

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Brynley Little	Outline Application for the erection of 50 new dwellings (including market, affordable and custom/self-build plots) and a flexible commercial/community use building with associated access, infrastructure, landscaping, drainage and open space provision; considering access into the site only with all other matters reserved. Land at South Side of, Houndsfield Lane, Hollywood, Worcestershire, B47 5QY		23/00403/OUT

RECOMMENDATION: That planning permission be **REFUSED**

Consultations

Wythall Parish Council

Objection. This development of new buildings in the Green Belt is considered to be inappropriate. The reasons given are not considered to be very special circumstances. In addition, it is believed that there are a number of inaccuracies in the supporting information provided concerning proximity and type of services and amenities.

Worcestershire Highways - Bromsgrove

No objections subject to conditions

- Detailed scheme for site access works at Houndsfield Lane to be submitted
- Vehicular Visibility Splays at Houndsfield Lane
- Lighting Infrastructure
- Highway Improvements / offsite works / site access – details provided
- Community use defined
- Residential Travel Plan
- Residential Travel Welcome Pack
- Construction Environmental Management Plan
- Health Impact Assessment

Planning Obligations

As part of this consented planning application the applicant shall provide the following planning obligation through a suitable legal mechanism (S106).

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: £2,721 to be paid prior to first occupation

Arboricultural Officer

No objections subject to standard conditions. Any detailed applications proposed layout should be amended to avoid conflict with the recommended Root Protection Area of the T9 Oak. Conditions would include:

- *No dig method construction methods where necessary
- *Full landscape plan including specification to be submitted
- *Retention of tree line and hedge features and protection in accordance with BS5837:2012 throughout any demolition, ground or development work on the site

Conservation Officer

No objection to the proposals on heritage grounds.

The heritage assets surrounding the site are predominantly of low significance due to poor levels of preservation and interest. Trueman's Heath Farmhouse and Blounts Hole Farm are worthy of greater attention, but both lack any real intervisibility with the site due to the intervening tree-lined boundaries, land topography and a separation distance of 500-600m. Assuming an average 2-storey scale of development, the impact of the proposals is considered to be low/negligible in terms of impact on heritage assets

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 Wythall East and forecast to yield 6 children who may need childcare places at an early year setting. Updated sufficiency figures show there is a sufficient level of childcare places in this ward to support additional pupils. Therefore, a contribution towards early years provision is not required.

Currently, data shows that there is sufficient space for Primary aged children within the catchment and related schools. The related schools are also forecast to have capacity within the Primary Phase.

There will not be sufficient capacity at the Secondary Phase School, Woodrush Community High, for children coming from this housing development and therefore a contribution towards Secondary phase will be required.

A contribution towards SEND (Special Educational Needs and Disabilities) will also be required.

Secondary Contribution: £243,304
SEND Contribution £88,448
Total Contribution £331,752

North Worcestershire Water Management

The site falls within flood zone 1 (low risk of fluvial flooding), however it should be noted the modelled extents of the River Cole end a little way downstream of this site along a tributary known as the Shaw Brook, therefore in reality the risk of fluvial flooding may be higher. The majority of the site is at very low risk of surface water flooding, with a flow path between the pond and Houndsfield Lane at the East of the site, and an area of higher surface water flood risk in the North West corner of the site.

We do not hold any reports of flooding within the site.

The proposed development will increase the rate and volume of surface water runoff from the site, this should be managed to ensure no increase in flood risk.

As a major application there is an expectation for the use of SuDS

While I have no objections to the principal of development on this site, I believe a reserved matters application will need to provide significantly more detail to ensure the proposals are safe from flooding and do not increase flood risk off-site. A revised FRA will be required, along with a detailed drainage strategy incorporating SuDS.

Conditions to this effect should be attached to any consent should you be minded to approve the application.

Housing Strategy

Housing Strategy note that the applicant is offering 50 units of mixed tenure and confirm that we would require 40% to be affordable housing.

2/3 of these units should be 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 Councils priority is for 3 bed properties.

Therefore, we require 50% 3 bed, 30% 2 Bed 10% one bed 10% 4 bed

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

For any flats provided we would not want them to have communal areas

To help us meet the expectations of Welfare Reforms the property sizes need to be:

2 Bed 4 person; 3 bed five or six person; 4 bed six, seven or eight person

The affordable housing should be pepper-potted with clusters and should look the same as the market housing.

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

WRS - Contaminated Land

No objection subject to tiered investigation conditions

WRS - Noise

No objection subjects to conditions:

* Prior to works commencing on site, the applicant should submit a Construction Environmental Management Plan detailing the proposed measures to monitor and mitigate emissions of noise, vibration and dust during the construction phase for approval.

WRS - Air Quality

No objection subjects to conditions

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

NHS/Medical Infrastructure Consultations

A developer contribution will be required to mitigate the impacts of this proposal. Herefordshire and Worcestershire Integrated Health Board (ICB) calculate the level of contribution required in this instance directly relating to the number of dwellings to be £33,600. This housing development falls within the boundary of a practice which is a member of the Nightingales 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 Consulted 12.04.2023

No Comments Received

Waste Management

No objection subject to the submission of suitable refuse tracking drawings at detailed / reserved matters stage.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP2 Settlement Hierarchy
BDP3 Future Housing and Employment Development
BDP4 Green Belt
BDP6 Infrastructure Contributions
BDP7 Housing Mix and Density
BDP8 Affordable Housing
BDP12 Sustainable Communities
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP21 Natural Environment
BDP22 Climate Change
BDP23 Water Management

BDP24 Green Infrastructure
BDP25 Health and Well Being

Others

Bromsgrove High Quality Design SPD
National Planning Policy Framework (2023)

Public comments

The application has been advertised by press notice, site notice and by writing to 23 neighbours

1 letter of support has been received as have 5 letters in objection.
Comments received are summarised as follows:

Support:

Appropriate in terms of sustainable access and connections to other sites
Availability of amenities for residents
Good for the Economy
Will provide much needed homes including social housing
No impact on the Countryside

Objection:

The site is a greenfield site in the Green Belt and should remain protected from development

Inappropriate development in the Green Belt with no very special circumstances demonstrated. Reference to appeal ref APP/P1805/A/11/2150938 in 2011 (Wythall) which, further to a public inquiry was dismissed despite BDC having a lack of 5 yr housing land supply.

The site is removed from the southern side of Houndsfield Lane and while land on its northern side is developed further to the west, the land immediately opposite the field is not.

Whilst land will inevitably have to be removed from the Green Belt to accommodate the future housing needs of the District it is not right for the planning committee to second guess what land will be made available.

Paragraph.1.4 of the applicant's planning statement that the development would not adversely affect the openness of the Green Belt cannot be true. The applicant seems to confuse openness with landscape impact. The map at para. 8.15 of the same statement clearly shows that the site is part of a strategic gap between Wythall (including Grimes Hill), Hollywood (including Drakes Cross), and new development (or probable development) within Solihull District (including Tidbury Green). This is exacerbated by the presence of a number of developed sites along Houndsfield Lane, just east of the site, which pose a grave threat of removing or eroding the gap between Hollywood and Tidbury Green completely

Additional traffic and noise will serious harm the amenities of nearby residents. Existing infrastructure cannot safely support these additional traffic movements

Flooding concerns raised

The proposals will have significant detrimental impacts on existing wildlife who rely on these grassland areas

The proposals will place significant demand of professional services such as dentists, doctors and schools

Approval of this application would set an unwelcome precedent for other similar sites

Relevant Planning History

None relevant to application

Assessment of Proposal

Site Description

The application site is a 2.48 hectare plot situated on the southern side of Houndsfield Lane to the east of the Truemans Heath. The nearest cluster of dwellings to the site are those found in Houndsfield Close, to the north-west and accessed via Houndsfield Lane. The site is (greenfield) agricultural land within designated Green Belt as defined within the Bromsgrove District Plan. The administrative boundary with Solihull Borough Council lies approximately 500m to the east. The site has previously been submitted to the Council's Call for Sites (2019), and has been assigned reference number 195; 'Land adjacent to Hollybrook Farm, Houndsfield Lane'. No formal assessment of the Site has been published to date.

Proposal

Outline planning permission is sought (all matters reserved but access) for the erection of 50 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. Of the 50 new dwellings, 52% are proposed as 'affordable' with 48% as market dwellings. In other words, 26 would be affordable homes with 24 being market dwellings.

The applicant has provided an indicative breakdown of the proposed 50 dwellings, which is outlined in the following table. The 50 dwellings include 4 self-build dwellings.

Dwelling Type	Total Number	Sq m of each dwelling type
1-Bed 2 Person Flat	8	50
2-Bed 4 Person Bungalow	4	70
2-Bed 4 Person Terrace House	8	79
2-Bed 4 Person Semi-detached House	10	79
3-Bed 6 Person Semi-detached House	16	102
4-Bed 8 Person Detached House (custom/self-build)	4	124 plus garage

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 site is proposed via a new access from Houndsfield Lane. The new access would be provided with a 5.5m carriageway width with 2m wide footways on both sides; 6m junction radii; tactile paving crossing; and visibility splays of 2.4m x 82m in both directions based on a speed survey.

Assessment

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

The main issues are 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 and Hedgerows
- Planning Obligations

Housing Land Supply

Paragraph 77 of the National Planning Policy Framework (NPPF) requires local planning authorities to identify and update a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing or a minimum of four year's worth of housing if the provisions in Paragraph 226 of the NPPF apply. The supply should be demonstrated against either the housing requirement set out in strategic policies or against local housing need where the policies are more than five years old.

Based on NPPF paragraph 77 FN42, the 5YHLS is now based on the calculated Local Housing Need, not the housing requirement in the adopted Local Plan. Local Housing Need has been calculated using the Standard Method as set out in the National Planning Guidance.

The Councils can currently demonstrate a housing land supply of 3.3 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 refusing 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."

With reference to 'policies' Footnote 7 states that 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 Chapter 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 50 dwellings, 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 154 or 155 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 153, 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 on an undeveloped site.

It is argued by the applicant that the application site is well contained; bounded on all sides by mature vegetation, by Houndsfield Lane to the north, by equestrian and residential built form to the north-west and by commercial / industrial development to the east.

The applicant concludes that given the findings of the Landscape Visual Appraisal (LVA), the lack of encroachment and its self-contained nature, the site is not considered to make a valuable contribution to Green Belt openness. The applicant concedes that there would be some inevitable '*moderate*' harm, in their opinion at site level, but believe that the impact on the wider parcel of land and effects on the contextual landscape are '*minor/neutral*'. Further, they comment that there are limited views of the site and comment that any permanent visual effects are deemed to be '*minor*'.

I have considered all comments made within the applicants supporting statement and disagree with the assertions made. As per comments received in objection to the application set out above, whilst land to the northern side of Houndsfield Lane further to the west is developed, land immediately to the north and immediately to the west is not developed. Housing similarly does not adjoin the eastern and southern boundaries.

The map at paragraph 8.15 of the applicant's statement demonstrates to me that the site falls within part of a strategic gap between Wythall (including Grimes Hill / Land off Lea Green Lane), Hollywood (including Drakes Cross), and development within Solihull District (including Tidbury Green). There is little doubt that this development would significantly erode the gap between Hollywood and Tidbury Green. The site is currently an undeveloped greenfield and 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 142 of the NPPF states that the essential characteristics of Green Belts are their openness and permanence.

The Houndsfield Lane rural aesthetic would be lost if the present hedgerows to obtain the necessary visibility splays were lost. This more intense and urbanised environment would be detrimental to the Green Belt.

I have concluded 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. As set out above, this particular site has been submitted as part of the Council's Call for Sites process and has been assigned reference number 195 although no formal assessment of the site has been published to date.

In Part 1 of the Purposes Assessment, the application site falls within Parcel NE6 as shown on the plan submitted in the applicants planning statement at Paragraph 8.15 (land South of Hollywood, North of Wythall).

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: to prevent neighbouring towns from merging into one another. In terms of safeguarding 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 these purposes of Green Belt designation, the application site, which is only a small part of the overall area, may 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 western and eastern / north-eastern sections of the land parcel. It comments that a loss of openness in this parcel would cause both physical and visual merging and significantly reduce the existing gap between settlements.

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". At Paragraph 143, 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 any settlement boundary. Further, the site does not adjoin any settlement boundary. The site has a hedgerow that runs parallel to Houndsfield Lane; there is no footpath to the southern side of Houndsfield Lane, 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 Hollywood further out into the undeveloped, open countryside.

The proposed development of 50 dwellings and associated infrastructure would result in the loss of countryside and the encroachment into this undeveloped agricultural greenfield site in the countryside. The proposal therefore fails to align with this purpose of the Green Belt.

Taking the above into account, the proposed development would result in significant 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, that is the purpose of preventing neighbouring towns merging into one another; and the purpose of safeguarding the countryside from encroachment.

As such, the proposal is contrary to policies in the Development Plan and the 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 50 dwellings in total, with 26 of these being affordable (52%). 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 with dwellings split under different affordable tenures. 25% of the affordable dwellings would be provided 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 satisfied with the proposed vehicular access onto Houndsfield Lane, which complies with the WCC Streetscape Design Guide (SDG), in terms of its geometry and horizontal alignment. However, 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 considered to be acceptable following the submission of a speed survey. From a highway perspective, 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.

Public Transport

The Manual for Streets (Mfs) states that 'walkable neighbourhoods' should have a range of facilities within 800. Guidance contained within the Chartered Institution of Highways and Transportations (CIHT) Providing for Journeys on Foot (2000) prescribes that a walking distance of 400m is acceptable for trips to bus stops and local shops with 800m being the preferred maximum.

The applicants TS provides that a continuous footway is provided on the northern side of the Houndsfield Lane carriageway.

The closest bus stops to the proposed development are located at Hollywood Lane and Lea Green Lane, approximately 400m to the west of the proposed development. The bus stops are served by two bus routes (No 884 and No.A4) and characterized by bus lay-by and bus flag as summarised below:

*Service 884: School, service, 1AM peak service and 1PMpeak. No weekday services; and

*Service A4: 1 hourly service between 06:57 and 17:09 Monday -Saturday, No Sunday Services.

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 £2,721 if planning consent is granted.

Traffic Generation

The TS concluded that 50 units would generate 26 two-way vehicle trips in the AM peak hour and 25 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 number of residents have raised concerns regarding highways related matters. However, the Highway Authority have evaluated the scheme and have determined 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 115 of the Framework. A reason for refusal on highways grounds cannot therefore be substantiated.

Heritage Matters

The Councils Conservation Officer has examined the (Border Archaeology) Heritage Assessment and has raised no objection to the proposals on heritage grounds.

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 139 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 reason of its scale, mass, bulk, height and urban form.

Contrary to the applicants assertions, it is considered that the site would be visible from various directions, with adjoining parcels of land, like the application site being in agricultural use.

The open and undeveloped character of the site is therefore critical in providing a soft edge to the nearest 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 this area.

While it is acknowledged that the gross density based upon 50 dwellings would be around 22 dwellings 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.

Overall, the proposed form of the development is considered incompatible with the countryside setting and would if implemented result in visual harm. Acknowledging that this is an outline application, nonetheless the absence of any indicative plan showing an acceptable layout amounts 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 BDP7, BDP19 of the Bromsgrove District Plan and the NPPF.

Open space

The indicative layout plan shows the provision of on-site public open space for future residents which would accord with on-site open space requirements as set out in relevant policy documents.

Residential amenity

The matters of design and layout are reserved for future determination. However, it is evident from the (indicative) proposed plans that these 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 nearest existing occupiers.

The development would change outlook and alter the way that existing residents experience the site. It would increase the level of noise in the area and light pollution would also increase. However, this is not considered to be at a level that would lead to any significant harm to the residential amenity of existing occupiers. It is noted that WRS do not have any objections to this outline application.

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

Ecology

A Preliminary Ecological Appraisal, Biodiversity Net Gain Report and Habitat Map Plan has 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. The Biodiversity Net Gain Report, outlines that habitat enhancements are proposed and biodiversity net gain will be achieved.

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

Flood Risk and Drainage

North Worcestershire Water Management as the Lead Local Flood Authority (LLFA) for the area have been consulted and have raised no objection, subject to conditions, noting that the site is located within Flood Zone 1, which has a low probability of flooding.

Full details would fall to be determined at reserved matters stage, though it is noted that the site is generally at low risk of flooding. The development does not therefore raise concerns with respect to flood risk or drainage.

Agricultural Land

The NPPF, at Paragraph 180 b) notes the benefits of protecting the best and most versatile agricultural land (BMV). Footnote 62 at this paragraph 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.

The existing use of the site is agricultural (Grade 3b). This would be classed as of ‘moderate’ quality therefore rather than (for example) Grade 1 or Grade 2 (excellent or ‘very good’ respectively). Whilst the proposed development would result in the permanent loss of existing agricultural land, given the lands classification, a refusal of planning permission on these grounds could not be justified.

Trees and Hedgerows

The application is supported by an Indigo Surveys Tree Survey. The Councils Tree Officer has been consulted and considers that any future defined layout would need to be amended in order to avoid conflict with a particular Oak tree on the site.

The proposed access arrangements would require the removal of a large section of hedge running alongside Houndsfield Lane to achieve the required highway visibility splays. I have noted that WCC highways would require this area to thereafter be maintained free of obstruction. Whilst the indicative site layout plan indicates that replacement planting would be introduced to mitigate for this loss, it is suggested that the location of this proposed planting is somewhat misleading. As set out earlier in this report, the proposed development would open up views of the site and would fundamentally erode the form, character and setting of this site.

Planning obligations

In accordance with Paragraph 57 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
- 4 self-build dwellings.
- £2,721 towards community transport
- £41.80 contribution for refuse and re-cycling bins per dwelling
- A financial contribution of £33,600 towards Herefordshire and Worcestershire ICB
- A financial contribution of £331,752 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. The applicant comments that the site would inevitably result in some loss of openness within the Green Belt but that subsequent level of harm would be unavoidable for any given development.

The applicant considers that 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.

The applicant considers that the delivery of delivery of 50 new homes in the short-medium term, where there is a critical shortfall in housing should be afforded substantial weight.

The applicant considers that the overprovision of affordable housing (52% provision, rather than the 40% provision required by Local Plan BDP8) should be afforded substantial weight.

The provision of 4 self or custom build homes, 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. The applicant states that the 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. The applicant believes that this VSC should be afforded substantial weight.

Off-site highways improvements in the form of footpath enhancements and the provision of Pedestrian crossings along Houndsfield Lane and Hollywood Lane should in the opinion of the applicant be afforded moderate weight as a VSC.

Biodiversity, landscaping and drainage enhancements across the site, including the creation of new habitat areas, sustainable drainage systems, planting, and the delivery of biodiversity net gain should be afforded moderate weight as a VSC in the opinion of the applicant.

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 in the opinion of the applicant.

Provision of a new flexible commercial building for community use, which will provide a 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 in the opinion of the applicant.

Sustainable drainage enhancements in the form of a new attenuation basin and surface water improvements to the north-western corner, eastern area, and area surrounding the Site; and improvements to an existing field pond, in addition to a comprehensive SUDS scheme. This VSC should be afforded some weight as a VSC in the opinion of the applicant.

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 has been addressed below.

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 inappropriateness.

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 3.3 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 four 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 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 (economic, social and environmental) as outlined in 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.

It has not been demonstrated that the proposed community facility will relate positively to the wider area and 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, these would not constitute benefits of the scheme over and above securing a satisfactory development in line with adopted planning policies.

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 character and setting of the site in the wider landscape and this attracts moderate negative weight.

The proposed development offends against two of the purposes of the Green Belt set out under Paragraph 143 of the NPPF and would cause significant harm to the openness of the Green Belt having regard to both spatial and visual aspects. This is afforded substantial weight.

I have therefore concluded that the benefits of the scheme as a whole 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 four self-build plots is considered to carry moderate weight. The delivery of housing overall is therefore considered to carry significant weight.

Whilst the planning obligations above have, in principle, been agreed, these represent mitigation for the impacts of the development.

Conclusion

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 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 the harms and benefits and officers have concluded that all of the harms are not clearly outweighed by all of the benefits. 'Very Special Circumstances' do not therefore 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 and the character and appearance of the area. 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 planning permission be **REFUSED**

1. The site is located outside a defined settlement boundary 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 154 and 155 of the National Planning Policy Framework 2023 (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 the NPPF, Paragraph 143. 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 Policies BDP1 and BDP4 of the Bromsgrove District Plan and the National Planning Policy Framework.
2. The proposed form of the development is considered incompatible with its countryside setting, compromising that setting and fundamentally eroding the form, character and setting of the site in the wider landscape. As such the proposal is contrary to Policies BDP1, BDP19 and BDP21 of the Bromsgrove District Plan and the National Planning Policy Framework.

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