

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Brynley Little	Outline planning application (with all matters reserved except access) for the erection of up to 78 dwellings and a flexible commercial/community use building with associated access, infrastructure, landscaping, and open space provision. Land At Little Intall Fields Farm, Stoke Pound Lane, Stoke Prior, Worcestershire,		22/01066/OUT

RECOMMENDATION: That outline planning permission be **REFUSED**

Consultations

WRS - Contaminated Land

No objection

Arboricultural Officer

No objections subject to conditions

- All hedge line and tree features to be retained are protected in accordance with BS5837:2012 throughout any demolition, ground or development work on the site.
- A hedge and tree protection method statement and plan should be provided.
- A landscape specification a plan should be provided.

Worcestershire Archive and Archaeological Service

No objection subject to conditions

- Programme of archaeological work
- The development shall not be occupied until the site investigation and post investigation assessment has been completed

Conservation Officer

The proposals, although only presented in outline form, are therefore unlikely to satisfy the requirements of s. 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraph's 195 and 199 of the NPPF, and Policies BDP20.3 and BDP20.9 of the Bromsgrove District Plan due to the various harms identified. Great weight must be given to the harm caused to designated heritage assets when considering the balance of harm against the public benefits of the proposals.

North Worcestershire Water Management

Following submission of further information, NWWM have no objection subject to SUDS condition.

WRS - Noise

No objection subjects to conditions

- Details of glazing and ventilation products
- Details of any external plant / equipment associated with the proposed community unit
- Construction Environmental Management Plan

WRS - Air Quality

No objection subjects to conditions

- Secure cycle parking,
- Electrical vehicle charging points
- Low emission boilers

Housing Strategy

Housing Strategy note that the applicant is offering 39 Affordable housing units on this site (50%). Which based upon the proposed number of dwellings would be an over provision (31 dwellings at 40%).

Housing Strategy requirements of these units would be:

2/3 social rent

1/3 Share Ownership/First Homes/Alternative Home Ownership product - eg Rentplus/Rent to Buy

The Government requires that 25% of the AH provision should be First Homes and any remaining percentage should be shared ownership.

So - 25% First Homes

66.66% Social Rent

8.33% Shared ownership

The Council's priority is for 3 bed properties.

50% 3 beds

30% 2 Bed

10% one bed

10% 4 bed

Shared Ownership/First Homes should be a 50:50 split between two and three beds.

For one bed flats we require them to have their own entrances so that there are no communal areas.

Highways - Bromsgrove

No objection subject to conditions

- Conformity with Submitted Details Hanbury Road
- Vehicular Visibility Splays Hanbury Road
- Conformity with Submitted Details Stoke Pound Lane
- Vehicular visibility splays Stoke Pound Lane
- Internal Layout
- Cycle Parking
- Car Parking
- Electric Vehicle Charging Points
- Refuse and Servicing Strategy
- Off-site Highway Improvements
- Hanbury Road Traffic Calming
- Pedestrian Connection
- Road Safety Audit – Stage 1/2

- Road Safety Audit – Stage 3
- Residential Travel Plan
- Residential Travel Welcome Pack
- Personalised Travel Planning
- Health Impact Assessment
- Street Lighting Assessment
- Construction Environmental Management Plan

Planning Obligations

As part of this consented planning application or in association with any subsequent Reserved Matters Consent, the Applicant shall provide the following planning obligations through a suitable legal mechanism (S106).

Active Travel Infrastructure Improvements

The proposals will generate additional pedestrian movements in this locality, including students walking to and from school sites. To encourage more school trips by walking and to ensure they can be undertaken safely, it would be desirable to install a number of dropped kerb pedestrian crossing points at the Hanbury Road/Redditch Road junction.

Contribution – We would seek a contribution of £10,000 towards this provision.

Community Transport

There is a need for a Community Transport service to meet the transport needs of the elderly and disabled. The County Council has specific duties, under the 1985 Transport Act, to take account of the transport needs of elderly and disabled residents and further duties to residents' protected characteristics that include the elderly and disabled, under the Equalities Act 2010. There will be residents with mobility impairments who are unable to access conventional public transport, it is this group that will require access to a door-to-door transport service such as that provided by Community Transport.

Contribution - £3,472 contribution to be paid prior to first occupation

Open Space

Given the proposed level of open space is more than the Council's requirement. No objections, subject to sufficient details submitted at reserved matters stage.

Network Rail- Town Planning Team LNW

When designing proposals, the developer and Council are advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary.

- Risk Assessment and Method Statement
- Fencing
- Scaffolding

- Vibro-Impact Machinery
- Drainage proposals and Network Rail land
- Excavation and Earthworks and Network Rail land:
- Parking / Hard Standing Area

NHS/Medical Infrastructure Consultations

A developer contribution will be required to mitigate the impacts of this proposal. Herefordshire and Worcestershire CCG calculate the level of contribution required in this instance directly relating to the number of dwellings to be £30,360. This housing development falls within the boundary of a practice which is a member of the Bromsgrove and District Primary Care Network (PCN) and, as such, a number of services for these patients may be provided elsewhere within the PCN.

NHS Acute Hospitals Worcestershire

No Comments Received To Date

Education Department at Worcestershire

The Local Authority has a statutory duty to secure, as far as is possible, sufficient places for children aged 2,3 and 4 to claim their entitlement to funded nursery education. In addition, the Local Authority should secure sufficient childcare for working parents. The proposed development is located within the ward of Avoncroft and forecast to yield 8 children who may need childcare places at an early year setting. Updated sufficiency figures for 2022 show there is a sufficient level of childcare places in this ward to support additional pupils. Therefore, no contribution towards early years provision will be sought.

The proposed development will generate 17 first school aged pupils which equates to approximately 4 pupil per year group, and as seen above the catchment school, Stoke Prior First, does not have sufficient places to accommodate these pupils. Therefore, to accommodate the children generated from this proposed development a contribution is required for First Phase of education.

The proposed development will generate 12 middle school aged pupils which equates to approximately 3 pupil per year group, and as seen above the catchment schools, Aston Fields Middle and St John's Middle, do not have sufficient places to accommodate these pupils. Therefore, to accommodate the children generated from this proposed development a contribution is required for Middle Phase of education.

The proposed development will generate 11 high school aged pupils which equates to approximately 3 pupil per year group, and as seen above the catchment school, South Bromsgrove High and Sixth Form Centre, does not have sufficient places to accommodate these pupils. The related school North Bromsgrove High and Sixth Form has places currently within the school, however, as shown above, these places have been decreasing each year as more extant developments are built out. From next academic year 2023/24 it is forecast that there will be no available space across the area to accommodate new pupils. Therefore, to accommodate the children generated from this proposed development a contribution is required for High Phase of education.

Worcestershire has insufficient places available across the county to accommodate any new pupils within its special schools, therefore a contribution towards SEND is also required.

First School Phase Contribution £307,054
Total Middle Contribution £276,212
High Contribution £274,593
SEND Contribution £72,248

Total Contribution £930,107

Waste Management

No objection subject to satisfactory reserved matters submission.

Stoke Parish Council

The Parish Council vehemently oppose this application and fully support all of the objections raised by the local community. They fully support the view that the proposed site is part of the Green Belt and is not a brown field site as claimed by the applicants. In addition the Parish Council would like to state the following in support of the objections:-

1. The development would create unwanted additional traffic along Stoke Pound Lane and more particularly Hanbury Road especially as it would appear from the drawings that the main entrance to the site is proposed to be on that road. That section of Hanbury Road is dangerous at the best of times given the blind bends and has been the site of a number of accidents over recent years including a fatality. The road is also heavily used by HGVs which often find that they cannot pass under the nearby railway bridge and have to back up to find a suitable point to turn around. The proposed new access road would be used in this way and provide additional safety issues. Speeding is another issue on this road. With this development you are talking about at least 150 additional vehicles in the area.
2. Green Belt land should be protected at all times for the benefit of the local community.
3. The importance of the area for its biodiversity should also be stressed as it provides a number of important habitats for birds, mammals and insects which need protection.
4. There are insufficient footpaths and street lighting in the whole area to make it safe for pedestrians including young children.
5. The local infrastructure i.e., shops, school, doctors etc is already overstretched and cannot cope with another development of this size. The local school is a first school and is already full to capacity. No public transport is another issue.
6. Hanbury Road already has some flooding issues and this development is likely to enhance that problem.

Public comments

85 letters were originally sent to neighbours 24.08.2022 expired 17.09.2022

Press advert 26.08.2022 expired 12.09.2022

Site notice displayed 30.08.2022 expired 12.09.2022

130 objections have been received summarised as follows:

Green Belt

Harm to openness and visual amenity, contrary to the purposes of the Green Belt, the site is not brownfield, no very special circumstances

Highway matters

Safety of access/egress onto the site in the context of prevailing traffic speed
Increase in vehicle journeys and traffic congestion
Lack of public transport
Lack of safe pedestrian crossings
Insufficient footpaths
Lack of street lighting
Distance to facilities

Heritage Matters

Impact on listed buildings, conservation area and non-designated heritage assets

Other matters

Impact on landscape and views
Lack of school/healthcare capacity and future pressure on these facilities
Impact on wildlife/biodiversity
Noise, smell, and pollution.
Air pollution
Construction noise
Flooding/Drainage on site and on Hanbury Road
No regard to climate change
Loss of privacy/impact on neighbour amenity
Increase in noise
Loss of agricultural field
Community use building not required
Lack of public consultation/inadequate public consultation that did take place

The Bromsgrove Society

Further to the Outline Application for the above property, it seems that the overwhelming number of public objections to the scheme (130) on the basis of yet another Green Field site being used up in an area where there is no provision for the extra school places that will be generated by the new houses, no doctors facilities, local facilities and on an already congested road where there have been fatalities would give the Council the impetus to refuse this application.

Other issues which are not material planning considerations have been raised but are not reported here as they cannot be considered in the determination of this application.

Relevant Policies

Bromsgrove District Plan
BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP4 Green Belt
BDP6 Infrastructure Contributions
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP12 Sustainable Communities
BDP16 Sustainable Transport

BDP19 High Quality Design
 BDP20 Managing the Historic Environment
 BDP21 Natural Environment
 BDP22 Climate Change
 BDP23 Water Management
 BDP24 Green Infrastructure
 BDP25 Health and Well Being

Others

NPPF National Planning Policy Framework (2021)
 NPPG National Planning Practice Guidance
 High Quality Design SPD

Relevant Planning History

18/01383/CUP RIO	Notification for Prior Approval for a proposed change of use of existing buildings to 5 dwellings	Withdrawn	02.01.2019
17/0176	Installation of boilers and flues and erection of boilers and flues and change of use of units from agriculture to B2 and B8 and external storage including operation of log splitting and log sales business from yard (flog-a-log)	Appeal dismissed	26.10.2017
16/0866	A certificate of lawful existing use for the use of Building 1 (pt), Building 2 and Unit 4 for B2 and B8 use, Units 3 and 5 as B2 use and the yard as a contractor's depot and plant yard including the storage and maintenance of plant and machinery. All having being continuously used without interruption for the stated uses for in excess of 10 years.	Refused	10.10.2016
16/0845	Change of use of parts of existing buildings to house biomass boilers and installation of flues. (Retrospective).	Refused	10.10.2016
15/0978	A certificate of lawful existing use for the use of the buildings and yard as shown edged in red at Appendix 2, having been continuously used without interruption for mixed commercial use including activities falling within classes B1, B2, B8 and A1 for in excess of ten years.	Withdrawn	03.03.2106
B/2002/0734	Demolition of buildings to contractors yard and livestock area; Erection of dwelling on yard area and incorporation	Refused	07.08.2002

of rear building area into pasture land.

LDC 11/01 –	A certificate of lawful use was granted for an area in front of the buildings as a contractor's depot and plant yard, the storage, maintenance and repairing of plant and machinery and other equipment. The certificate confirms that part of the area at front of the site is still used for agriculture and includes the erection of 2 sets of gates.	Granted	22.03.2001
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Assessment of Proposal

Site Description

The application site relates to a 3.5-hectare plot situated between Stoke Pound Lane to the north, Hanbury Road to the west, and the railway line to the south/west. The main body of the site consists of an agricultural field, with a set of primarily agricultural buildings in the northern section.

Proposal

Outline planning permission is sought (all matters reserved but access) for the erection of 78 new dwellings and a flexible commercial/community use building with associated access, infrastructure, landscaping and open space provision; considering access into the site only and with all other matters reserved.

The applicant has provided an indicative breakdown of the proposed 78 dwellings, which is outlined in the following table. The 78 dwellings include 5 self-build dwellings.

Dwelling Type	Total Number	Sq m of each dwelling type
1-Bed 2 Person Flat	12	50
2-Bed 3 Person Bungalow	4	62
2-Bed 3 Person Terrace House	12	70
2-Bed 3 Person Semi-detached House	10	70
2-Bed 4 Person Semi-detached House	8	80
3-Bed 4 Person Semi-detached House	20	88
3-Bed 6 Person Detached House	7	103.5
4-Bed 8 Person Detached House (Type A)	2	150
4-Bed 8 Person Detached House (Type B)	3	144

The application proposes site-wide Passive House certification for the development. The benefits of this type of development are outlined in the Planning Statement and Sustainability and Passive House Statement. Some of the benefits can be summarised as follows:

- More cost-effective, lower energy bills;
- Reduced demand for energy;
- Reliability in terms of known level of energy consumption, giving the ability to more accurately know need/cost of energy;
- Enhanced level of insulation and ventilation, creating a constant optimal climate and higher level of comfort;
- Built to last, more durable and resistant to moisture build-up; and
- Rigorous quality checks, reducing chances of defect and poorer builds.

Vehicular access to the main site is proposed via a new priority junction with Hanbury Road to the west of the site which will serve 73 dwellings. The new junction would be located approximately 175m south of the existing Hanbury Road/Stoke Pound Lane junction. A second vehicular access is proposed via Stoke Pound Lane, utilising an existing private access that serves the agricultural/commercial development. This would be upgraded as a private priority junction to serve five new dwellings only.

Assessment

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

The main issues are therefore considered to be:

- Housing Land Supply
- Green Belt
- Provision of affordable housing
- Highways and Accessibility
- Heritage Matters
- Character and Appearance
- Open Space
- Residential Amenity
- Ecology
- Flooding and Drainage
- Agricultural Land
- Trees
- Planning Obligations

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 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 application site is located within the Green Belt. Proposals within the Green Belt are assessed against the guidance set out in Section 13 of the NPPF in addition to the Council's own Green Belt policies. The NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. There is a strong emphasis on the presumption against inappropriate development in the Green Belt, which is by definition harmful. Any identified harm will be given substantial weight.

BDP Policy BDP4: Green Belt reiterates this national policy stance at a local level. It also sets out that a district wide Green Belt review will be carried out as part of the next plan review process.

It should be noted that any grant of outline planning permission would not remove the application site from the Green Belt. Green Belt boundaries can only be altered through the local plan process.

The application proposes the construction of up to 78 dwellings, including 50% affordable housing and 5 self-build plots, plus associated landscaping open space and a community building. As the application is in outline, the design and site layout are indicative only, though it is suggested that a range of dwelling sizes would be proposed between 1-2 storeys in height.

The proposal does not meet any of the policy criteria specified at Policy BDP4 of the Bromsgrove District Plan (BDP) or at Paragraph 149 of the NPPF and as such, the proposal would amount to inappropriate development, which by definition, is harmful to the Green Belt.

In accordance with Paragraph 148, substantial weight should be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the

Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.

The onus is on the applicant to demonstrate what very special circumstances would make this proposal acceptable in a Green Belt location, which is not supported by national or development plan policies.

Impact on openness

Openness has both a spatial and a visual aspect, and it is believed that the development's location would harm openness due to its scale and massing, as well as the introduction of a built form in a primarily undeveloped site.

It is argued by the applicant that the application site is well contained; bounded by railway and roads on all sides, and immediately adjacent to the settlement boundary. It therefore cannot expand at any point in the future and would not result in any notable sprawl or encroachment into the Green Belt (or countryside).

The applicant concludes that given the findings of the Landscape Visual Appraisal (LVA) and the lack of encroachment and the self-contained nature of the site (which is enclosed on all sides by defensible barriers such as Hanbury Road, Stoke Pound Lane and the railway line), the site is not considered to make a valuable contribution to Green Belt openness in comparison to other Green Belt sites within the District.

The applicant also argues that the northern section of the application site constitutes previously developed land, as it contains several commercial buildings and uses. On that basis its development would not be inappropriate in the Green Belt because this would not have a greater impact on the openness of the Green Belt, and the purposes of inducing land within it, than the existing development. The applicant also goes on to state that the site is rather unsightly and contains large, uncomplimentary designed buildings.

As outlined in the planning history section, the site has a long and complicated history. However, a useful starting point is the most recent unsuccessful Class Q application. The after various enforcement matters, is now in agricultural use, although due to the use of the buildings/site on 20th March 2013, it is not considered that this element could be converted under Class Q requirements as the proposal would not fall within the limitations of Class Q.1(a). The site has a small element of Class B8 use.

As to whether the site includes previously developed land (PDL). The NPPFs definition for PDL specifically excludes land that is occupied by agricultural buildings. As the site accommodates agricultural buildings and the vast majority of the site does not represent PDL as defined under the NPPF. For the above reasons, the proposal would not be the redevelopment of PDL. In relation to the appearance of the buildings, these are typical agricultural buildings in a rural location.

The northern section of the site is an integral part of the proposed development, nevertheless the site is largely undeveloped, agricultural nature and the open land beyond clearly have the credentials of countryside as opposed to transitional land. The site, while reasonably well-contained, is considered similar in terms of character and

appearance to the wider extent of the Green Belt. Despite the nearby development along Hanbury Road, these attributes contribute significantly to openness.

The application proposal would introduce residential development and associated works, the introduction of other domestic paraphernalia, new access junctions, internal access roads, and boundary treatments onto a large proportion of this open site. Despite the proposed public open space and landscaping the application proposal would still result in a considerable loss of openness. The application proposal would cause a permanent change which, because of the site's location and appearance coupled with the proposal's built nature and scale, would be both spatially and visually apparent. Paragraph 138 of the NPPF states that the essential characteristics of Green Belts are their openness and permanence.

The applicant's claim that this development is justified by such defensible barriers is contradicted by the fact that development beyond Hanbury Road would erode the boundary of this part of Stoke Prior, which is defined in the local plan as a natural boundary and would not result in any notable sprawl or encroachment.

The applicants reasoning that this is a contained and enclosed site is thus flawed because, if the Hanbury Road were to be expanded as a defensible boundary, the same could be said for the wider land holding beyond the railway line and other features, thereby devaluing the Green Belt boundary and policy approach to Green Belt.

The Hanbury Road's rural lane aesthetic would be entirely lost if the present hedgerows, which are necessary to obtain visibility splays, were lost. This would result in a more intense and urbanised environment, which would be detrimental to the Green Belt.

I conclude that this permanent reduction in openness would impact the integrity of the wider Green Belt. Overall, this amounts to substantial harm which would be in addition to the harm incurred by reason of inappropriateness.

Purposes of the Green Belt

Paragraph 8.18 of the Bromsgrove District Plan (BDP) explains that approximately 90% of the District is currently designated as Green Belt (19,301 ha of a total land area of 21,714 ha). This forms an integral part of the West Midlands Green Belt, which was established to prevent the outward expansion of the conurbation.

At the time that the BDP was published in January 2017, the Council acknowledged that it could not deliver its full housing requirement without alterations to the existing Green Belt boundaries. The BDP therefore set out a commitment to undertaking a Green Belt Review in advance of 2023 and indicated that, through a Local Plan Review, sufficient land would be removed from the Green Belt to deliver the remaining 2,300 homes in the period up to 2030 and address longer term development needs.

Progress with the Local Plan Review is currently delayed because of the need to undertake further work to provide certainty for residents and businesses regarding the likely infrastructure required to undertake the Plan's delivery. At this stage, the Council has undertaken the first part of a two-part Green Belt Review.

The first part of the Green Belt Review, which was published In August 2019, is entitled Green Belt Purposes Assessment: Part 1. This report splits the District's Green Belt land into 60 parcels and assesses each parcel's contribution to the function of the Green Belt. Part 2 of the Green Belt Purposes Assessment will consider a range of more detailed sites against the Green Belt purposes in a more localised and focused manner but is yet to be published.

In Part 1 of the Purposes Assessment, the application site falls within Parcel S6 South of Bromsgrove, North of Stoke Prior, which measures 417ha.

In assessing the area against the purposes of the Green Belt, the assessment concludes that the area is strong in relation to its strength of contribution, in respect of the following Green Belt purposes: a) to check the unrestricted sprawl of large built-up areas. b) to prevent neighbouring towns from merging into one another. In terms of protecting the countryside from encroachment this is classified as moderate.

It should be noted that the applicant claims that no distinction is made between individual parts of the assessment parcel and the entire parcel, and that while the land may score well in meeting the three purposes of Green Belt designation, the application site, which is only a small part of the overall area, would be assessed very differently.

While it is correct that no detailed assessment has been provided in the Purposes Assessment. It is contended that this makes a distinction between the northern and southern sections of the land parcel. Therefore, the assessment makes it clear that this parcel of land, together with its wider landscape, forms an integral part of the rural countryside/Green Belt and is distinct from that of the northern parcel of land.

The NPPF states "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 their permanence". It defines the five purposes of the Green Belt as follows –

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Development of the site is deemed to be incompatible with the purposes of the Green Belt as stated in the NPPF for the following reasons.

The site is agricultural land outside of the settlement boundary. The site has a hedgerow that runs parallel to Hanbury Road and Stoke Pound Lane; there is no footpath on this side of the road, and the land beyond is open and agricultural. The development proposed would equate to urban sprawl, encroaching into the countryside. It is thought that it would extend the built envelope of Stoke Prior further out into the undeveloped, open countryside.

The proposed development of 78 dwellings and associated infrastructure would lead to a loss of countryside in this location of Stoke Prior. Furthermore, as highlighted previously, the enlargement of the developed area would result in the encroachment of the undeveloped countryside that surrounds the application site. The proposal therefore fails to align with this purpose of the Green Belt.

Taking the above into account, the proposed development would result in harm to openness in terms of spatial and visual aspects, and the proposals conflict with 2 of the 5 purposes of including land in the Green Belt. As such, the proposal is contrary to policies in the Development Plan and Framework.

Affordable Housing

The NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. Policy BDP8 seeks the provision of 40% affordable housing on qualifying sites. This scheme comprises a major development, and as such, affordable housing would be required in line with this policy.

The application proposes the provision of 78 dwellings in total, with 39 of these being affordable (50%). This exceeds the policy requirement of 40%. As outlined in the planning statement, this is an outline application (with the precise mix and tenure split to be secured at the Reserved Matters stage). The applicant has provided an indicative affordable housing mix that is proposed to be 27 dwellings split under different affordable tenures and 12 dwellings as First Homes.

Highways and Accessibility

Policy BDP16: Sustainable Transport taken from the Bromsgrove District Plan requires that *'Development should comply with the Worcestershire County Council's Transport policies, design guide and car parking standards, incorporate safe and convenient access and be well related to the wider transport network'*.

The Highway Authority is generally satisfied with the proposed vehicular access onto Hanbury Road, which generally complies with the WCC Streetscape Design Guide (SDG), in terms of its geometry and horizontal alignment. However, as there is frontage development on the south side, a 2.0m footway should be provided on the south side of the carriageway, which would be addressed through the S38 Agreement process. The proposed visibility splay dimensions are also generally acceptable. If consented, the applicant would need to ensure that the existing boundary hedging and vegetation is removed from within the visibility splays and, thereafter, maintained free of obstruction.

Traffic Calming on Hanbury Road

The TS proposes the introduction of a single traffic calming feature, in the form of a build-out, on Hanbury Road, north of the site access. The Highway Authority previously considered the provision of traffic calming needs to be justified and that a single feature might not be appropriate. The TS Addendum has responded there is an issue with

vehicular traffic exceeding the 30mph speed limit along Hanbury Road and the feature was proposed with the aim to address this. The Highway Authority consider the issue of speeding vehicles on Hanbury Road and how best to address the issue requires further consideration and discussion with WCC officers and other relevant stakeholders. Appropriate solutions and options need to be considered before a final decision can be made. This can be addressed by a suitable condition for a reserved matters application.

Pedestrian Access

The TS advises the main site access will provide 2m wide footways connecting with the existing footway network on Hanbury Road. A new section of footway is to be provided on the east side of Hanbury Road, running north from the site access, together with an uncontrolled pedestrian crossing point. Additionally, a pedestrian / cycle only access will be provided in the south-west corner of the site, also linking with Hanbury Road and having an associated uncontrolled pedestrian crossing, which should also act as an off/on cycle ramp. The Highway Authority notes these proposed pedestrian facilities, which are considered acceptable.

The outline layout shows pedestrian access from the main site would also let residents and visitors walk via the private access on Stoke Pound Lane, but no new formal pedestrian infrastructure facilities are provided. At the private vehicular access, there is no existing footway on Stoke Pound Lane. The Highway Authority is concerned this will form a route for some pedestrians walking to and from the development going northwards. The lack of a footway raises highway safety concerns, given the presence of the National Speed Limit near the access and the alignment of the road having restricted forward visibility.

Public Transport

The TS advises there are two bus stops located west of the site on Shaw Lane, approximately 550m walking distance from the centre of the proposed development. Both bus stops have lay-bys and bus shelters. The TS advises the bus stops are served by two bus services running every two hours Monday to Saturday, but with no evening or Sunday services. The Highway Authority notes existing bus stops are located further than the recommended 400m maximum walking distance, but this not considered sufficient reason alone to justify a refusal. A finalised Travel Plan should set out how residents can be encouraged to use the bus services.

The Highway Authority considers it reasonable to request a contribution to develop a Community Transport service in the area, given the development could have residents who cannot easily access bus services. WCC would require a financial contribution of £3,472 if planning consent is granted. The site is within acceptable walking distance of the catchment schools for the site and, therefore, school transport costs would not be payable. However, the Highway Authority is of the opinion the existing Hanbury Road/Redditch Road junction should be provided with improved pedestrian crossing facilities, as it is a walking route to school.

Traffic Generation

The TS concluded that 78 units would generate 37 two-way vehicle trips in the AM peak hour and 35 two-way vehicle trips in the PM peak hour. Given the low forecast trip generation and existing highway infrastructure, the Highway Authority agrees with the conclusion in the TS that the level of traffic generated is unlikely to have any significant impact on the operation of the local highway network.

It is noted that a large of objectors have raised concerns regarding highways related matters and the application. However, the Highway Authority have evaluated the scheme. The Highway Authority determines that residual cumulative impacts would not be severe based on the evidence supplied, and hence has no objection subject to conditions and financial requirements, in accordance with paragraph 111 of the Framework. A reason for refusal on highways grounds cannot be substantiated.

Heritage Matters

The site is within the setting of the following heritage assets:

Listed Buildings: The Grade I listed St Michael's Church is located approximately 250m northwest of the site, along with its associated Grade II listed Lych Gate and Stoke Prior War Memorial. Little Intall Fields Farmhouse, a Grade II listed structure, is approximately 110m east of the site's eastern tip.

Conservation Area: Worcester and Birmingham Canal Conservation Area is located just over 200m from the southern boundary of the site.

Non-designated Heritage Assets (NDHAs): A range of NDHAs, including those identified in the Heritage Statement, are in the vicinity of the site: Intall Fields Farm, with its Summerfields villa, immediately adjacent to the northwest corner of the site; The Navigation Inn and Navigation Row Cottages, Hanbury Road, around 180m south of the site's southern tip; Bridge 45 & Locks 24-26, on the Worcester and Birmingham Canal; and Nos. 116-120 Hanbury Road, 50m south of the site; and No. 124 Hanbury Road 150m south of the site. In addition, it is considered that The Mount (shown as "Mount Pleasant" on 1884 OS Map), Stoke Pound Lane, a brick villa of ca. 1840 (Pevsner), is a NDHA, located immediately north of Intall Fields Farm, across Stoke Pound Lane.

Under s. 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to preserving a listed building or its setting. Section 16 of the NPPF sets out guidance on conserving and enhancing the historic environment. Paragraph 199 of the NPPF provides when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the

public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policies BDP20.3 and BDP20.9 of the Bromsgrove District Plan advise that development affecting the setting of heritage assets should not have a detrimental impact on the character, appearance or significance of them and, when within or adjacent to a conservation area, it should preserve or enhance the character or appearance of the area.

Paragraph 202 of the NPPF advises that impact amounting to *less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal*. Paragraph 203 of the NPPF also includes non-designated heritage assets in this consideration, where any effects must be considered in a balanced judgement. Policy BDP20.14 of the Bromsgrove District Plan supports both requirements.

Paragraph 4.3.1-3 of BDC's High Quality Design SPD advises that new residential development in the setting of heritage assets must preserve or enhance the character of the area, with great care required to ensure the assets' settings are sustained and enhanced.

Various conservation documents have been submitted in support of the application and these have been fully assessed by the Conservation officer. The proposed development will cause less than substantial harm to the significance of several heritage assets, through impact upon their settings. The Conservation officer's assessment is outlined below.

St Michael's Church setting: views of the church are limited from the site environs; however, the tower can be glimpsed from places along the canal and along Stoke Pound Lane, more so during winter months when vegetation is more sparse. In each case the application site is co-visible within the view. The development will not restrict the visibility of the tower in such views, but it will change the views' characters from open and rural contexts, becoming more intensively developed. The setting of the church is large and accommodates small pockets of development, however it is rural. The impact is therefore considered to sit between Negligible and Minor (higher than the applicant's assessment), cross referenced with a Very High significance (also higher than the applicant's assessment), resulting in a Slight/Moderate level of harm to the church's significance as a beacon of Stoke Prior's medieval past, set within a rural environment.

Little Intall Fields Farm setting: there are reasonably available views from and to the farmhouse, to and from the site respectively, in addition to views from the canal conservation area containing both the farmhouse and site, which are open and rural in character. Tree screening to the west of the house is moderate but seasonal, the view becoming very open in winter months. The presence of the railway line to the west of the farmhouse disrupts the open setting, however extensive built form only appears at Hanbury Road. The proposals would bring this development line forward, diminishing the openness of the farmhouse's rural setting to the west and impacting its significance as a well-preserved 18th century yeoman's farmhouse with largely intact setting. The impact is agreed sit between Minor and Moderate, cross referenced with a High significance, resulting in a Moderate level of harm.

The Conservation Area setting, including Bridge 45 & Locks 24-26: the section of the CA covered by Map 5A in the Conservation Area Appraisal (Bridge 47-45), which includes the bridge and locks noted, indicates important views towards the northwest from the area, noting the rural landscape and sparse development. This character has been consistent since the canal's construction. Views of the site are had within this section, where the existing group of buildings around Intall Fields Farm are visible, with open land between. New development in this intervening space will interrupt the open, rural setting of the conservation area, bringing the existing development line closer to the canal. This is likely to be exacerbated by the introduction of a necessary acoustic fence along the southern edge of the site. This will cause harm to the Conservation Area's significance through the disruption and diminishing of its open, rural setting to the northwest along this stretch of the canal. The impact is agreed to sit between Minor and Moderate, cross referenced with a High significance, resulting in a Moderate level of harm.

Intall Fields Farm, including Summerfields villa: the setting of the farmstead and villa is open and rural across the site. This openness contributes strongly to the group's significance as a collection of mid-19th century farm buildings and the development of the site will severely diminish their legibility as such. The impact is considered to be High/Major (higher than the applicant's assessment), cross referenced with a Medium significance, resulting in a Moderate/Large level of harm.

The Mount: the setting of this villa is slightly removed and reasonably well screened from the site when compared to Intall Fields Farm. It is also not clear whether the villa is historically associated with farming, however if it was it is likely its land was to the north of Stoke Pound Lane. Nevertheless its open, rural setting to the south still contributes to its significance as a mid-19th century rural villa, and the development of the site will effectively remove this contribution. The impact is considered to sit between Minor and Moderate, cross referenced with a Low to Medium significance, resulting in a Slight level of harm.

The Navigation Inn and Navigation Row Cottages: the inn and cottages have a strong relationship to the canal and are mentioned in the corresponding conservation area appraisal. The site lies within their setting to the north, although the inn's outbuildings interrupt a strong connection between the cottages and the site. The raised level of the railway towards the south of the site also interrupts the inn's connection to the site, nevertheless the land beyond this continues to rise and so in wider views from the inn's curtilage the land is open and rural, a factor that reinforces its significance in connection with the canal; it clearly served the canal and associated development to its south, as opposed to the undeveloped land to its north. This contribution to its significance will be diminished through the development of the site and the impact is agreed to be Minor to Moderate, cross referenced with a Medium significance, resulting in a Slight to Moderate level of harm.

Nos. 116-120 Hanbury Road: these houses are agreed to have a low significance due to the level of alteration they have endured. Their setting to the northeast, towards the site, is also interrupted by other development along the east side of Hanbury Road and is screened by existing high hedging, such that it contributes in a limited manner to their significance. The impact of the development within this setting is agreed to be Minor, cross referenced with a Low significance, resulting in a Slight level of harm.

No. 124 Hanbury Road: this house has an increased level of significance due to its prominence and better level of preservation, however its setting to the northeast is largely severed by the railway, with only distant views of the northeast corner of the site visible from the asset. The contribution of the site to its significance as part of its setting is therefore minimal. The impact of the development is considered to sit between Negligible and Minor (lower than the applicant's assessment), cross referenced with a Low to Medium significance, resulting in a Neutral to Slight level of harm.

The submitted heritage statement identifies most of these impacts, albeit with a slightly lower overall level of harm. In general terms the assessment proposes robust landscape screening as mitigation. However, the idea that robust landscaping alone may achieve sufficient mitigation is unconvincing as dense screening, even if it manages to successfully screen development, will of itself erode the sense of openness in the area which is a key aspect of the setting contribution for most of the assets.

The conservation officer concludes that the proposals, although only presented in outline form, are therefore unlikely to satisfy the requirements of s. 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Paragraph's 195 and 199 of the NPPF, and Policies BDP20.3 and BDP20.9 of the Bromsgrove District Plan due to the various harms identified. Great weight must be given to the harm caused to designated heritage assets when considering the balance of harm against the public benefits of the proposals.

Character and appearance

It is noted that the site layout and design are reserved matters, though the indicative plans submitted allow for an assessment of the scheme that may come forward were outline permission to be granted. The NPPF places great importance on design quality, noting that good design is a key aspect of sustainable development; Paragraph 134 states that development that is not well-designed should be refused. Developments should add to the overall quality of the area, be visually attractive because of good architecture, layout and appropriate and effective landscaping, and should be sympathetic to local character and history including the surrounding built environment.

This is echoed within Bromsgrove's own policies BDP19 of the Bromsgrove District Plan sets a series of criteria by which high quality people focussed space will be achieved. For a development to be of high-quality design it must respect, enhance and improve the visual amenity of the area by virtue of its scale, mass, bulk, height and urban form.

It is considered that the site is highly visible from various directions, including the nearby Worcestershire and Birmingham Canal Conservation Area and Stoke Pound Lane (more detail regarding this element is outlined in the heritage section of the report). Furthermore, many adjoining areas, such as along Hanbury Road, Happy Bank Farm and Little Intall Fields Farm, are strongly rural in character.

The open and undeveloped character of the site is therefore critical in providing a soft edge to the settlement and an appropriate transition between the built-up area and the wider countryside.

The proposed development would be of a size, scale, form and intensity that would fundamentally erode the form, character and setting of Stoke Prior in the wider landscape are considered to be more urban than rural in character.

While it is acknowledged that the gross density based upon 78 dwellings would be around 22 dwelling per hectare (DPH). It is important to recognise that based upon to the net density (total residential units/total residential land excluding roads, open spaces and community), the density increases significantly to approximately 43 dph.

Policy BDP2 sets out a Spatial Strategy for focusing new development in the most sustainable of locations throughout the district. Whilst policies relating to the supply of housing may be considered out of date, due to the Council's lack of a 5-year housing land supply position, the NPPF has at its core, the principle of a Presumption in Favour of Sustainable Development.

Stoke Prior is identified as a Small Settlement within Policy BDP2 and considered appropriate for small-scale, infill development only. In contrary, this development comprises a large-scale development located outside the defined village boundary. Such a development is, therefore, not proportionate to the scale of the adjacent settlement, or appropriate in this rural location.

Overall, the proposed form of the development is considered incompatible with the countryside setting and would if implemented would result in visual harm. Acknowledging that this is an outline application, nonetheless the absence of any indicative plan showing an acceptable layout amount to additional harm to be weighed in the planning balance. The indicative design of the scheme at present is not considered to accord with policies, BDP2, BDP19 and the NPPF.

Open space

The indicative layout plan shows the provision of over 4,000 square metres of public open space located throughout the site. This accords with the requirement for on-site open space provision as set out in SPG11.

Residential amenity

The matters of design and layout are reserved for future determination. However, it is evident from the proposed plans could achieve an adequate separation from the existing dwellings in the area (in line with the High Quality Design SPD). It is not considered that the proposal would result in a loss of residential amenity with respect to these adjoining properties.

The development will change the outlook for numerous nearby residential properties and alter the way that they experience the site. It will increase the level of noise in the area and light this is not considered to be at a level that would lead to any significant harm to the residential amenity of these nearby neighbouring occupiers. It is noted that WRS noise do not have any objections to the outline phase.

Overall, the development is not considered to result in significant harm to the residential amenity of the neighbouring occupiers.

Ecology

A preliminary Ecological Appraisal, Biodiversity Net Gain Report and Habitat Map Plan have been prepared by Elite Ecology. This has all assessed the likely effects of the proposed development in terms of Ecology and Wildlife, in the context of the site and surrounding area.

No statutory or non-statutory designated sites occur within the site boundary. One Sites of Special Scientific Interest (SSSI) Upton Warren Pools and four non statutory locally designated sites Local Wildlife Site (LWS) were identified in 2km of the site.

The Biodiversity Net Gain Report, outlines detailed, and significant habitat enhancements are proposed and biodiversity net gain will be achieved.

Worcestershire Wildlife Trust (WWT) have raised no objection to the scheme, subject to the imposition of suitable conditions relating to the ecological mitigation and enhancement.

Subject to implementation of appropriate mitigation measures, the proposed development would comply with Policy BDP21 and BDP24.

Flood Risk and Drainage

The site is located within Flood Zone 1, which has a low probability of flooding. A Flood Risk Assessment and Drainage Strategy were submitted with the application.

North Worcestershire Water Management have been consulted. They have raised no objection, subject to a condition. Full details fall to be determined at reserved matters stage, though it is noted that the site is generally at low risk of flooding and no objections have been raised at this stage. The development would not therefore raise concerns the grounds of flood risk or drainage

Agricultural Land

The NPPF, at paragraph 174 b) notes the benefits of protecting the best and most versatile agricultural land (BMV). The footnote to paragraph 171 also states “where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality”. The glossary of the NPPF gives the following definition. “Best and most versatile agricultural land: Land in grades 1, 2 and 3a of the Agricultural Land Classification.” In assessing the effects of the development on agricultural land it is necessary to have given consideration to the Agricultural Land Classification (ALC). This is the standard method used for determining the quality of agricultural land.

Policy BDP15 Rural Renaissance specifies that rural areas within Bromsgrove are rich in environmental and landscape quality and protecting and enhancing these characteristics is paramount to retaining the District’s local character, distinctiveness and value.

The existing use of the site is agricultural (Grade 2). The proposed development will result in the permanent loss of existing agricultural land. it is considered that the

development would result in loss of BMV agricultural land which would be afforded negative weight as the permanent loss of agricultural land cannot be mitigated. The proposals would be contrary to the NPPF and BDP15.

Trees

The application is supported by an Indigo Surveys Tree Survey dated March 2022. The main body of the site contains no tree stock worthy of note consisting of grass land pasture.

Sections of the boundary of the site are defined by mixed species hedge lines or groups of small trees. The proposed layout as shown on Site Layout plan provided would require the removal of approximately half the length of conifer hedge to which the tree officer would have no objection as this could easily be replaced by native hedge line planting and it provides no screening value to any neighbouring property. It would also require the removal of a large section of hedge to achieve the required highway visibility splay at the new proposed site entrance off the Hanbury Road. This hedge line affects the outlook from properties opposite the site and therefore would need to be replaced with suitably robust planting on an appropriate new line within the scheme. The proposed layout will allow the retention of all other boundary hedge lines and groups of trees within only minor formative pruning required.

There is no objection to the proposal subject to conditions.

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:

- The provision of affordable dwellings on the site
- 5 self build dwellings.
- £10,000 towards active travel
- £3,472 towards community transport
- £52.24 contribution for refuse and re-cycling bins per dwelling
- A financial contribution of £30,360 towards Herefordshire and Worcestershire CCG
- A financial contribution of £930,107 towards education
- The provision, management and maintenance of the on-site open space for 25 years
- Net gain for biodiversity
- The provision and future maintenance in perpetuity of the SuDs facilities
- Community Facility
- A Section 106 monitoring fee

Applicants Case and Very Special Circumstances (VSC)

The applicant in their planning statement considers that the site is unconstrained in terms of other designations (other than Green Belt) and is not, for example, considered to make a significant contribution to landscape character and the visual setting of the village. That

the site would inevitably result in some loss of openness within the Green Belt and subsequent level of harm, which would be unavoidable for any given development.

Given the findings of the LVA and the lack of encroachment and the self-contained nature of the site (which is enclosed on all sides by defensible barriers such as Hanbury Road, Stoke Pound Lane and the railway line) the site is not considered to make a valuable contribution to Green Belt openness, in comparison to other Green Belt sites within the District.

The very special circumstances case is outlined in detail in the Planning Statement, however a summary of these and the weight the applicant has given these is outlined below.

Delivery of 78 new homes in the short-medium term, where there is a critical shortfall in housing given the Council is only able to demonstrate a 3.18 year's housing land supply. Furthermore, the Council is underdelivering on housing such that its housing delivery test figure is only 69%. The Council's Housing Team has also recently confirmed that 3,147 people are on the housing waiting list as of June 2022. This VSC should be afforded substantial weight.

Overprovision of affordable housing (50% provision, more than the 40% provision required by Local Plan BDP8) including the delivery of 39 no much needed affordable homes whereby there is an acute shortage of affordable housing and 3,147 people are currently on the Council's housing waiting list. This VSC should be afforded substantial weight.

Provision of 5 self or custom build homes, whereby there is no framework in place within the Local Plan to deliver this type of housing and the Council have acknowledged that they are not meeting the need identified in their Self Build Register. This VSC should be afforded substantial weight.

The proposed housing is designed to achieve sitewide Passive House certification; delivering the highest standard of low energy and sustainable homes. There are only 3 other site-wide Passive House certified housing schemes of 70+ dwellings in the UK at the moment. This scheme would therefore represent a flagship development of sustainable and low energy housing development, meeting and exceeding the ambition of Local Plan Policies BDP19, BDP22 and BDP23 and the West Midlands Design Charter and Zero Carbon Homes Charter. This VSC should be afforded substantial weight.

Off site highways improvements in the form of traffic calming measures along Hanbury Road and provision of new pedestrian crossings, which will also have the effect of reducing vehicle speeds on Hanbury Road (identified through the engagement exercise as being of local concern). This VSC should be afforded moderate weight.

Biodiversity, landscaping and drainage enhancements across the site, including the creation of new habitat areas, sustainable drainage systems, planting, and the delivery of a biodiversity net gain in excess of 10% across the site (as high as 60% subject to the detail of the Reserved Matters submission). This VSC should be afforded moderate weight.

Provision of public open space, including children's play area, which will also benefit neighbouring properties given the new pedestrian linkages which will open the facilities to a larger catchment. This VSC should be afforded some weight.

Provision of a new flexible commercial building for community use, which will provide a valuable community facility for local residents. It is intended to be considered for such uses as: employment (start up incubator units for small businesses), a multi purpose community use (local hall, space for local clubs) or medical (GP surgery, medical facility, creche). This VSC should be afforded moderate weight.

The applicant has also provided an appeal decision at Roundhouse Farm in Colney Heath (APP/B1930/W/20/3265925 and APP/C1950/W/20/3265926) which was a cross boundary planning application in St Albans City & District Council and Welwyn Hatfield Borough Council to justify their approach in seeking to demonstrate 'very special circumstances', indicating that the same outcome applies to this development.

As a Local Authority we are not bound by other decisions. I have had regard to this decision in assessing this application. However, I find that the circumstances and material considerations set out in this decision are different from those at the example cited, for example in terms of contextual and physical characteristics, as well as the position taken by the planning policy, the developments differ. More significantly, the balancing exercise that must be performed is fundamentally different because of these variations, the appeal decision relates to a site in a different district and so is subject to a different development plans. I have therefore afforded it little weight in this application.

Planning Balance

Given that the Council cannot demonstrate a five year housing land supply, the presumption in favour of sustainable development is engaged. Accordingly, planning permission should be granted unless the application of policies within the NPPF that protect areas or assets of particular importance provides a clear reason for refusal. In line with footnote 7 of the NPPF, land designated as Green Belt falls within the definition of 'areas or assets of particular importance'. The case for VSCs set out by the applicant above is now addressed.

The factors considered above individually do not represent very special circumstances and the question for the decision taker is whether collectively those factors combine with sufficient weight to represent the very special circumstances that would overcome the harm to the green belt by reason of the openness.

In terms of the weight to the housing land supply situation, the greater the shortfall the greater the weight. Bromsgrove District Council can only demonstrate a 3.23 year supply. and in such a context, mindful that the NPPF seeks to significantly boost the supply of housing land, for this number of dwellings I afford significant positive weight to the contribution to housing land supply. The proposed affordable housing units is a public benefit that attracts significant positive weight in favour.

The provision of five self-build homes is a noted benefit of the scheme, particularly given that the Development Plan does not currently have any policies for the delivery of self-build housing. This benefit would therefore carry moderate positive weight.

The proposed development results in 'less than substantial harm' to the setting of heritage assets. NPPF paragraph 202 states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. The cumulative harm to the setting of these heritage assets is considered to be at the higher end of 'less than substantial harm' and the benefits of the scheme would be insufficient to outweigh the significant (less than substantial) harm, this finding that carries considerable importance and weight in my decision.

The submitted Planning Statement and Sustainability Statement sets out how the proposed Passive Haus development meets the sustainability and energy requirements of relevant Development Plan policies as well as the three overarching sustainability objectives of the planning system as outlined in NPPF paragraph 8 (economic, social and environmental) as well as other elements of the NPPF. However, these are policies against which all applications for development are assessed as part of the decision-making process. Compliance with sustainability objectives is a requirement and not considered to be a significant consideration that outweighs the harm to the Green Belt (including environmental harm) caused by the development itself. It is also noted that under current building regulations and planning policy, energy efficient homes would be created. It is considered that this is a benefit that can be attributed limited positive weight in the planning balance.

The provision of a flexible commercial building for community uses. However, the community building lies adjacent to the railway line and is as far away from the existing built-up area of Stoke Prior and this location will discourage walking to it. It has not been demonstrated that the proposed community facility will relate positively to Stoke Prior and the wider rural area and not just to new residents within the development. On that basis it is considered that this is a benefit that can be attributed limited positive weight in the planning balance.

The potential biodiversity enhancements attract moderate positive weight.

The applicant has also advanced that moderate weight should be given to off-site highways improvements and some weight for the provision of public open space. There are no conflicts with local and national planning policies in these regards, subject to the imposition of the planning conditions or a legal agreement. However, the application submission does not convince me that any of these would constitute benefits of the scheme over and above securing a satisfactory development in line with policy.

While the applicant has not put forward an economic or social benefits case these are potential benefits that would be considered but are afforded moderate positive weight in the planning balance.

The proposed development would be of a size, scale, form, and intensity that would fundamentally erode the form, character and setting of Stoke Prior in the wider landscape, this attracts moderate negative weight.

The proposal would result in loss of agricultural land including 'best and most versatile' (BMV) land. The proposals would be contrary to paragraph 174 of the National Planning Policy Framework (2021), this attracts moderate negative weight.

I therefore conclude that the benefits of the scheme are moderate. The principal benefit is the provision of housing (including affordable housing and self-build plots). The delivery of market housing alone would carry moderate weight as outlined above, though the delivery of affordable housing more than policy requirements is a significant benefit. Furthermore, the provision of five self-build plots is considered to carry moderate weight. The delivery of housing overall is therefore considered to carry significant weight.

While several planning obligations have been agreed, these are mitigation for the impacts of the development. The absence of harm in terms of other normal development management matters weighs neutrally in the planning balance.

Conclusion

The NPPF reiterates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 confirms that when considering any planning application, 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 reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The Planning balance section has set out all of the harms on one side and all of the benefits and other material considerations on the other side of the balance and officers have concluded that all of the harms are not clearly outweighed by all of the benefits. 'Very Special Circumstances' do not exist in this case.

It is considered that the application of policies in the National Planning Policy Framework provides a "clear reason for refusing" the development proposal under NPPF paragraph 11(d)(i). It is concluded that the proposals are in conflict with the development plan policies in so far as they relate to the Green Belt, character and the built and historic environment. There are no other material considerations that have a bearing on the balance.

Having considered all other matters raised, I therefore conclude that the outline application should be refused.

RECOMMENDATION: That outline planning permission be **REFUSED**

1. The site is located outside a defined village envelope within an area identified within the Development Plan as falling within the Green Belt where there is a presumption against inappropriate development. In such an area, development is limited to that which is not inappropriate to the Green Belt, and which would preserve its openness. The proposal does not meet any of the policy criteria specified at Policy BDP4 of the Bromsgrove District Plan (BDP) or at Paragraph 149 of the National Planning Policy Framework 2021 (NPPF) and as such the proposal would amount to inappropriate development, which by definition, is harmful to the Green Belt. The proposal would

also result in a detrimental impact on openness of the Green Belt due to its scale and location and conflict with the Green Belt's purposes, as identified in NPPF paragraph 138. No very special circumstances exist or have been put forward to clearly outweigh the significant harm caused to the Green Belt. As such the proposal is contrary to Policy BDP1, Policy BDP4 of the Bromsgrove District Plan and the National Planning Policy Framework.

2. The proposed form of the development is considered incompatible with the countryside setting, and that of existing built development in the locality of the site. The proposal would compromise the setting of the countryside, where rural development should be supported where it needs to be in that location. The proposed development would be of a size that would fundamentally erode the form, character and setting of Stoke Prior in the wider landscape. As such the proposal is contrary to Policy BDP2, BDP19, and the National Planning Policy Framework.
3. The proposal would have an adverse impact upon the setting of several designated and non-designated heritage assets, by way of its impacts upon the wider character adjacent to Stoke Prior. The proposals would result in less than substantial harm to a number of designated and non-designated heritage assets, situated in close proximity to the site. Whilst it is acknowledged that there are some public benefits these do not outweigh the harm that has been identified. The proposal is therefore contrary to Policy BDP20 of the Bromsgrove District Plan and Section 16 of the National Planning Policy Framework.
4. The proposal would result in loss of agricultural land including 'best and most versatile' (BMV) land. The proposals would be contrary to Policy BDP15 of the Bromsgrove District Plan and paragraph 174 of the National Planning Policy Framework (2021).

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