

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Corbally Group	Hybrid application consisting of a full application for the demolition of employment buildings and the conversion of Bordesley Hall into 3 apartments and an outline application (with all matters reserved with the exception of access) for the construction of up to 46 dwellings and all associated works. Bordesley Hall, The Holloway, Alvechurch, Birmingham, Worcestershire B48 7QA		21/00684/HYB

RECOMMENDATION:

(a) **MINDED** to **GRANT** hybrid planning permission

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

- (i) £30,258.89 towards NHS Worcestershire Acute Hospitals Trust
- (ii) £18,607 towards Herefordshire & Worcestershire CCG provision
- (iii) £190,182 towards Middle School phase education
- (iv) £99,872 towards secondary phase education
- (v) £52.24 per dwelling towards the provision of wheelie bins for the development
- (vi) A S106 Monitoring fee

And:

- (vii) The provision of the on-site play space and open space provision, with associated trigger points for adoption

(c) And that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the list at the end of this report.

Consultations

Alvechurch Parish Council

No Objection - (Subject to this NOT being a gated community and links to public access to be maintained)

The Parish Council would like to see the housing 'mix' changed; to include more affordable, 2 / 3 bedroom properties.

The properties should also be of a 'good' design quality, in keeping with the surroundings and mindful of our NDP. A comprehensive landscaping scheme, which 'screens' the site, should be enforced.

If the LPA are minded to approve this application, the Parish Council strongly believe that S106 monies should be apportioned to support facilities within the Parish
The ecology report should also be strictly adhered to.

Worcestershire Archive and Archaeological Service

No objections subject to conditions

Conservation Officer

In light of the planning history on the site there is no objection to the principle of some development on the site. The removal of the poor quality twentieth century additions is welcomed. It would be preferred if more thought could be given to the siting of the proposed houses particularly in terms of the area to the southeast of the Hall.

No objection subject to conditions

North Worcestershire Water Management

No objection subject to conditions

WRS - Contaminated Land

No objection subject to Tiered Investigation condition

WRS - Noise

No objection

WRS - Air Quality

No objection subject to conditions

Highways - Bromsgrove

Object on sustainability grounds.

I find the proposed development to be remote from a settlement and in order to access even day to day services and facilities the intended future occupiers would have a high reliance on a private motor vehicle. For those that did not have access to such a vehicle, the nearest services and facilities would not be accessible.

Therefore, it is difficult to see how a sustainable transport option could be developed in order to meet the aims of the Bromsgrove District Plan and LTP4 and make this planning application acceptable.

Leisure

No Objection

Arboricultural Officer

No objection subject to conditions

Bromsgrove Strategic Planning and Conservation

This application represents development that largely complies with National and Local Plan policy and comprises redevelopment of already developed land (offering reuse of existing infrastructure and utilities). It is at odds with the Alvechurch Neighbourhood Plan (Policy BSS7) unless analysis of the Financial Viability Assessment indicates otherwise. Furthermore, this needs to be balanced in terms of whether this constitutes development in an unsustainable location.

North Worcestershire Economic Development And Regeneration

NWedR have no objection.

Waste Management

No objection

Education Department at Worcestershire

The assessment has been prepared in line with the Education Obligations Policy published at the time the original application came forward. The schools considered to be directly related to the proposed development are the catchment area schools of Beoley First School, Alvechurch CE Middle and a shared catchment area for North Bromsgrove High and South Bromsgrove High. There are no other schools within statutory distance along a safe walking route to this development and therefore no further schools can be considered related.

In response to the planning application it is calculated that an education contribution towards Middle and High mainstream school infrastructure would be required.

NHS/Medical Infrastructure Consultations

The view of Herefordshire & Worcestershire CCG is that there is currently insufficient physical capacity within primary care facilities within nearest practice (St Stephen's Partnership) to accommodate the increase in their patient population that will result in. Taking into account the factors outlined above it is the view of Herefordshire & Worcestershire CCG that, in order to accommodate the additional population resulting from the development without any detriment to existing services, it will be necessary to provide improvements to capacity, in line with emerging STP estates strategy; by way of new and additional premises or infrastructure, or extension or alterations to existing premises. There is currently no NHS capital funding available to be allocated to support the delivery of this additional facility, and the CCG seeks a contribution from the developer to meet these costs.

NHS Acute Hospitals Worcestershire

As its evidence demonstrates, the Trust is currently operating at full capacity in the provision of acute and planned healthcare. The contribution is being sought not to support a public body but rather to enable that body (i.e. the Trust) to provide services needed by the occupants of the new homes. The development directly affects the Trust's ability to provide the health services to those who live in the development and the community at large. Without contributions to maintain the delivery of health care services at the required quality standard, and to secure adequate health care for the locality, the proposed development will strain services, putting people at significant risk of receiving substandard care, leading to poorer health outcomes and prolonged health problems.

Cadent Gas Ltd

Applicant to note comments, informative required.

Severn Trent Water Ltd

No objection subject to drainage condition.

Housing Strategy

The Council would ordinarily expect 30-40% affordable housing on this site. Of which 2/3 would be social rent 1/3 Share Ownership or Low Cost Home Ownership, but I do recognise the Vacant Building Credit. There is a demand for affordable housing in the District.

Hereford & Worcester Gardens Trust

We note that the site area does not impinge on the historically important Bordesley Park. We welcome the removal of previous development and the change of use of Bordesley Hall to residential. We do not object to the development of housing as indicated on the Illustrative Layout. We welcome the protection of trees as indicated on the Illustrative Layout and the Arboricultural Report. We recommend that, if permission is granted, a Condition is imposed requiring the suitable repair and preservation of the kitchen garden wall.

Worcestershire CPRE - Peter King

We object to this application, because its scale is excessive.

Bordesley Hall itself is an attractive Georgian mansion. We note that it is not listed, which surprises us as buildings of a kind and period usually are listed. We would ask you to consider immediately including it in your council's non-statutory local list. Having said that the proposals for the mansion may well be appropriate, as providing a means of preserving this significant building. However it is also important that its setting should also be preserved. The photos (planning statement, p.2) clearly show the remains of a landscaped garden. This should be preserved and enhanced, not swept away or crowded by housing. In other words, the view from the main front of the house should not be developed, as this would harm its setting.

Historically, the site is within Bordesley Park, a property of Bordesley Abbey, originally the lost Domesday manor of Osmerley. This was the whole area between the river Arrow, Storridge Lane, and the Dagnell Brook. It passed with the abbey to the Windsor family, subsequently Earls of Plymouth. It was sold in 1659 to the ironmaster Thomas Foley of Great Witley, whose descendants became Lords Foley. The family sold little of their property, so that this is likely to have been part of the property settled by the will of Thomas Lord Foley (d.1777). From what I have seen elsewhere of this estate, I consider it likely that the family sold their Bordesley property either in about 1811 (when his grandson came of age) or in the 1830s.

At some point during their ownership, the park was divided into three farms, Bordesley Hall Farm, Bordesley Park Farm and Lower Park Farm. The mansion was probably built for one of the family as a substantial farmhouse for the first of these. Farm buildings were no doubt added to facilitate the cultivation of large farm. In the 1950s, the mansion, farm buildings, and its immediate grounds were (as the applicant states) converted into a research establishment. Over the years, a variety of buildings seem to have been added

to facilitate the research use, but these are unattractive buildings that are out of keeping with the setting of the original mansion, which is a fine building, which ought to be preserved and have its setting enhanced.

The applicant asserts that the present commercial use of offices etc. is no longer viable. We are not in a position to judge whether that is the case. Both BDP and Parish Plan policies emphasise preserving employment uses. Your council therefore needs rigorously to verify whether the applicant has successfully passed this hurdle. The rest of what follows assumes that is the case.

The starting point for considering this application is that the site (or rather some of it) is brownfield land in the Green Belt. It is certainly appropriate for such of the land as is previously developed to be redeveloped, but the application documents do not provide any assessment of how much of the site is in fact previously developed. The applicant seems to assume that because the site is in commercial ownership it is necessarily all previously developed. The proposals seem only to omit land where Tree Preservation Orders constitute a constraint, rather than all undeveloped land.

Current planning policy is that domestic gardens are not previously developed land, though this frequently does not prevent them being developed. The same considerations should apply to the grounds of a mansion used for research purposes or as offices. We would suggest that only the footprint of the various buildings is brownfield, together with roads, but not car parking areas away from buildings which can relatively easily be restored to garden land.

The sweeping away of a lot of unattractive 20th century buildings and the substitution of new houses is not unobjectionable, but this should be limited to the footprint of the present buildings, possibly with some exchange of undeveloped land for previously developed land.

Conditions

If the application is approved, there should be archaeological conditions related to the possibility that the site includes the lost settlement of Osmerley. As this is merely a possibility, not a probability, the obligation should not be an onerous one, probably some kind of watching brief. I recall an archaeological publication on this subject, but I cannot locate the reference. I have no doubt that WAAS can provide it, if it is not known to the applicant.

Public Consultation

67 letters originally sent to neighbours 21.05.2021 expired 14.06.2021.

Press advert 24.05.2021 expired 14.06.2021.

Site notice displayed 24.05.21 expired 17.06.2021

As a result of all these consultations a total of 67 representations have been made on the application, 65 in objection, and 2 neutral on the proposal.

Objection:

- The site should remain green belt
- Impact on green belt
- The site should be retained as an employment site/loss of employment land
- Increase in traffic/highway and pedestrian safety
- Lack of access to services
- Increased pressure on schools
- Increased pressure on medical and recreation provision
- The development is too large/too many houses being proposed
- Impact on the character of the village/ too large for Rowney Green Village
- Impact of light pollution
- Disruption during the construction of the development
- Sets a precedent for building on the Green Belt
- Disruption to wildlife/the site should be rewild
- The development is not in keeping with the area
- Concerns around drainage/flooding/water pressure
- Bin collection
- Loss of trees
- The existing bus service is insufficient

Neutral

Some merit of redevelopment the site but concerned about traffic impact.
Concern with the number of dwellings, but not the intention to approved the site.

Other issues have been raised but these are not material planning considerations and have not been reported.

Cllr English

I was going to comment in great detail regarding this application but all my points have been mentioned in the multitude of comments made by local residents who have all objected to this application. Therefore, at this time, because this application is going to be heard at a Planning committee meeting, I would just like to emphasise the greatest negative against this application - the roads are just not suitable for a development of this size, especially as the applicants are stating that it would not be a viable proposition to contribute any section 106 monies to help mitigate highways issues, or towards the easing the pressure this development would put on the education and health services. Anyone local who knows the roads well will agree that they are too narrow for any extra traffic, particularly The Holloway which joins the A441, as it narrows down to a single lane. Access from other directions are also along narrow, winding lanes that are not suitable for the high volumes of additional traffic that an extra 46 dwellings will produce. Knowing this area well, I whole heartedly agree with the Highways Officer's objection - the site is located in a rural and unsustainable location where there are no footpaths or street lights with the only access being along narrow country lanes. I am, therefore, objecting to the application as it stands, and will be speaking against the proposal at the planning committee in my role as Ward Councillor for Alvechurch South.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP3 Future Housing and Employment Development
BDP6 Infrastructure Contributions
BDP7 Housing Mix and Density
BDP12 Sustainable Communities
BDP19 High Quality Design
BDP21 Natural Environment
BDP24 Green Infrastructure
BDP25 Health and Well Being

Others

ALVNP Alvechurch Neighbourhood Plan
APDS Alvechurch Parish Design Statement
Bromsgrove High Quality Design SPD
NPPF National Planning Policy Framework (2021)
NPPG National Planning Practice Guidance

Relevant Planning History

22/00092/DEM	Prior Notification of proposed demolition of redundant buildings and structures	Pending
20/00273/CUP RIO	Prior approval for Change of use from offices (Use Class B1(a)) to 54 no. residential apartments (Use Class C3)	28.04.2020

Assessment of Proposal

Proposal

The application is submitted in hybrid form comprising elements seeking both full and outline planning permission.

Full Element

The full element consists of the change of use of Bordesley Hall to 3 apartments. The 3 apartments within Bordesley Hall will comprise one, 3 bedroom and two 2 bedroom units.

Outline Element

The outline component is for up to 46 dwellings. All matters are reserved for subsequent approval (these reserved matters comprise of scale, appearance, layout and

landscaping) apart from access, which would be off Storage Lane and using the existing access drive that leads into Bordesley Hall. An indicative layout has been submitted in Sketch Layout PA/01

The details of the housing mix, layout and design of the dwellings are reserved matters, as are the details of the proposed landscaping, car parking, internal access routes and other associated works.

An indication of the number of each housing type proposed has been provided in the development schedule submitted as part of the application.

Table 1 - Indicative number per housing type

House type	Dwelling type	Plot nos.	No.	Total sq.ft
780	2 bed / 2 storey	1. 2. 3. 42.43	5	3900
840	2 bed / 2 storey	4. 5. 34. 35. 40. 41	6	5040
1027	3 bed / 2 storey	11. 13. 20. 24. 26. 30. 32. 44. 45. 49	10	10270
1051	3 bed / 2 storey	7. 8. 12. 16. 17. 27. 28. 29. 39.	9	9459
1215	3 bed / 2 storey	18. 21. 31. 38	4	4860
1437	4 bed / 2 storey	9. 23. 25. 33. 36. 37. 46. 47	8	11496
1561	4 bed / 2 storey	6. 10. 22. 48	4	6244
1844	4 bed / 2 storey	14. 15. 19	3	5532
Total Units			49	56801

Plot number 29-31 are with Bordesley Hall

The Site and its Surroundings

Bordesley Hall, is a former 18th Century country house. The site contains a number of buildings and features which surround the original structure of Bordesley Hall. The building accommodates a number of offices and ancillary office accommodation split over various floors. There are also areas of hardstanding, garages and industrial units as well as associated infrastructure. Access to the site is via The Holloway and Storage Lane, located at the site's northern boundary. Car parking areas are located around the site in various locations which can accommodate in excess of 130 cars.

The site is within open countryside and is bounded by arable fields to the south. Alvechurch is located within the edge of Redditch located approximately 2 kilometres to the south.

Assessment

The site is situated within the West Midlands Green Belt, outside the Village boundary, as defined in the Bromsgrove District Local Plan.

The main issues are therefore considered to be:

- Housing Land Supply
- Green Belt
- Loss of Employment
- Affordable Housing and Vacant building credit
- Alvechurch Neighbourhood Plan
- Highways and Accessibility
- Ecology
- Tree and landscaping
- Residential Amenity
- Drainage, Flood Risk and Contaminated Land
- Design
- Planning Obligations

Five Year Housing Land Supply

Paragraph 74 of the National Planning Policy Framework (NPPF) requires local planning authorities to identify and update a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. In addition, there must be a buffer of between 5% and 20%, depending on the circumstances of the LPA.

The Council has identified that (inclusive of the 5% buffer required by the NPPF) it can currently demonstrate a housing land supply of 4.6 years. Therefore, despite progress which has been made in identifying sites and granting planning permissions the Council still considers that it cannot demonstrate a five year housing land supply. Where a Local Planning Authority cannot demonstrate a five year housing supply, Paragraph 11 (d) of the NPPF is engaged. Paragraph 11 requires that decisions on planning applications apply a presumption in favour of sustainable development. 11 (d) goes on to state that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- "i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for restricting the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Footnote 8 to the NPPF states that this includes (for applications involving the provision of housing) situations where the LPA cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer, as set out in paragraph 74. Footnote 7 states these policies include land designated as Green Belts.

Green Belt

The site lies within the Green Belt where there is a presumption against new development save for a number of exceptions outlined at Paragraphs 149 and 150 of the National Planning Policy Framework.

One of these exceptions, at paragraph 149 g) is: “the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development”. This is aligned with policy BDP 4(g) of the Bromsgrove District Plan (BDP). The application has been submitted on the basis that the proposal would comply with paragraph 145 point g). As such, an assessment of the application against these points is required.

The proposal will involve the demolition of an extensive employment site, which comprises one, two and three storey buildings as well as areas of parking and hardstanding.

The definition provided in Annex 2: Glossary of the NPPF for previously developed land is as follows:

‘Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.’

Having regard to the characteristics of the site it is considered to fall within the definition of previously developed land as outlined above

In assessing the impact on openness, it is noted that including the indicative footprint of residential development on the site would be reduced in comparison to the existing employment use (5800 sqm to 4100 sqm). The overall volume of the buildings on the site will be reduced from 36,400 cubic m to 28,000 cubic m a reduction of 23% (8,400 cubic m). Replacement of the existing buildings (which range up to 3 storeys in height) with two storey residential. Overall, there would be a reduction in the replacement built form spread across a similar footprint to the existing development and there would be no greater impact on the openness of the Green Belt.

Taking all these matters in to account it is considered that the development proposed would comply with paragraph 149 g) of the NPPF and BDP 4g) of the BDP and as such does not comprise inappropriate development in the Green Belt.

There is therefore a presumption in favour of the development in terms of Green Belt policy.

Loss of Employment Use

Bordesley Hall is not allocated as an employment area within the Bromsgrove District Plan. Therefore, the consideration of BDP14 Designated Employment is not considered pertinent in determining this application. In relation to Alvechurch Neighbourhood Plan, Policy BSS7: Bordesley Hall Employment Area is relevant. It states that the use of this area for continued business use will be supported, and new business development will be encouraged. This policy is caveated that change of use for general housing purposes will not be supported unless it can be demonstrated that the existing uses are no longer viable.

The applicant has provided substantial evidence in the form of a Statement on Employment Land and Financial Viability Assessment information by Highgate Land and Development to outlined the reasons why the loss of this established employment area is acceptable.

In summary the site is not suitable or attractive to meet the needs of modern office and industrial/distribution occupiers. Many of the existing buildings were developed by BCIRA (British Cast Iron Research Association) to meet their own operations and have either reached, or are at the end of, their useful economic life.

In addition, the existing buildings have been marketed since 2012 by CGB, Harris Lamb and more recently John Truslove Chartered Surveyors. Despite these pro-active marketing campaigns, there remains a high proportion of vacant office and industrial accommodation throughout the site (which has increased over time). It is therefore very unlikely that the current owners of the site will be able to attract any future occupiers and that the use of the site for B1a office purposes is no longer viable.

Furthermore, evidence has been provided that demonstrates that the neither the refurbishment of the existing buildings for office/industrial uses would be viable at the site, nor would the site's redevelopment to deliver new build office and industrial uses.

Affordable Housing and Vacant building credit

Policy BDP 8 of the Bromsgrove District Plan requires 30% affordable housing on brownfield sites accommodating less than 200 houses. This proposal does not seek to make any contribution towards affordable housing.

Paragraph 64 of the NPPF states that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

Footnote 30 explains that the proportionate amount shall be equivalent to the existing gross floor space of the existing buildings and the application of this policy does not relate to vacant buildings which have been abandoned.

The Planning Practice Guidance provides further detail as to how to assess whether a site would benefit from vacant building credit.

“What is the vacant building credit?”

National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

What is the process for determining the vacant building credit?

Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local P plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided."

The PPG goes on to explain that the calculation of the credit "is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation"

As such the formula for calculating vacant building credit is as follows:

$$(P-E)/P * PR = VBC$$

Where;

P is Proposed floorspace

E is Existing floorspace to be redeveloped or demolished

PR= Policy Requirement %

VBC = Vacant Building Credit % of Affordable Housing Required.

In the case of the Bordesley Hall this translates to the following calculation:

$$(5472 \text{ sq m} - 5800 \text{ sq m}) / 5,472 \text{ sq m} * 30\% = -1.7\% \text{ (minus 1.7 per cent)}$$

The effect of the Vacant Building Credit, in full accordance with the policy and guidance of the NPPF and PPG, is to fully remove the site's liability for an affordable housing contribution.

Alvechurch Neighbourhood Plan

Policy H2: Housing for Hopwood and Rowney Green of the Alvechurch Parish Neighbourhood Plan (APNP) is relevant in the consideration of this application, Policy H2 supports housing developments, subject to several detailed criteria as to their location. This policy states the following:

New housing developments that are well designed will be supported if they show consideration for the Alvechurch Parish Design Statement, meet the other requirements set out in the APNP and the Bromsgrove DP and where development:

- a) Is limited to small residential infill development and maintains the continuity of existing frontage buildings, or is on brownfield land within the built up area of the village where the site is closely surrounded by existing buildings
- b) Is not considered to be back garden development
- c) Is consistent with the character of the locality as outlined in the Alvechurch Parish Design Statement on its pages 29-32
- d) Provides at least one small home with two or fewer bedrooms for every one large dwelling with three or more bedrooms
- e) Is in suitable locations, on small infill plots giving opportunities for some well-designed self-build homes
- f) Is within the built up area and does not involve the outward extension of the village envelope as shown on the adopted Bromsgrove District Plan policies map.

It is considered that the proposal conflicts with points a) as it is not considered to be within the built up area of the Rowney Green village, where the site is closely surrounded by existing buildings

Policy H6: Providing a Mix of Housing Types and Sizes, outlines that proposal for 10 or more dwellings should seek to achieve the following mix unless viability, market requirements at that time or other material considerations show a robust justification for a different mix:

- a. Overall up to 10% of new dwellings should aim to have 1 bedroom
- b. 40% should aim to have 2 bedrooms with an element of ground floor single level dwellings to meet the needs of the elderly and people with disabilities
- c. 40% should aim to have 3 bedrooms
- d. Up to 10% should aim to have 4 or more bedrooms.

As the scheme is in outline, it is considered that this element is still to be considered as part of any reserved matters submission.

In conclusion the application site falls outside the types of location supported by either criteria (a) of Policy H2. As such, the proposed development conflicts with this relevant APNP policy.

Non Designated Heritage Asset

The proposed development is located adjacent to Bordesley Hall and within the boundary of its former gardens and associated parkland, which now lie predominantly to the south east. Both the 18th century Hall and the landscaped park are recorded on the HER, WSM77512 and WSM28813 respectively.

Bordesley Park historically formed an extensive area surrounding the 19th century park which can be traced back possibly as far as the 12th century. The historic development of the park including the granting of the park to the Windsor family for Hewell Grange is detailed in the Heritage Statement. By the 19th century the park was much reduced in

size and the tithe map of the 1840s with the house and estate farm sitting in the north west with extensive parkland to the south east, including ornamental tree-lines radiating from a central circular tree-line. This arrangement is just about visible in 1904 OS map, although there are also significant field boundaries. The division into various fields is clearly seen in the 1945 aerial photograph but the remnants of the ornamental trees can also be seen.

The description of the parkland in the 2019 A Survey of Historic Parks and Gardens in Worcestershire, by Lockett and Patton contains a reference to a 1933 sale which describes 'pleasure grounds with ornamental lawn in front of the house...v.fine cedar...2 tennis lawns...a pretty rose garden...a charming pergola and pool...walled kitchen garden...excellent modern Green House by Messengers'.

The site was purchased after the war by the British Cast Iron Research Association. The house was converted to offices and there has been extensive additional buildings constructed in the grounds. The immediate landscape has been largely lost to carparking. The remains of the estate farm to the east which are in separate ownership, and the heritage statement highlights that the remains of the walled garden, albeit two walls in a poor condition, are still legible.

None of the structures are listed but the Hall and the remains of the walled garden can be considered non designated heritage assets for their architectural and historic interest, indicated by the inclusion on the HER. They provide a tangible link to the historic Bordesley park, as well as evidence of the workings of a landed estate along with the remains of the estate farm.

Historic Environment policies in BDP20 of the Bromsgrove District Plan amongst other things, support development which sustain and enhance the significance of heritage assets. This includes non-designated heritage assets including those recorded in the HER (BDP 20.2). In addition, development affecting heritage assets, should not have a detrimental impact on the character, appearance or significance of the heritage asset or heritage assets, including their setting (BDP 20.3). Guidance in the NPPF must also be considered. Paragraph 189 requires applicants to describe the significance of any heritage asset affected, the level of detail being proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposals on significance; Paragraph 190 requires LPAs to take account of the significance of affected heritage assets when considering the impact of a proposal, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal; Paragraph 192, the desirability of new development making a positive contribution to local character and distinctiveness; and the impact of an application on the significance of a non-designated heritage asset needs to be considered when determining the application, and a balanced judgement is required having regard to the scale of harm or loss and the significance of the heritage asset.

The applicant acknowledges in the heritage statement that the Hall and remains of the walled garden should be considered non designated heritage assets. However it is considered that they have a greater level of significance than the low level that the report attributes to them.

The Conservation Officer concludes that in light of the planning history on the site there is no objection to the principle of some development on the site. The removal of the poor quality twentieth century additions is welcomed. It would be preferred if more thought could be given to the siting of the proposed houses particularly in terms of the area to the southeast of the Hall.

The layout submitted as part of the application is indicative and full details regarding the siting, design and landscaping and how this will impact on the non designated assets will form part of any reserved matters. The conservation team would be given an opportunity to comment at this stage.

No objection is raised to the principle of converting the listed buildings on the site subject to a number of conditions controlling the fine details of the conversion.

Taking all these matters into account it is considered that the proposal will comply with the policies of the development plan, and NPPF referenced above.

Highways and Accessibility

Worcestershire County Council as Highway Authority have considered and provided comprehensive responses to the development proposal. The objection is noted with respect to the sustainability of the location of the site and this is discussed in further detail below.

Regarding highway safety, the NPPF at paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is not considered that this is the case for this application.

The Highway Authority explain in detail why it considers the site to be in an unsustainable location. Including that all the roads in the vicinity are narrow lanes and do not benefit from footpaths or street lighting. The site is not located within acceptable walking distance of amenities and the nearest bus stop is located approx. 880m from the proposed development along an inadequate route.

There is a lack of adequate footway provision and street lighting will deter journeys on foot particularly in times of darkness and adverse weather conditions. All the roads in the vicinity are narrow with grass verges located on either side of the carriageway in parts. These factors are unlikely to encourage cycling or walking to services and facilities. Due to the above factors the trips would become car-based trips which would be unacceptable.

The thresholds below for a site to be sustainable location via an adequate route cannot be met. The following are the acceptable maximum thresholds:

- Walking – 2k
- Cycling – 5k
- Bus stop – 400m

WCC Highways therefore find the proposed development to be remote from a settlement and in order to access even day to day services and facilities the intended future occupiers would have a high reliance on a private motor vehicle. For those that did not have access to such a vehicle, the nearest services and facilities would not be accessible.

Therefore, it is difficult to see how a sustainable transport option could be developed in order to meet the aims of the Bromsgrove District Plan and LTP4 and make this planning application acceptable.

The applicant has engaged in discussion with County Highways regarding this objection and produced further supporting information and provided recent planning appeal decisions regarding this matter. For all the appeals referred to, Inspectors have accepted that many people living in rural areas will invariably require private modes of transport for the majority of trips... but journeys could be short (distance to train station and onward destination or just the local shop).

Overall while the site does not lie adjacent to Alvechurch it is a short distance from the village. The Travel Plan submitted with the planning application explains that the site is located approximately 2.4km to the south east of the village centre, and about 5.2km to the north of Redditch town centre. Distances to key facilities (Coop, Post office, M&S food, petrol station, public houses, café, sports centre, day nursery and primary school, bus stops and train station) are also set out together with approximate walking and cycling times which demonstrates that all of these facilities are only a short distance away and are easily reached by bicycle.

Nevertheless, taking all these factors into account, in practical terms I consider that the future occupiers of the proposed house would have few alternatives to the use of a private vehicle to meet their day to day requirements such as getting to work and accessing services and facilities. Consequently, the proposal would not limit the need to travel or reduce reliance on the car. This would be at odds with the aim of the Framework to actively manage patterns of growth to promote sustainable transport. I therefore conclude on this main issue that the proposal would not be a suitable site for development having regard to sustainable patterns of development and access to services and facilities.

Ecology

The application is accompanied by a series of ecological appraisals particularly with reference to bats and reptiles.

The appraisals submitted with the application were assessed by Worcestershire Wildlife Trust who have made a number of recommendations. They have no objection subject to conditions.

Subject to implementation of appropriate mitigation measures and conditions the proposed development would comply with Policies BDP21 and 24.

Trees and Landscaping

All the trees on the site are subject to formal protection under Bromsgrove District Council Tree Preservation Order (3) 2014 which is a mixed "Area and Woodland" order. This protects all trees that were in existence on the site at the time the order was raised.

The application is supported by a Ruskins Tree Consultancy Arboricultural Impact and Tree Condition Survey and all of the tree reference numbers given below are taken from this survey report.

Woodland management has been carried out on the site over the Autumn-Winter 2020-2021. This was licensed through the Forestry Commission and which has included the removal of a number of the trees highlighted as being required losses to accommodate this scheme within the Ruskins arboricultural report

The proposal highlights an intention to remove a number of trees within the site as shown on the Ruskins Tree Consultancy Tree Removals Plan. The trees targeted for removal are of generally low quality and prominence. The tree officer would have no objection to their loss under a suitable volume and grade of mitigation replanting within the scheme other than certain trees (T2715 Blue Atlas Cedar, T2702 Horse Chestnut) which he seeks to be retained.

These details would be finalised at the reserved matters stage.

The Tree officer has no objection subject to conditions, it is considered that the proposal would comply with the relevant guidance.

Impact on amenity of neighbouring properties and future occupiers

The matters of design and layout are reserved for future determination. However, it is evident from the proposed plans that the development will appear to be able to achieve an adequate separation from the rear of the properties. It is not considered that the proposal would result in a loss of residential amenity with respect to these adjoining properties.

Drainage, Flood Risk and Contaminated Land

The application is in outline for the consideration of access only, with all other matters reserved, for the redevelopment of an area comprising existing built form and hardstanding. Information regarding drainage, contamination and flood risk has been submitted which recommends further surveys and mitigation and is considered acceptable at this stage. It is concluded in the issues of drainage, flood risk and contaminated land, is that subject to conditions as recommended by the statutory consultees, it is acceptable.

Design

In terms of the outline element of the application for up to 46 dwellings. Whilst an indicative masterplan has been submitted this is not definitive and layout of development on the site could change should permission be granted. The Design and Access

Statement also submits information about scale and the vision for the site. The issues of appearance, landscaping, layout and scale are all matters which are reserved for subsequent approval. As such, it is not possible to assess any design issues at this stage.

Given the unique circumstances of this major developed site within the Green Belt, together with the primarily outline nature of the current proposal, the issue of proposed density can only be assessed at this stage in terms of the overall impact of the development on the character of the rural area, subject to reserved matters. However, the illustrative plans would suggest that sufficient space around the buildings could be achieved, and a substantial amount of open space is incorporated within the Proposed Land Use Parameters Plan to ensure that the outline proposal would not result in overdevelopment of the site in compliance with policies BDP 7 and 19.

The proposed erection of up to 46 no. new dwellings and 3 apartments on approximately 2.3ha of development land at a net density of 21.3 dwellings per hectare would, in principle, make the best possible use of the land available whilst taking into account the rural character of the area beyond the existing development, the Green Belt setting and the retention of trees and soft landscaping of significant public amenity value. As such, the proposal would, in principle, comply with NPPF paragraph 127 c) and, in terms of density.

Planning Obligations

In accordance with Paragraph 56 of the NPPF and Section 122 of the CIL regulations, planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved.

The obligation in this case would cover:

- £30,258.89 towards NHS Worcestershire Acute Hospitals Trust
- £18,607 towards Herefordshire & Worcestershire CCG provision
- £190,182 towards Middle School phase education
- £99,872 towards secondary phase education
- £52.24 per dwelling towards the provision of wheelie bins for the development
- A S106 Monitoring fee TBC
- The provision of on-site play space and open space provision, with associated trigger points for adoption

Applicants Case

The provision of 49 new dwellings which should be attributed significant weight as the Council does not currently have a 5 year supply of housing land.

Re-use a brownfield site within the Green Belt in an efficient and sympathetic manner in an area of housing need where land supply is constrained.

The proposals will result in the removal of unsightly building and an improvement to the setting of a non-designated heritage asset.

Reduction in traffic generation from the lawful planning use.

Retention and refurbishment of a non designated heritage asset.

The proposals will result in the remediation of the site.

Proposals include electric vehicle charging points for each unit.

Benefit from broadband connection to the whole site which will facilitate home working which is especially relevant at this time (Covid). It is highly likely that even post– Covid, homeworking for at least part of the working week will continue into the future as people strive for a more evenly balanced work life balance.

Veteran and high amenity value trees will be retained and their long term survival safeguarded.

It should also be noted that if the site remained in employment use, the employees would access the site by car. It should also be noted that the site benefits from a prior approval for the conversion of the offices to 54 apartments which are similarly located in relation to facilities and services.

Planning Balance and Conclusion

The proposed development would not be inappropriate in Green Belt terms, would have a minor benefit in terms of the openness of the Green Belt proposal would deliver a number of benefits. The proposal would result in the redevelopment of previously developed land and it has been accepted that the existing employment use of the site is no longer feasible, following significant marketing to find an alternative users. Furthermore, the proposal would reduce the amount of built development on the appeal site. The Council cannot demonstrate a five year housing land supply and given that the proposal has been found to comply with policy for development within the Green Belt the presumption in favour of sustainable development applies. The provision of housing will make a significant contribution to the housing supply position in the district as well as providing jobs through the construction process in the short term.

Future occupants of the proposal would not have suitable access to local services and facilities and future occupiers would be heavily reliant on a private motor vehicle. However, this harm is to some degree moderated by the existing employment use of the site that could generate more vehicle trips than the proposal in its own right and the relatively short distance by car to services and facilities. Nevertheless, there is still moderate harm associated with this. This is also conflict with Policy H2 of the APNP, by virtue of its location outside the village envelope and built-up area.

However, on balance, I consider that the identified harm does not significantly and demonstrably outweigh the benefits of the scheme. As a result, I consider that the proposal represents sustainable development and should be allowed, subject to necessary planning conditions.

RECOMMENDATION:

- (a) **MINDED** to **GRANT** hybrid planning permission
- (b) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
- (i) £30,258.89 towards NHS Worcestershire Acute Hospitals Trust
 - (ii) £18,607 towards Herefordshire & Worcestershire CCG provision
 - (iii) £190,182 towards Middle School phase education
 - (iv) £99,872 towards secondary phase education
 - (v) £52.24 per dwelling towards the provision of wheelie bins for the development
 - (vi) A S106 Monitoring fee
and
 - (vii) The provision of the on-site play space and open space provision, with associated trigger points for adoption
- (c) And that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the list at the end of this report.

For the reference of Members, suitable Conditions that could be imposed relate to

Conditions:

Time

- Submission of the outstanding Reserved Matters for approval (appearance, landscaping, layout and scale) within 3 years of the approval of the hybrid scheme
- Commencement of development timescale

General

- Details of all external materials shall be submitted to and approved by the LPA
- Housing mix
- External lighting
- Boundary treatments
- Refuse storage details for each
- Joinery details of Bordesley Hall refurbishment

Highways conditions

- Car parking details within each curtilage
- Details of proposed electrical vehicle charging points
- Details of cycle parking provision
- Provision of a residential travel plan
- Provision of a residential welcome pack promoting sustainable forms of access to the development
- Construction management plan, including demolition methodology

Trees and Landscaping

- All retained trees are protected throughout all phases of the development as shown
- Any retained tree that dies or becomes diseased within 5 years of the completion of the development is replaced with a like for like replacement.
- Landscape Management plan and 5 year protection for proposed landscaping scheme
- Open space

Contaminated land conditions

- Provision and approval of a tiered scheme of investigation

Drainage conditions

- Surface water drainage strategy (including treatment and future maintenance responsibilities),

Ecology

- A Construction Ecological Management Plan
- A Landscape Ecological Management Plan.
- Biodiversity enhancement.

Archaeology

Written Scheme of Investigation

Site investigation and post investigation assessment

Infrastructure

Broadband condition

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