Grade 1 Registered Parks in the County, we have been anxious to draw attention to the importance of this historic site and its cultural, aesthetic and ecological significance. To this end we commissioned the publication of the comprehensive history of the landscape by Michael Cousins which has informed the management plan.
- Although the Trust has often opposed developments which impact upon or prejudice designated Green Belt land, in this case we are convinced that the provisions contained within the National Planning Policy Framework support the application. We would argue that there are indeed at Hagley the very special circumstances required by the NPPF to justify the development.
- The park represents a very original and special example of mid-eighteenth century landscape design, strikingly different from Croome Court, the other Worcestershire Grade 1 landscape. It is of national importance and deserves to be better known and visited for its combination of contrived views, poetic associations, important park ornaments and buildings and its expression of the particular sensibility of the Lyttleton family and its friends.

- The opportunity for this application affords for a thorough restoration of the park features and for the opening of a hitherto private park for public enjoyment is on our opinion a very positive enhancement of the Green Belt.
- We also believe that the proposed visitor centre and Ranger's House are integral to the success of the restoration and its continuing security and consider that the designs have been conceived with discretion and sensitivity.

Conservation Officer

Consulted – views received 6 August 2014:

- No objection
- As you are aware there has been considerable pre-application consultation on this proposal, and this has been reflected in the very detailed application which has been submitted.
- Hagley Park is a designed landscape of international importance, the history and significance of the Park has been explored in the detailed Parkland Plan which was written in 2011. This has informed the restoration project which is currently on-going and has seen the repair of the Grade II* Rotunda, which had been on the English Heritage Buildings at Risk List, and the restoration of the Palladian Bridge, as well as the ponds, cascades and a number of the paths. The project has been the beneficiary of a significant amount of grant funding and it is important therefore to allow the public to see the results of this. Visitors need to be adequately accommodated in terms of visitor facilities and car parking if the expected numbers are realised. Future visitor spending will also contribute to the on-going costs of maintaining the park.
- Various options for the location of the visitor centre were considered as has been detailed in the report. This location is considered to minimise the impact on the historic environment, including the setting of the park, and the listed structures on the estate.
- I consider the design of the proposed visitor centre compliments the 18th Century Park and the designated heritage assets, without competing with them. The simple classically influenced design will provides a dignified entrance to the Park, without making a statement in its own right. I further consider that the siting of a ranger's house close by is essential for the security of the visitor centre and also for the Park. The Grade I Temple of Theseus on the other side of the A456, repaired at public expense in the 1980s, is now in a very poor state of repair as a result of repeated vandalism. Therefore having some form of on-site security will hopefully deter trespassers and similar vandalism.
- Suggested Conditions prior to the commencement of works:
 - Materials, including bricks, slates and mortar
 - Brick bond
 - Joinery details at a scale of 1:2
 - Landscaping to the car-park and exterior of the visitor centre
 - The equipment for the children's play area.

Worcestershire County Council Archaeological Service

Consulted - views received 18 July 2014:

- No objection
- The application site is located adjacent to the registered park and garden of Hagley Hall. The current park dates to the mid-18th century although its origins are medieval.

An extant earthwork comprising a bank and ditch which formed the medieval boundary of the park is located to the south of the development area.

- Due to its situation within this medieval and post-medieval landscape of Hagley, the site has unknown potential for archaeological remains dating to these periods.
- Given the scale of the development and the unknown potential for archaeological remains, the likely impact on the historic environment caused by this development may be offset by the implementation of a conditional programme of archaeological works.
- Suggested Condition:
 - The submission of a programme of archaeological work, including a written scheme of investigation

North Worcestershire Water Management Drainage Engineer

Consulted – views received 9 July 2014:

- No objection subject to suggested Condition relating to:
 - Scheme for surface water drainage

Worcestershire Regulatory Service: Air Quality

Views received 3 September 2014:

- No objection
- Based on our experience of modelling and assessments and available guidance, an air quality assessment is not appropriate for a development of this size, and if one were undertaken it would almost certainly indicate negligible impact on local air quality.

Worcestershire Regulatory Service: Contaminated Land

Consulted - views received 21 July 2014:

- No objection

Worcestershire Regulatory Service: Noise

Consulted – views received 15 July 2014:

- No objection

Worcestershire Regulatory Service: Light Pollution

Consulted – views received 15 July 2014:

- No objection

Worcestershire Wildlife Trust

Consulted 2 July 2014: views awaited

Landscape and Tree Officer

Consulted – views received 28 July 2014:

- No objection
- Overall, I am satisfied that the new landscaping proposed will adequately mitigate both the loss of existing features and the environmental and ecological impact of the development
- The approach avenue and wooded belt are similar to many of the existing historic landscape features of Hagley Park and their location together with the proposed bund should help screen the development from the wider landscape to the north

- Suggested Conditions:
 - Retention of existing trees and hedges
 - Detailed landscaping scheme of tree, woodland and hedge planting
 - Replacement planting regime for loss of tree or hedge planting

Worcestershire County Council Landscape Officer

Consulted 2 July 2014: views awaited

National Trust

Views received 25 July 2014:

- The National Trust very much welcomes the proposed restoration of Hagley Park and the proposals for providing public access to the historic park.
- We support the proposed visitor centre in principle and consider that its connection with the restoration, upkeep and management of the park are very special circumstances that in principle justify development in the green belt.
- We have no objection to the details of the proposals subject to standard conditions relating to landscaping, materials and external lighting. Background The National Trust is a charity founded in 1895 to promote the permanent preservation of places of historic interest for the benefit of the nation.
- Although independent of government we have been given the unique ability to declare our property inalienable, meaning that it cannot be sold and will be protected for ever, for everyone. With over 4 million members we are the largest conservation charity in Europe. The Trust has no statutory role in the planning system but is a keen supporter of planning. We campaigned for the establishment of a comprehensive planning system in the 1930s and more recently campaigned to ensure that the NPPF included adequate safeguards for the environment and countryside. The Trust owns, cares for and provides public access to 179 hectares of land at the Clent Hills. This land was given to the Trust by a number of individuals, trusts and local authorities with further financial support being given by the Countryside Commission and twenty local authorities.
- The Clent Hills are a stunning countryside haven with miles of footpaths, bridleways and easy access trails. They have long been popular with local visitors and provide exceptional views across the countryside and the conurbation, with a topograph at Clent Hill describing the view. Hagley Park is seen from the Clent Hills. The site of the proposed visitor centre is however almost completely hidden from view by intervening woodland and hedgerow trees. The Trust considers that the visitor centre would (subject to conditions relating to material, external lighting and landscaping) have no material impact on the scenic beauty of Clent or on visitor enjoyment of the countryside in our care. We therefore do not object to the details of the proposed visitor centre.
- The Trust is a strong supporter of the green belt but recognises that sometimes development within the green belt is necessary and justified.
- Hagley Park is of exceptional importance in the history of landscape gardening and we very much welcome the proposals for its restoration and to provide public access. We provide public access to numerous historic parks and gardens and have undertaken several major park restorations ourselves. Although we cannot comment on the detailed business case for Hagley Park we support the general proposition that a visitor centre and substantial car park are necessary if meaningful public access is to be provided and essential to the ongoing finances of a historic park

managed as a visitor attraction. We therefore consider that there are very special circumstances which in principle justify this development in the green belt.

Worcestershire County Council Countryside Service

Consulted 2 July 2014: views awaited

Ramblers Association

Consulted – views received 7 August 2014:

- The site has been visited and relevant public rights of way walked to assess impact upon footpaths and the walking experience. The only footpath affected is HE-523 which for much of its length follows a farm track with recently planted woodland to the south and pasture to the north.
- The application shows that the track will be retained with the new car park in the pasture to the north and the visitor centre to the south within the woodland. The Rangers dwelling is to the south west. There appears to be no proposal to alter the alignment of the footpath and the only changes will result from its greater usage as a result of people crossing it between the car park and visitor centre and by the residents of the Rangers house which has access to the track. Under these circumstances Ramblers is happy that walkers interests are safeguarded as far as the physical condition of the footpath is concerned.
- It also seems to us that the project will itself enhance opportunities for walking as people pass from the visitor centre to the Hall and its parkland and gardens. It is even felt that many will take advantage of using the local network of paths to the south of the parkland following their visit to the Hall. Maybe the Estate could encourage this to increase the visitor experience and the usage of the facilities at the centre.
- Regarding the openness and character of the countryside and the Green Belt which you will realise are important to us, the application has a significant impact. In its favour is the protection of the setting of the hall, an important historic building and its surrounding grade 1 parkland, the attractive design of the buildings and the use of the landform and existing and proposed tree and hedge planting to minimise impact. We are particularly pleased to note that the existing hedge to the north of the footpath is retained other than where access to the visitor centre is provided. On the other side of the balance is the fact that the proposal is clearly contrary to the normal Green Belt and Countryside policies.
- After a lot of thought we have concluded that the balance of advantage lies with this proposal in order to maintain the setting of the Hall, protect the parkland and to support the contribution made to the economy and tourism. Regarding the Rangers House we would only feel able to support it if it is deemed essential to this project which we trust you will be vigilant in assessing.

Community Safety

Consulted 2 July 2014: views awaited

West Mercia Constabulary

Consulted – views received 16 July 2014:

- No objection but would like the following comments to be taken into consideration:
- The Design and Access statement quite rightly identifies that security of the building is an important issue. However, I think it would be a mistake to just depend on the Wardens house for security.

- I would hope that the building is to be alarmed, this will be particularly important if it is to host exhibitions.
- I note that the service yard is protected by gates; I am concerned that anybody climbing these gates or otherwise gaining access to the service yard would then be able to enter the courtyard unobserved giving them access to all of the doors and windows off it. Intruders in the courtyard after hours would be able to spend a considerable amount of time in this area unobserved. Measures need to be put in place to deter this, as a minimum a beam or external alarm sensor across the entrance to the courtyard that would either activate the alarm system or alert the warden should be considered.
- The building has a lot of windows, the windows are to be double glazed (at least) if possible I would like to see one of the panes of glass be laminated.
- It is common knowledge that the theft of lead from roofs is a problem. I suggest using a lead substitute on this building, however if this is not possible it is important not to create climbing points that give easy access to the roof. Measures could include making sure bins etc are away from the building and drainpipes are shrouded so that they cannot be climbed.
- Finally the car park is to be surrounded by trees and shrubs. To maintain surveillance across the car park, shrubs should not be allowed to grow above waist height and any tree canopies should be above two metres.

Economic Development

Consulted 2 July 2014: views awaited

Hagley Parish Council

Consulted – views received 3 September 2014*:

- Objection. The primary reasons are:
- The wider impact of the proposal and its cumulative effect on the traffic and air quality that currently affects Hagley.
- The additional traffic that this proposal will attract on top of the forecast increase in traffic and air pollution from the near 400 extra houses in development.
- The forecast completion of this proposal and the completion of local housing developments are likely to coincide; thus resulting in a sudden traffic and air pollution impact.
- HPC believes that there is a greater disadvantage to the majority of Hagley than the benefit to a few.
- The target visitor forecasts of up to 100,000 for the centre and park will undoubtedly result in further traffic, thus increasing waiting times at already overburdened junctions, increased air pollution and general congestion. The main impact will be during weekends, bank holidays, summer holidays and special events, when traffic is already a severe problem for Hagley.
- Although not directly adjacent to the main pinch points the traffic from 100,000 visitors would equate to a new housing development in itself. Residents should be given overdue protection from continued development in Hagley which is affecting their quality of life, particularly from increased traffic.
- HPC does not believe that these wider impacts have been fully considered by the agent's traffic consultants. HPC considers the traffic situation in Hagley to be so acute that it has employed the services of Arup to challenge the modelling outputs from the agent. Arup's interpretation of the traffic modelling is attached and critical

enough to support the application being refused until full and proper modelling has been completed.

- HPC is confident that once fully modelled Worcestershire County Council Highways should recommend refusal.
- The Ranger's bungalow is unwarranted in the green belt and the access to the site off the dual carriageway (A456) raises potential safety concerns that will affect the free flowing traffic on a busy dual carriageway.
- No viability study has been circulated so that s106 monies can be calculated.
- **Summary of objections**
 - There is a question over whether this application meets very special circumstances for development in the green belt.
 - The Ranger's bungalow sets a precedent and does not meet the very special circumstances test.
 - HPC recommends refusal in the strongest possible terms of the total application based on the additional wider impact of traffic congestion.
 - The traffic impact assessment by contractor Mayer Brown is incomplete and technically flawed (see accompanying ARUP technical report)
 - The access road and car park is essential for access to the proposal. The objection is related to safe access/regress via the A456 dual carriageway.
 - The cumulative impact of traffic congestion on the Hagley AQMA.
 - The application is made up of defined component parts. Should the green belt test fail than the whole application is to be refused? Equally should the wider traffic modelling highlight cumulative traffic issues, this to must result in refusal. Failure of one or more components must render the development as unsafe and the application refused.
 - In addition to the above objections HPC has concerns that the following are also to be considered.
 - Lack of impact assessment and modelling by Worcestershire Regulatory Services Air Quality Management Team.
 - Lack of proposed s106 and Highways mitigation beyond immediate site entrance.
- The following conditions are suggested, on the assumption that the application is approved:
 - Section 106 monies are negotiated and paid by the developer of this site to Hagley Parish Council to be used by the Parish Council to improve infrastructure in the village on behalf of residents. Reason: to mitigate the adverse impacts of additional traffic through the village and compensate residents for additional nuisance arising from traffic congestion and noise.
 - The main vehicular access route to the site should be by means of the new access being authorised. No vehicles to use the existing track from Hagley Hill Farm Barns, except agricultural traffic accessing adjacent fields. Reason: The Parish Council has had representations from residents their concern about the effect on their amenities of traffic using that track.
 - The Ranger's bungalow to be used in perpetuity as staff accommodation in connection with the visitor centre or as an agricultural dwelling. Reason: The dwelling is being allowed exceptionally due to it being necessary for the security of the visitor centre. It is therefore important that it should be permanently annexed to it. If not legally annexed to the visitor centre, so that the dwelling could be sold separately from it, the planning consent would effectively be allowing a new open-market swelling in the midst of the Green Belt where none would have been allowed

but for the very special circumstances. It is suggested that the wording should be that of the standard agricultural condition with additional wording relating to intended use as an adjunct of the visitor centre.

- None of the rest of the development to take place until the access off A456 is constructed in accordance with the plans.
- The car park surface should be permeable and screened by trees and landscaped with regular litter control and a low lighting scheme.
- Conditions required upon the visitor centre's hours of opening, control of both sound and light pollution. Further conditions should be placed on it to ensure that it complies with high standards of design and environmentally compliant in terms of energy, waste and water consumption.
- Clear highway signage is required at major highway junctions on the approaches directing traffic to the correct visitor centre access.

* Members are encouraged to read the views of Hagley Parish Council and the accompanying ARUP technical report on highway matters commissioned independently by the Parish Council

Publicity

16 letters sent 2 July 2014 (expire 23 July 2014)

4 identical site notices posted 22 July 2014 (expire 12 August 2014)

1 press notice published 25 July 2014 (Stourbridge News) (expires 15 August 2014)

1 press notice published 25 July 2014 (Bromsgrove Standard) (expires 15 August 2014)

14 representations received objecting to the scheme on the following principal issues:

Principle

- This is not a visitor centre but a café/restaurant on a major road
- There is no cause or justification for this development and a "visitor centre" at this location serves no purpose whatsoever. It is a great distance from Hagley Hall itself - which it purports to serve - so is in completely the wrong place.
- The Clent Hills park caters for hundreds of visitors quite adequately, without the need for an 800 sqm building! The centre proposed is vast at over 800 sqm, and the proposed car park for 178 vehicles will be a huge area of bare tarmac.
- If the applicant wishes more people to visit his estate, there is perfectly adequate space to create a "visitor centre" on land adjacent to the Hagley Hall, which already caters for large-scale events and conferences quite successfully and there are large fields off the Clent road to accommodate parking and a "visitor centre" if required.
- The Clent Hills already attracts over a million people a year, why not just have a kiosk for admittance just inside the grounds of Hagley Hall.
- All that is needed is a hole in the fence by Hagley Hall, where a kiosk could be erected, for visitors to pay for admittance.
- Inappropriate and unacceptable development in the greenbelt.
- The exceptional circumstances claimed by the applicant are not appropriate. One of the applicant's claims are that it will encourage physical activity by allowing visitors to walk the parkland. However, there is the bordering Clent Hills, which is free to all and in which the same physical activity can take place. Visitors to this application site would have to pay first, which would discourage a large percentage of the public.

- Finally I believe the estimated visitor numbers are wildly inflated have no idea why the Parkland on its own will be of interest to general public as I am avid NT member the main interest is the House/Church etc with comparable sites ie Croome

Form of Development

- The development would obstruct a beautiful vista, which has remained unspoilt for years, from many a vantage point, including Wychbury Hill and foot paths associated with it.
- The application is totally out of proportion and sets a dangerous precedent for development on the South West side of the A456.
- This is an ancient landscape and Grade 1 listed with views from the protected Clent Hills.
- The proposal for the rangers accommodation is totally unnecessary
- Ranger's accommodation can be perfectly well created from buildings around the Hall itself and is a more sensible location.
- The public right of way to the Clent Hills will be adversely affected by the proposed development, which many people enjoy.

Highways and Access

- The A456 is already a very busy Road and the amount of visitors expected will cause major congestion. It is already overloaded.
- It will also create additional traffic on the A456/A491 junction where significant traffic jams already occur at weekends and add to the future congestion that will be created by the Cala Homes development on that junction.
- Unacceptable and dangerous access/egress onto/off the A456. The A456 between the Wassell Grove roundabout and the Hagley Wood Lane roundabout has had at least 11 road traffic accidents in the last 5 years.
- The access is also just after a layby along the A456 which runs alongside the wooded area so traffic will be joining the A456 from the layby potentially at the same time as traffic accessing the proposed site is slowing down.
- The site is close to where large car boot sales are already causing weekend problems.
- Traffic coming from junction 4 on the M5 will pass through the A456/A491 junction where major traffic jams already occur and will add to the congestion that will be created by the current Cala Homes development on that junction.
- I can foresee traffic from the south attempting to access Parkland via Hagley Hall entrance in Hall Lane.
- I cannot see from plans how the visitors can access the Monument and Theatre on the other side of the very busy A456

Air Quality

- Unacceptable additional traffic within AQMA. With 50% of the estimated annual 40,000 vehicles predicted to come from the west of the application site, that equates to 20,000 vehicles and therefore 40,000 vehicle journeys going to and from the proposed site directly through the Hagley Air Quality Management Area.
- Significant additional traffic will be generated, especially on bank holidays and weekends, along A-Roads in Hagley which currently fall within a designated Air Quality Management Area i.e. A456 and A491, as visitor traffic travels in from the directions of Bromsgrove, Kidderminster and Stourbridge.

Public Transport

- Unacceptable reliance on the car – public transport options to access the site are not feasible or realistic

Halesowen Abbey Trust

Views received 31 July 2014:

- Objection
- The Clent Hills and the land down to the A456 are an important visual and informal recreational amenity, which remain unspoilt. Indeed a major Public Right of Way, giving access to the Clent Hills is adversely affected by the proposed development.
- The present Green Belt boundaries are defensible.
- The development will be visible from many vantage points within this area of landscape value, including from Wychbury Hill and the footpaths associated with it. The impact would be immense.
- The A456 is overloaded (Kidderminster/Blakedown/Hagley Bypass Public Inquiry). This was the view of the Department of Transport and was accepted by the KBH public Inquiry. The proposed bypass was shelved for economic reasons but the situation remains. This is a large development, designed to attract significant numbers of visitors and will exacerbate traffic problems.
- The Leasowes (in Halesowen), Hagley Park and Enville Hall, became part of a tour of the enlightened from the late 18th Century, where the inter-land that separated them was seen as part of the pleasure. The opening sentence from Hagley - Enville - The Leasowes, 'Three Great Eighteenth Century Gardens' by Michael Symes and Sandy Haynes, states appropriately that, "Houses, Gardens and Estates do not stand in isolation from the countryside around them. They are the product of their landscape".
- It is noted that the number visitors to Hagley Park will be controlled by pricing and yet we have what would be a large and intrusive development with extensive car parking
- For many years, Hagley Hall has been open to the public, and for many events, with adequate car parking being available. Visiting to the grounds can be managed from the Hall. This has the benefit of close control by present staff and obviating the need for new buildings which would be an obtrusive element into a valuable open landscape.
- An element of support for the plans relies upon the proposed development not being seen from the Hall and Park. As shown above these should not be seen or considered in isolation to the surrounding countryside, which will be spoilt.
- Most people enjoy the area from points of unfettered public access and their enjoyment will be impinged upon.
- The circumstances are not exceptional to warrant allowing this development. As already discussed, the Park can be visited, using existing provision from Hagley Hall. In the long and distant past the Park was visited by the public but this was stopped some years ago.
- With over 1,000,000 visitors to the Clent Hills each year, all that Viscount Cobham needs to do to get visitors into Hagley Park is to provide a gate in the fence and provide a kiosk where they can pay. This would achieve that objective without increasing traffic and the blight caused by his proposed development with its massive car park.

Additional views received 1 August 2014:

- Having now read the letters of support from English Heritage and the National Trust, it needs to be pointed out that The Obelisk and The Temple of Theseus are a part of the Hagley Hall Estate and were fundamental to the garden design.
- Bearing in mind that the proposed visitor centre/car/coach parking will be seen from the public right of way from Wychbury Hill, the development CAN be seen from the parkland setting. This appears to have been overlooked in supporting the application.

Representation from Hagley Ward Member Councillor Steven Colella

Received 24 August 2014:

- Objection on the following grounds

Highways and Air Quality impact

- This is a significant application and the impact upon the wider reaches of Hagley and Clent Hills should not be under estimated. The impact of the estimated 100,000 visitors in periods of typical day trip events (condensed in typically nine months) is a major consideration. If the plans to make the Hagley Hall estate into a major visitor centre, as the application suggests, are realised then this will be considered on a par with those venues highlighted in the applicant's report. Therefore I believe that the impact of the traffic on the road infrastructure has been under estimated. In deed as highlighted by Arup the traffic impact assessment is weak and misses a number of essential considerations to a full and robust assessment.
- It is common knowledge that the approaches to the site could run through the Hagley AQMA. No modelling of the Air Quality impact has been made and therefore questions the sustainability of the application. Furthermore any additional traffic flow would threaten the success of the WCC (WRS) Air Quality Action Plan.
- The cumulative impact upon the road junctions and traffic congestion is already at critical point with clear concerns raised by WCC Highways in the Cala Application. Cala received planning application following commitment to invest £1m in the traffic island junction. Any spare capacity created by this investment will be reduced by this application resulting in a negative benefit to Hagley and the road intersection.
- This is the only viable possible access to the proposed site and I would not wish any other to be considered. But even this is not without its concerns. Access and regress to the site will disrupt the free and safe flow of traffic on the A456 dual carriageway.
- The application should be refused asking for a complete and robust traffic and Air Quality impact assessment with an independent assessment made. I am seeking the support of WCC Highways authority in refusing this application due to the unsustainable impact on highways.

Ranger's Bungalow

- The Ranger's bungalow is a reason for refusal with a clear precedent for refusal being set at a nearby similar application for living quarters in Wassell Grove Hagley Fishery. Therefore this application should be refused.

Development in the Green belt

- This application is directly beneficial to a few but it is a dis-benefit to the majority. The impact is disproportionate against the wider community. Therefore when considering whether the application for development in the greenbelt is justified the wider and greater impacts must make the application unjustifiable and be refused.
- The disruption that the traffic will create is something that adds further burden to road users and those living on the approached to the Hall,

- the visual and physical impact on Clent Hills will be significant,
- the built structure, access road and car park will be visible from parts of the Clent Hills having an inappropriate and damaging impact of the natural environment.

Viability Concerns

- It is usual in cases of significant development for either a business case or viability study to be made available to the Council.
- In this case there has been no detailed document submitted. Given the impact upon Hagley community and the greenbelt there are concerns on the legacy which will be left if the venture is unsuccessful. In addition the viability of a venture is important when considering the degree of s106 or Highways contributions.
- The overall application is based on a 'for profit' venture and part of the grand Hagley Hall scheme whereby surplus income will be used for the wider upkeep of the Hagley Hall Estate. It is also designed to add value to the Hall's own business strategy in promoting its conference, outdoor events and wedding facilities. There are concerns that the business model has three aspects; if the proposal, as a whole or in its component parts is refused would this jeopardise the sustainability of the overall proposal.
- The visitor centre is for educational and no doubt promotional purposes for the park and Hall estate, but assumed to include, ticket/information desk, café (eatery) and meeting facilities. Therefore income from the centre's activities will either be self-funding or subsidised from the income from entry into the park.
- It is further assumed that income from the park will be used for its own upkeep/improvement or used to offset the running costs of Hagley Hall estates as an income stream. Therefore the viability of this venture must be questioned and safeguarded against, for example if ultimately visitor numbers do not meet the visitor forecasts and income projections.
- Whilst it is not for BDC to determine whether the business case will succeed but whether the impact is suitable in the Green Belt.
- This application should be refused.

Members are encouraged to review all submitted documentation, including the third party letters summarised above. All submitted information is available to view in full via the Council's Public Access system.

The site and its surroundings

The site is located within the Hagley Hall estate, to the south of the A456 Birmingham Road, approximately 1.6 kilometres to the east of Hagley, 2.6 kilometres from Stourbridge to the north, 2.9 kilometres from Halesowen to the east, 9.6 kilometres from Kidderminster to the west and Bromsgrove 12 kilometres to the south.

The site comprises two principal existing uses: a pastoral field used for grazing and an immature predominantly broadleaf plantation circa. 1970s. To the south of the site is the Grade I Registered Park which comprises groups of mature trees and copses, to the east is Hagley Wood, an ancient re-planted woodland. Further south is located Nimmings Plantation and Short Wood, with the Clent Hills Country Park beyond (300 metres). To the north is the A456 and the public house/hotel known as the Badger's Sett. To the west is further pasture land and a collection of dwellings on the site of the former Hagley Hall Farm (Hagley Hill Farm Barns).

The application site comprises 7.13 hectares. The site sits within an undulating landscape and sits at the side of a valley and generally slopes south to north (towards the A456 Hagley Causeway), with levels ranging from 222.124 meters AOD at the south-west corner to 183.634 metres AOD at the north-west corner, a fall of around 20 metres. The ground strata consists of silty clay, mudstone and siltstone. The Elan valley aqueduct and a 600mm pipe run through the north-east corner of the site.

The section of A456 Hagley Causeway adjacent the site is subject to a 60 mph speed limit. Continuous footways run alongside Hagley Causeway. Pedestrian crossing facilities are located at the Hagley Hall roundabout. Public footpath 523(c) is located within the site and crosses the site east to west from Hagley Hill Farm Barns to connect with Hagley Wood.

The site of the development is located approximately 350 metres south of the A456 Hagley Causeway. The site is located in designated Green Belt and a Landscape Protection Area and is sited adjacent the Grade I Registered Parkland within the Hagley Hall Estate.

Proposals

The scheme relates to a full planning application for a new visitor centre and car-park to serve the Grade I Registered Park at the Hagley Hall Estate. It is planned to restore the Park and its associated five listed buildings to their original eighteenth century condition and open the Park to the visiting public. The scheme also includes the erection of a detached three-bedroom dwelling to serve as ranger accommodation directly linked for management and security for the visitor centre and the associated Park.

The building is single-storey and architecturally influenced by its role as an entrance to a Georgian landscape. The building is of red brick construction and Welsh-slatted roofs set back behind parapets. To the front range and to the restaurant facing the Parkland, the panels between the brick piers will be fully glazed. As well as the classical proportions of the visitor centre, other detailed references are taken from the Hall and the Parkland: the urns on the parapet are scaled-down versions of Shenstone's Urn, one of the features in the Park, and the cupola over the restaurant is based on the cupola on the Mews stable block.

The proposed building will measure 43.6 metres by 40.2 metres (maximum dimensions) (the main nucleus of the building being 24 metres by 27 metres). The building incorporates a central courtyard with a large porch overhang. The main roof over the building will have an eaves height of 3.4 metres and ridge height of 4.6 metres.

The building contains a reception, shop, kitchen, café/restaurant, toilet provision, ticket office and associated office/plant rooms. It is intended that formal and structured educational programmes will also take place. The visitor centre will provide facilities to explain and interpret the design of the Parkland and an education room is incorporated in the centre for this purpose. It is envisaged the shop will give visitors the opportunity to buy items related to Hagley and its environs, as well as to other eighteenth century country houses and parks. Space for outside dining is provided both in a corner of the internal courtyard and to the south of the restaurant, where a small garden is laid out between the visitor centre and the Parkland. No charge is made until the visitor enters

the Parkland, which is through the ticket office on the opposite side of the courtyard from the shop and Reception or via the kiosk to the western elevation.

The visitor centre fits into the edge of a small tree plantation just outside the Registered Park and the car park into a corner of the field opposite. The trees lost to make way for the new building will be compensated by a 30 metre wide heavy band of planting (including transplantation of some of the displaced tree specimens) to screen the car park from views from the north and west. This screen will be set on an earth-bund of approximately 0.40 metres in height and 2.5 meters in width that wraps around the west and northern boundary of the car-park and a small section to the east of the access road. Opposite the entrance to the visitor centre two small gaps will be formed on the hedgerow, one for pedestrians and one for service vehicles. A ditch runs alongside the hedge on the field side and this will be culverted locally and bridged where these accesses are positioned.

A service yard is located to the west. A children's play area is provided to the west which will be accessible from the rear of the building. This will be set into a clearing in the existing tree plantation and will be screened to the north and west by a fence and additional planting. Any installations will be no higher than this screening.

It is planned that the Park itself will be open to the public year round, seven days a week. The visitor centre is planned to be open seven days a week from 10.00 hours until 23.00 hours. It is currently planned that the café element of the visitor centre remain open during the evening.

The proposed Ranger's house is located approximately 21 metres from the main aspect of the visitor centre to the east and has been positioned to provide good surveillance of the front of the visitor centre and the entrance into the Parkland. The house is single-storey and stylistically similar to the visitor centre in that it has a slated roof behind parapeted brick walls. The dwelling has a floor area of 112 square metres and a height of 4 metres and contains three bedrooms. The accommodation has a defined curtilage and two defined parking spaces.

Access to the site is proposed from the westbound carriageway of the A456 Hagley Causeway. This will serve as both the entrance and exit (left in/left out only). A new driveway leading from the A456 is proposed. The driveway will be 6 metres in width and runs parallel to the existing established woodland edge to the east for its entire length in a southerly direction before diverting west to the proposed car parking area. A set of brick gate piers and wrought iron gates (at a maximum height of 2.5 metres without decoration) are proposed to be set approximately 40 metres from the A456, with fencing to compensate for the loss of boundary hedgerow on the A456 boundary as a result of the new entrance.

The car-park consists of 178 spaces, including designated disabled spaces (15) and coach parking (7 bays). The parking is designed to be informal, without demarked bays. Spaces between and at the ends of rows will be defined by tree and shrub planting. Space for bicycles and motorcycles are also included (12 stands). Secure storage of bicycles for staff is provided in the service yard (8 stands). A slightly raised pedestrian footpath will be provided down the centre of the car park which can be driven over but

will give some separation of motorists and pedestrians. The car-park surface has a proposed finish of resin bonded gravel.

The car-park is proposed to be contained and screened by a combined feature of an earth bund of approximately 2.5 metres in width and 0.40 metres in height and a 30 metre wide tree planting belt located to the west and north of the car-park and to the east beyond the proposed access road. The tree screen will comprise new planting and displaced specimens from the site of the visitor centre building.

Pedestrian and cycle access to the visitor centre will also be accommodated by the access drive. Pedestrian and cycle access to the visitor centre will also be gained from the Hagley Hill/Wassell Grove roundabout which utilises an existing track into the Parkland. This will partly utilise part of Footpath 523(C), where a permissive cycle route will effectively be created to coincide with existing rights of pedestrian access.

In terms of external lighting, it is proposed to externally illuminate signage on the entrance gates when the visitor centre is open after dusk so that visitors can see that the scheme is open. This will be subject to a separate application. The access drive leading off the A456 will not be illuminated. It is proposed to use low level bollard lighting in the car park. No external lighting is proposed to the visitor centre itself apart from low level entrance lighting.

The new visitor centre and car park have been designed to accommodate initially 50,000 visitors per annum, rising to 100,000 visitors per annum.

The overall objectives of the project are to:

- Support the restoration of the Registered Park to its original condition as it was when laid out in 1765 and open up 77 hectares of the Park to the public
- To secure the long-term sustainable, financial future of the Park and its listed buildings and structure so that its restored condition is maintained in the long-term for the benefit of all
- Support the funding of the restoration. The funds for the continued restoration of the Park and its long-term maintenance will come from a number of sources, including: income generated from the visiting public from ticketing; surplus income generated by the café and shop which are part of the visitor centre, contributions from the applicant and public sector grants which are generally awarded on the condition that the public are given access to the restored Park
- To support the local economy by creating new jobs and generating tourism visits

Both the Registered Park and the applicant are under the control of the applicant. The application site abuts the Park but is not within in. The application does not cover the restoration of the Park which has been and will be subject to separate planning and Listed Building applications. Most of the early phases of restoration of the Park has consisted of maintenance and repair which does not require the consent of the Local Planning Authority. The two projects are, however, closely linked. The new visitor centre is required to deliver public access and funding for the Park's continued restoration and upkeep.

The scheme has been accompanied by the following information:

- Scheme drawings

- Design and Access Statement incorporating a Statement of Significance
- Transport Assessment and Travel Plan
- Ecological Report
- Arboricultural report and tree survey
- Landscape and visual impact appraisal
- Flood risk and drainage design strategy
- Planning Statement

This information is available in the planning file and online via Public Access should Members wish to view them.

Relevant Policies

Bromsgrove District Local Plan

DS2 Green Belt Development Criteria
DS9 Protection of Designated Environmental Areas
DS11 Planning Obligations
DS13 Sustainable Development
S28 New and Enhanced Community Facilities
S29 Access for the Disabled
S39 Alterations to Listed Buildings
C4 Criteria for Assessing Development Proposals
C5 Submission of Landscape Schemes
C12 Wildlife Corridors
C16 Effect of Infrastructure Development on the Landscape
C17 Retention of Existing Trees
C18 Retention of Woodlands
C36 Preservation of Archaeological Resources
C37 Excavations Around Archaeological Remains
C38 Development Criteria for Archaeological Sites
C39 Site Access for Archaeologists
E9 Criteria for New Employment Development
TR1 The Road Hierarchy
TR8 Off-Street Parking Requirements
TR10 Car Parking Provision for Disabled Motorists
TR11 Access and Off-Street Parking
TR13 Alternative Modes of Transport
RAT2 Recreational Development Criteria in the Green Belt
RAT12 Support for Public Rights of Way
RAT22 Tourism Schemes
RAT23 Promotion of Tourism
RAT33 Visitor Facilities
RAT35 Coach/Bus Parking Facilities
ES1 Protection of Natural Watercourse Systems
ES2 Restrictions in Development Where Risk of Flooding
ES3 Sewerage Systems
ES4 Groundwater Protection
ES5 Sewerage Treatment Facility Provision
ES6 Use of Soakaways
ES7 Sites Suspected of Contamination

ES11 Energy Efficiency in Buildings
ES14 Development Near Pollution Sources

Bromsgrove District Local Plan (Proposed Submission Version)

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP13 New Employment Development
BDP15 Rural Renaissance
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP21 Natural Environment
BDP23 Water Management
BDP 24 Green Infrastructure
BDP25 Health and Well Being

National Planning Policy Framework (NPPF)

Presumption in favour of sustainable development
Building a strong, competitive economy
Supporting a prosperous rural economy
Promoting sustainable transport
Requiring good design
Promoting healthy communities
Protecting Green Belt land
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment
Facilitating the sustainable use of materials

National Planning Policy Guidance (NPPG)

Notes

The main factors relevant to the consideration of this application are as follows:

- The principle of development in the Green Belt and whether any very special circumstances exist
- Traffic and highway implications
- Air quality
- Landscaping and trees
- Ecology
- Water management and flood risk
- Residential amenity
- Planning Obligations

Green Belt Policy

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. Paragraph 80 of the NPPF identifies that the Green Belt serves five purposes including to check the unrestricted sprawl of large built-up areas, and to assist

in safeguarding the countryside from encroachment. Openness is an essential character of the Green Belt.

Both the NPPF and then BDLP under Policy DS2 establish that the construction of new buildings within the Green Belt is inappropriate, subject to a number of exceptions. The development in this case does not fall within any of these exceptions. The proposed car park and lighting represent engineering operations. The Framework establishes that engineering operations are not inappropriate in the Green Belt, provided they preserve the openness of it and do not conflict with the purposes of including land within it.

Taking the development holistically, including the scale of the car-park, I consider the scheme as proposed would represent inappropriate development in the Green Belt as there would be a conflict with the objectives of Policy DS2 of the BDLP and national planning policy relating to Green Belt set out in the NPPF. Policy DS2 of the BDLP is relevant and is consistent with paragraphs 79 – 92 of the NPPF. Such development is, by definition, harmful to the Green Belt. Such development should not be approved except in very special circumstances.

In considering any planning application in the Green Belt, the Framework makes it clear that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by virtue of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Harm Caused

The Framework identifies openness as an essential characteristic of Green Belts. The harm to the Green Belt in this case relates to the built form of the visitor centre and Ranger's accommodation, associated car-parking and lighting and the subsequent loss of openness.

The proposal would thus introduce built form, a new access road and car-parking provision into this area. This would represent encroachment into the countryside with development clearly outside of the urban area in a relatively isolated location, in conflict with one of the purposes of including land in the Green Belt. This encroachment would also conflict with the protection of the natural environment, which is one of the three dimensions to sustainable development, as set out in the Framework.

Applicant's Case

The key very special circumstances presented are the desire of the applicant to restore a nationally-important historic asset, its continued maintenance, sharing the asset with the wider public and the benefits of wider access to the countryside, local employment and tourism spend, as well as generating income to support the continued conservation work of the Estate.

A separate case for the Ranger's accommodation has also been put forward.

(a) The Importance of the Park

The Park includes the following listed buildings/structures: Hagley Hall (Grade I), Temple of Theseus (Grade I and on the English Heritage list of 'Buildings at Risk'), Obelisk (II*), Prince of Wales Column (II*), Rotunda (II*) and the Ruined Castle (II*). The Park's historic assets make up two of Bromsgrove's six Grade I listed buildings and five of Bromsgrove's twenty seven Grade II* listed buildings making it the District's most important collection of historic assets. These historic assets are not only of significant regional importance but also of national and international importance.

A full and comprehensive, detailed Conservation Management Plan, The Parkland Plan, has been prepared for the Park. This sets out how the landscape and buildings can be restored and the biodiversity enhanced. The first phases of this Plan are already being implemented with assistance of grant funding that is conditional upon the Park being open to the public. Some of the walkways have been cleared and reinstated, water features dredged and repaired, the Palladian Bridge rebuilt and the Grade II* Rotunda repaired and now removed from the 'at risk' register.

The structure of the Park's eighteenth century designed landscape survives largely intact, albeit in a degraded and eroded state. In September 2011, the Parkland Plan reported that "the majority of the buildings and structures survive although as stated two are on the English Heritage Register of Buildings at Risk (the Grade I Temple of Theseus and Grade II* Rotunda) as a result of vandalism. The original path network can in most places be traced. Many of the designed views are obscured by trees and vandalism has taken its toll. The ponds, woodland and grassland are all in poor condition".

Phases 1 and 2 of the restoration of the Park are nearing completion. These phases included the restoration of the Obelisk, the Rotunda, the Cascades and main water features in the Park at a total capital cost of more than £2m. The visitor centre is currently budgeted at £2.5m. Further restoration works to the park will include more work on the water features and dams, revealing and reinstating the existing network of paths and walks and new landscaping and planting.

The scheme will facilitate the continued retention and restoration of the nationally important historic assets and interests, including securing the future of listed buildings at risk. This will provide a long-term income stream to ensure their continued maintenance. In addition, this will allow enhancements to the landscape and nature conservation aims.

(b) Access to the Countryside

The scheme will permit countryside access to the nearby urban population and will promote opportunities for outdoor recreation. It will encourage managed outdoor activities close to the Birmingham conurbation, encouraging healthy lifestyles.

(c) Economic Benefits

The restored Park will become an important tourist attraction for recreational use within the Worcestershire and Birmingham area as well as drawing in visitors on a national and international basis.

The project will create 10 full time equivalent jobs, of which 6 will be based in the visitor centre. The other 4 will be Park based. Of the six FTE there are likely to be a combination of full and part time employees. It is also likely that local volunteer guides will come forward as is common with similar facilities. In addition to this, contractors will be used to work on the restoration of the infrastructure and structures of the Park over time. It is estimated that about 8 full time construction jobs would be created by the total project, in addition to the 10 employed in connection with the visitor centre –a total of 18. In addition there would be spin-off employment to local firms serving the new visitor centre and restored Park such as maintenance contractors, suppliers to the new shop and café, and hoteliers.

(d) The Case for the Ranger's Accommodation

There is an essential need for on-site security to protect the identified historic assets of the Park. Due to the Park's location on the edge of the conurbation and sheer size of the asset, vandalism and unauthorised trespass of the historic assets continues to be an issue. For example, despite being refurbished in the 1980s, the Grade I listed Temple of Theseus was within 5 years once again vandalised and back on English Heritage's List of 'Buildings at Risk'. The applicant is of the view that without a 24 hour presence on site, the same problems will arise, with the risk of reversing the restoration works currently being undertaken.

The applicant is of the view that the building will be relatively remote and a potential attraction for thieves and vandals and that only a 24-hour presence will ensure that the investment is kept safe and secure. A public footpath runs through the application site and other public footpaths run to the south and west of the registered Park. Keeping the perimeter of the Park secure against a determined trespasser is not possible. An on-site presence is essential to avoid the problems encountered at the Temple of Theseus. The applicant is of the view that it is unlikely that the project to restore and open the Park to the public could proceed without this aspect of the scheme.

Appraisal

To clarify for Members, I consider that the development (both the built form and the new car-park and associated access road) would be inappropriate development, which the Framework states is, by definition, harmful to the Green Belt. Such development should not be approved except in very special circumstances. Members will be aware that establishing very special circumstances involves a balancing exercise for the Local Planning Authority. On one side is the extent of the harm to the Green Belt by virtue of inappropriateness and any other factors and on the other side are any positive advantages to the proposal. Very special circumstances exist where the advantages outweigh the harm. In terms of the historic landscape relevant to this case, the NPPF Section 12: Conserving and Enhancing the Historic Environment advises that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Members will note the adverse comments arising from the consultation process, with particular regard to the views from the Halesown Abbey Trust and Hagley Parish Council. Both parties raise concern over the principle of development in this Green Belt

location and the impact on the historic landscape. The Parish Council raise strong concerns that the scheme would appear to be “shoe-horning” the development into an area that is already severely under pressure not designed for such a major impact. Members, however, will conversely note the comments of English Heritage, the National Trust, the Hereford and Worcester Gardens Trust and the Conservation Officer. These bodies have expressed clear support for the overall project and how delivery of the visitor’s centre development will secure the future of the on-going restoration of the Parkland. The development will not adversely impact on the setting of the Grade I Listed Parkland.

In terms of overall floorspace proposed, the applicant has indicated that the proposed facilities are based on projected visitor numbers collated from similar type attractions. The applicant has confirmed that the primary purpose of the new visitor centre is to serve people visiting the historic parkland and to enhance their enjoyment of the visit. All visitors to the parkland will have to pass through the visitor reception and will have to pay to enter the parkland. The building will clearly be ancillary to the parkland rather than creating a separate attraction.

I accept that the buildings will have a greater impact on the openness of the Green Belt than the current open appearance of the site. I accept the development is clearly outside of the urban area and represents encroachment into the countryside. Furthermore, the access road and the car-park will accommodate vehicles of unrestricted size and colour that would harm the openness of the Green Belt and detract from the rural character of the site in this location.

The site lies within an undulating landscape with densely wooded land rising steeply to the south which forms the Clent Hills Country Park. Immediately behind the site is Nimmings Plantation and Short Wood. This rising land and dense woodland restricts views to the site from the south. To the east the site is contained by the existing Hagley Wood and to the immediate south and west is the existing Grade I Listed Hagley Parkland with mature tree planting which also restricts views. The site does therefore afford some form of containment. The A456 Hagley Causeway would afford the most prominent view of the site, with particular reference on the approach away from Hagley on the east bound carriageway. The car-park aspect sits in front of the two buildings and it is this aspect of the scheme that would be the most visible. The applicant has responded to this prominence by the formation of the 30 metre wide tree buffer belt and the low-level earth bunding to effectively provide a natural screen to the development as viewed from the north. However, Members need to weigh this against views of the site in a wider context. For example, the site would be clearly visible from the elevated Wychbury Hill to the north of the site, on the opposite side of the A456.

In terms of design, the proposed visitor centre will have a roughly cross shaped footprint. The built form is reduced by the central courtyard. The form of the building will be appropriately broken up by a series of valleys and ridges within the roof and the use of parapet walls, significantly reducing the mass of the building and creating a well-proportioned, low-rise structure. Both the visitor centre and the Ranger’s accommodation have a simple and elegant focus, reflective of the link to the Georgian landscape they introduce. The Conservation Officer is of the view that the design of the visitor centre compliments the eighteenth century Park and the designated heritage assets, without competing with them. The simple classically influenced design will provides a dignified

entrance to the Park, without making a statement in its own right. I consider the design and use of materials for the visitor centre, ranger's accommodation to be appropriate. The surfacing of the car-park and any external lighting can be conditioned to ensure the appropriate finish, permeability and specification is achieved. I note the views of West Mercia Constabulary. The applicant has acknowledged that the suggested security measures can be incorporated into the operational aspect of the building without compromising architectural integrity.

Whilst I acknowledge the scheme will permit countryside access to the nearby urban population and will promote opportunities for outdoor recreation, I am not convinced this in itself relates to a very special circumstance. Furthermore, although the development contains screening measures this does not make it appropriate and this argument could be used time and time again. Lack of harm, in itself, does not amount to very special circumstances. I am of the view that these points are not unique or "very special" and can be repeated in any type of development in the Green Belt. The key test for Members is the issue not just of special circumstances, but **very** special circumstances.

I accept the proposal would introduce built form and a new car-parking area into this area, representing encroachment into the countryside with development clearly outside of the urban area in a relatively isolated location, in conflict with one of the purposes of including land in the Green Belt.

The local, national and international importance of the Grade I Listed Parkland is unique. I note the view of the Parish Council whereby it is acknowledged that the status of the Park and the desirability of making it available to the public is potentially a very special circumstance. The proposed development will serve to secure the future of the Parkland and the funding of listed buildings at risk, put the historic assets to a viable future use, deliver the wider social, cultural and economic benefits of their conservation and encourage local tourism and create employment. The scheme would accord with Policy RAT22 and RAT23 that serve to encourage proposals that improve the quality, appeal and range of visitor attractions, activities and facilities which make a positive contribution to the economic, social and environmental well-being of the District. Policy RAT22 gives particular encouragement to proposals which have a special affinity with the physical environment. Members need to balance these positive aspects of the scheme against the identified harm to the Green Belt. Contrary to the view of the Parish Council, there is no planning policy requirement for a viability study to accompany the application.

The scale, design and location of the visitor centre have all been carefully considered to ensure that the impact upon the openness of the Green Belt and the Landscape Protection Area is minimised. The scheme has been designed to nestle comfortably into the landscape and the single storey scale of the two buildings and carefully managed tree screening planting will further reduce impact. This will assist with the assimilation of the scheme into the landscape in accordance with Policy C4 of the BDLP.

With respect to the Ranger's accommodation, Members will note above that the applicant is of the view that there is an essential need for on-site security to protect the identified historic assets of the Park. The Parish Council and the Ward Members are of the view that that this aspect of the scheme does not meet the very special circumstances test and would set a precedent for other similar developments in the Green Belt. However, whilst I note reference to a different scheme for a new dwelling in

the Green Belt to serve a fishery business, the circumstances of this case are wholly different to this application. Members are also reminded that each planning application must be considered on its own merits. The key issue here is the consideration of very special circumstances that must be unique to each case and not readily transferrable to other developments. I am content that the scheme referred to should not fetter Member's decision-making process in this case.

I appreciate the comments made by the Parish Council that whilst the Temple is historically part of the Park, it has been severed by the A456 and is located some distance from the site of the development. I accept visibility from the Ranger's accommodation to this feature would be limited. Members need to carefully consider this issue. Having weighed up this issue, I understand the concern of the applicant over security matters, both of the existing Listed Buildings/structures and the protection of the ongoing works to restore the Registered Parkland. The desire of the applicant to protect these heritage assets must be balanced with allowing public access. Members will also be aware that a public footpath runs through the site from Hagley Farm Barns to Hagley Wood which permits unrestricted public access adjacent the new visitor centre and the Registered Parkland.

In concluding matters with respect to the Ranger's accommodation, having considered the importance of the Park and the on-going restoration works, together with continued and repeated vandalism of the Listed structure, an on-site presence will inevitably serve to deter trespassers and similar vandalism. I am of the view that there is a place in the scheme for this accommodation. This is subject to the applicant entering into a suitable legal mechanism to tightly link the occupation of the accommodation to a person and his or her immediate dependant family working exclusively on the Hagley Park project. This will ensure the accommodation must be occupied in conjunction with the Parkland in perpetuity. The applicant has agreed to this approach and this is reflected in the recommendation to Members. I also intend to remove Permitted Development Rights to ensure control over any changes or future development to this property.

In concluding the scope of Green Belt matters as a whole, having considered the scheme in its entirety, including the balancing exercise advocated by the NPPF, I am of the view that there are very special circumstances that are unique in this case sufficient to outweigh the demonstrable harm to the Green Belt and justify the development in this location.

Traffic and Highway Implications

I note the views from third parties, the Parish Council and the Ward Member relating to the impact on the local highway network, highway safety and traffic congestion (with particular regard to the free flowing traffic on the A456 Hagley Causeway, the impact on the A491 and the safety of the access to serve the development leading off the A456). The Parish Council has also raised concern over the cumulative traffic impact of the approved housing developments on the ADR site on Kidderminster Road/Western Road and the traffic generated by this development. Hagley Parish Council commissioned Arup to review the Transport Assessment (TA), produced by Mayer Brown, which was submitted as part of the planning application. This assessment concludes that the impact of the development has not been modelled correctly. This document has been provided to both the applicant and Worcestershire Highways.

In considering the acceptability of the proposed development, it should be demonstrated that the proposal would not cause any additional significant harmful effects on the existing highway network and the proposed access points are to an acceptable design. The application is therefore not required to address existing highway-related problems but should account for the cumulative impact that the development will create. It is important that the application should consider the additional transport trip generation for all modes with priority being given to pedestrians, cycles, bus users and then car users.

A full Transport Assessment (TA) and Travel Plan (TP) have accompanied the application. The TA and TP documents have been reviewed and scrutinised by the Highway Authority to ensure compliance with the Local Transport Plan policies and national policies and guidance.

The business model for the attraction has been based on 50,000 to 100,000 visitors per annum. The Transport Assessment has considered the worst-case in traffic terms, of 100,000 visitors per annum. The majority of development generated traffic will occur during the off-peak period and will be relatively spread across the day. The adjacent highway has been assessed in respect of capacity for a design year of 2024, this incorporating both traffic forecast for the development proposed and the Cala Homes Hagley residential development. The results of the capacity assessment undertaken demonstrate that traffic associated with the development proposals will be unlikely to cause any significant impact in respect of capacity.

In terms of parking, the proposed provision has been designed to accommodate the projected trip generation to the visitor centre. This provision permits for spare capacity to allow for short-term peaks of increased demand during periods of turnover to avoid due searching for spaces. Visitor and staff parking is incorporated into the development layout.

The scheme includes works to the local highway network located outside of the application site. These include engineering works to the left in, left out access leading from the A456 and works to facilitate pedestrian crossing alterations at the Wassell Grove Lane roundabout. Additional street lighting on the A456 has also been requested by Worcestershire Highways. Such works will be carried out as part of this application through a Section 278 Agreement of the Highways Act 1980. Members will be aware that a Section 278 Agreement allows developers to enter into a legal agreement with the County Council to make alterations or improvements to the public highway. It is proposed to secure the works by imposing restrictive Grampian Conditions on any planning consent.

With respect to public transport issues, a proportion of Hagley village is within reasonable walking distance of the site. The western extent of Halesowen is on the limit of a 1.6 kilometre isochrome. The site is within reasonable cycling distance of Hagley, Stourbridge and Halesowen. The nearest bus stops are located along the A456 Hagley Causeway, along both the east and westbound sides of the carriageway. The walking distance between the bus stops and the visitor centre have been measured at approximately 600 metres and 800 metres from the westbound and eastbound bus stops respectively. The 192 bus service serves the identified bus stops. This service travels between Halesowen and Stourport, incorporating Kidderminster and Hagley. This

service operates at an approximate frequency of 1 bus per hour Monday to Saturday. Hagley also benefits from a railway station and links from this mode to the bus service. Whilst not in an urban centre, I am thus of the view that the site does benefit from accessibility by alternative modes of transport and is not solely car dependent. This enables the development to be reasonably sustainable, in line with the aims of the NPPF.

The NPPF is clear that applications should only be refused where the residual cumulative impacts of development are severe (paragraph 32). It is not the responsibility of the applicant to address any existing issues. When considering the extent of the impact and what mitigation measures are proposed, it is considered in totality that the development does not result in severe residual harm.

The applicant's Highway Consultant has provided a response to the ARUP report and is content that the scheme has been modelled correctly. The scheme has also been scrutinised by Worcestershire Highways, including network conditions, design standards, traffic speed and cumulative impact. Given the consideration of all highway related matters, Worcestershire Highways has thus advised that the scheme is acceptable, and that whilst the proposed development will inevitably have impacts on the highway network, these should not result in detrimental effects on traffic flows or highway safety.

As such Members are thus reminded that there is no technical objection to the scheme on the grounds of adverse impacts on the highway network. Car-parking capacity is deemed appropriate. On highway matters, the application is thus deemed acceptable subject to suitable Conditions.

Air Quality

Members will note the concerns raised by local residents, the Parish Council and the Ward Member in relation to the issue of air quality. This is with particular regard to the potential impact on the designated Hagley Air Quality Management Area (AQMA). To clarify, the application site itself is not located in an AQMA.

WRS has confirmed that the scale of the development would not impact on air quality and the scheme would not trigger the requirement for the submission of an Air Quality Assessment. As such I am content the scheme will have a negligible impact on air quality and I raise no objection to the scheme on these grounds.

In relation to construction matters, a Construction Environmental Management Plan will enable mitigation of any potential dust nuisance during construction phase. This can be secured through Condition.

Landscaping and Trees

The development will involve the removal of the following features:

- An area of young native broadleaf plantation woodland on the southern side of the site (planted circa. 1970s)
- Two small sections of species-poor hedgerow separating the woodland from the grassland to the north and a short section from the hedge bounding the A456

- The removal of one Ash tree from the hedgerow and 2 Lime trees from the verge of the A456 (classified as highway trees)

The scheme proposes a substantial scheme of new tree, woodland and hedgerow planting as follows:

- A thick belt of new planting on the north-east to north-west side of the development connecting the remaining broadleaf plantation with the ancient woodland of Hagley Wood to the east
- A formal avenue of trees along the new access drive from the A456 to the visitor centre
- New hedgerow planting around the east, west and south sides of the gardens of the visitor centre
- New standard formal tree planting in the car park and north frontage of the visitor centre

The Tree Officer is satisfied that the new landscaping proposed will adequately mitigate both the loss of these existing features and the environmental and ecological impact of the development. The approach avenue and wooded belt are similar to many of the existing historic landscape features of Hagley Park and their location together with the proposed bund should help screen the development from the wider landscape to the north.

I thus raise no objection on tree and landscaping matters.

Ecology

The dominant habitat is species-poor, semi-improved grassland which is grazed and a young broadleaved woodland. The area has a number of mature broadleaf standards. Hagley Woods, a designated Special Wildlife Site adjacent to the application site, will require protection from development activities to avoid damage to trees and potential wildlife habitat along the woodland boundary

Potential bat roosting habitat was detected in trees along the southern side of the site and bats will likely use the woodland edge as foraging and commuting resource. No badger setts are present but there is evidence of badgers traversing the site.

The Preliminary Ecological Appraisal accompanying the application concludes that the site has limited ecological value and the development is unlikely to have any significant, adverse impacts on valued habitats or on notable or protected species.

The Report recommends that that woodside margin of the new access route, which runs from the A456 to the visitor centre, should be maintained as a green buffer strip with protective measures to prevent incursions by vehicular traffic. The Report also recommends correct management of the hedgerows within the site, including a cut rotation regime, and the creation of log piles to provide refuge habitat for a wide range of invertebrates and lower plants. The proposed additional tree and hedgerow planting will also enhance biodiversity.

Subject to such conditions securing the recommendations advocated by the Ecological Report, I am satisfied there will not be any direct impact on any identified protected species. I thus raise no issues on ecological grounds.

Water Management and Flood Risk

The application has been accompanied by a Flood Risk Assessment (FRA). The proposed development is located in Flood Zone 1 (little to no risk of fluvial or tidal flood risk) and it is sequentially appropriate. The proposed development is consistent with the appropriate uses for Flood Zone 1, as outlined in Table 1 of the NPPF Technical Guidance Document. No historic flooding events have occurred at the site. There are two watercourses within the vicinity of the site. The Hagley Hall watercourse is located approximately 240 metres to the west of the site and the Gallows Brook is approximately 400 metres to the south-west.

The development will lead to an increase in impermeable areas as the site is currently greenfield. To minimise the flood risk for other areas it is proposed that storage will be created on site, limiting the discharge to pre-development (greenfield) runoff levels. It is proposed that surface water will drain via a newly constructed pipe system to the Hagley Hall watercourse. The watercourse flows to existing ponds at Hagley Hall which are in the ownership of the Hagley Hall Estate. The existing ponds are approximately 260 metres to the west of the site.

Whilst raising concern over the potential culverting of the two ditches alongside the north and south hedgerows to facilitate access to/from the car parking area and the use of a pipe system to discharge into the Hagley Hall watercourse, North Worcestershire Water Management has raised no objection to the scheme.

I therefore raise no objection to the scheme on drainage and flood risk, subject to the imposition of a suitable drainage Conditions, clarifying the proposed culverting of the two ditches and the disposal method of surface water drainage.

Residential Amenity

The application site has no immediate residential properties to the boundary of the application site. The complex of Hall Farm Barns is located to the north-west. The Badger's Sett and two other residential dwellings are located to the north, on the opposite side of the A456 Hagley Causeway.

Whilst I accept the development will inevitably have a greater impact than the current use of the site due to the movement of vehicles and people, activity and lighting, I am satisfied that the resultant development would not impinge on residential amenity given the development is located over 350 metres from these properties. Low level bollard lighting is proposed in the car park and the entrance to the visitor centre. Such lighting will be conditioned to control the amount and specification. Notwithstanding this, Worcestershire Regulatory Services has raised no objection to the scheme on light pollution grounds.

Planning Obligations

Members will be aware that Section 106 obligations are legal agreements negotiated between Local Planning Authorities and developers in the context of a grant of planning permission. Such agreements are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.

Members will note that the view of the Parish Council requesting Section 106 monies for improvements to the (unspecified) infrastructure in Hagley. I also note a third party request for monies towards air quality improvements in the Hagley. However given the development will not have any identified harmful impact on infrastructure or air quality, these requests do not meet the tests set out in the CIL regulations and consequently are not necessary to make the development acceptable in planning terms.

The occupation of the Ranger's accommodation should be limited to person(s) and their respective dependents employed exclusively and directly in conjunction with the visitor centre and/or the Registered Parkland. This is important to ensure the justification for the dwelling put forward by the applicant is secured and to retain the link between occupation of the dwelling and the visitor centre/Registered Parkland in perpetuity. I consider this approach accords with Policy DS11 of the BDLP.

The applicant has agreed to this approach and the Section 106 Agreement is currently being drafted. I will update Members at your Committee on the progress of this document.

Conclusions

Members will be aware that Local Plan Policies still form the Development Plan for the area, and any decision needs to be made in accordance with these policies unless material considerations indicate otherwise.

Members will be aware that establishing very special circumstances involves a balancing exercise. On the one side is the extent of the harm to the Green Belt by virtue of inappropriateness and any other factors. On the other side are the positive advantages of the proposal. Very special circumstances exist where the advantages outweigh the harm. In my view the key very special circumstances presented in this case relate to the opportunity to secure the restoration and on-going maintenance of a unique and nationally-important heritage asset, provide public access, the provision of local employment and the creation of a distinct and exceptional attraction which will benefit the District through tourism gain.

Having undertaken the balancing exercise advocated by the NPPF, I am of the view that there are very special circumstances that are unique in this case sufficient to outweigh the demonstrable harm to the Green Belt and justify the development in this location. Although there will be an impact on the Landscape Protection Area, the scheme has been designed to minimise this impact.

The applicant is in the process of finalising a legal agreement to deal with the Section 106 Agreement for the occupancy control of the Ranger's accommodation set out above. I am thus seeking Delegated Powers from Members to deal with this matter upon

completion.

Members also need to have reference to the Town and Country Planning (Consultation) (England) Direction 2009 (Circular 02/2009). Section 77 of the Town and Country Planning Act 1990 allows the Secretary of State to give directions requiring applications for planning permission, or for the approval of any Local Planning Authority required under a development order, to be referred to him instead of being dealt with by Local Planning Authorities. Article 10(3) of the Town and Country Planning (General Development Procedure) Order 1995 gives the Secretary of State power to issue directions to Local Planning Authorities requiring them to consult with specified persons before granting planning permission for certain types of development. Article 14(1) gives the Secretary of State power to issue directions restricting the grant of planning permission in respect of specified development.

The Direction applies in relation to any application for planning permission which is for Green Belt development which consists of or includes inappropriate development on land allocated as Green Belt and which consists of or includes:

- (a) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (b) Any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

The floor space of the resultant development (calculated as both the visitor centre and Ranger's accommodation) in this case does not exceed criteria (a). In terms of criteria (b), Members need to consider the issue of **significant** impact. Whilst I accept there is clearly an impact arising from the scheme, I do not consider this to be of such a significant scale to warrant referral to the Secretary of State.

RECOMMENDATION:

(a) MINDED to APPROVE FULL PLANNING PERMISSION

- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:
 - (i) The securing of the Ranger's accommodation to be occupied by person or person(s) and his or her immediate dependants employed directly and exclusively in relation to the activities at Hagley Park only and for no other purpose

For the reference of Members I intend to impose suitable Conditions relating to:

Time

- Commencement of development timescale (3 years)

General

- Development in complete accordance with the details shown on the submitted plans:
 - Site Plan as Proposed 1:1250 1349/1
 - Block Plan as Proposed 1:500 1349/2

Hagley Hall Land Ownership and Location of Listed Buildings and Structures
1:10000

Proposed Visitor Centre Plan 1:200 HVS1

Proposed Visitor Centre Elevations 1:200 HVS2 A

Ranger's House Plans and Elevations 1:200 HVS3 A

Entrance Gates and Piers 1:500/1:100 HVS4

Proposed Visitor Centre Elevations 1:200 HVS5

- Restriction of the use of the visitor centre to be used as a visitor centre in conjunction with activity on and associated with Hagley Parkland exclusively and for no other purpose
- Restriction of the floor space dedicated to shop use and restaurant use
- Opening hours: 10.00am – 11.00pm Monday to Sunday
- Removal of Permitted Development Rights (Part 1: Classes A-H, Part 2: Class A (boundary treatments) for the Ranger's accommodation

- Materials and external appearance of the visitor centre and Ranger's accommodation (to include doors and door frames, windows and window frames, bricks, roof slates, mortar mix and brick bond and rainwater goods)
- Joinery details of the visitor centre and Ranger's accommodation at a scale of 1:2
- External lighting strategy for the entire site
- Boundary treatments for the entire site
- Refuse storage details for the entire site

Highways

- Details of the engineering details of the left in and left out access
- Details of the engineering details of the pedestrian crossing alterations at Wassell Grove Lane roundabout
- Details of the drainage and construction details of the access, turning area and parking facilities
- Secure cycle parking facilities
- Submission of Travel Plan

Trees and Landscaping

- Submission of soft and hard landscaping scheme to the entire site (access road/car-park and exterior of the visitor centre: including the tree screen belt) with 5 year protection measure for soft landscaping
- Hedgerow retention, protection and management
- Submission of Landscape Management Plan to cover the future life of the development
- Protective tree fencing during construction phase
- Full details of the bunding, including construction materials, method and planting specification
- Full specification for the play area (to include equipment, furniture and full planting schedule)

Ecology and Biodiversity

- Full and detailed mitigation strategy based on Section 5.1 of the Preliminary Ecological Appraisal accompanying the application

- Details of bat and bird boxes

Drainage

- Comprehensive surface water drainage scheme

Construction

- Submission of Construction Environmental Management Plan (CEMP)

Archaeology

- Programme of archaeological work to include a Written Scheme of Investigation
-

Informatives

Mud on Highway

The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

Section 278 Agreement

No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. Additional lighting will be required along the A456 and this will need to form part of the Section 278 submission.

Design of Street Lighting for Section 278

The applicants attention is drawn to the requirement that, in all cases where an agreement under Section 278 of the Highways Act 1980 is entered into, the street lighting will be designed by the developer of the site in accordance with the design brief agreed with the Highway Authority and their design shall include any necessary amendments to the existing system. The design brief should be discussed with the Highway Authority prior to the commencement of the design.

Land Drainage

Any works that impact upon a watercourse (including water ditch) will need land drainage consent from North Worcestershire Water Management

Advertisements

This consent does not permit the erection of any form of advertisement on the site.

Legal Agreement

The attention of the applicant is drawn to the Section 106 Agreement accompanying this application that controls occupancy of the Ranger's accommodation.

Case Officer: Dale Birch
Email: d.birch@bromsgroveandredditch.gov.uk
Telephone: 01527 881341