

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr C Brain	Permission in Principle for up to No9 dwellings Land off Withybed Lane, Alvechurch	05.12.2025	25/01151/PIP

Councillor R Bailes has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Worcestershire Highways

- It is noted that when assessing applications for permission in principle, the scope for assessment is strictly limited to:
 - Location: deemed to be acceptable.
 - Land use: deemed to be acceptable.
 - Amount of development: deemed to be acceptable
- No objection “in principle” to the proposed Permission in Principle for up to 9No dwellings – subject to details provided within any Technical Detail Consent submitted are in accordance with WCC Streetscape Design Guide and acceptable to highways.
- Site observations: The site is a field which is located in semi-rural location off a unclassified lane, the site benefits from a single existing vehicular access. Withybed Lane in the vicinity of the proposed development is narrow and does not benefit from footpaths or street lighting and no parking restrictions are in force. It is noted 20m to the east along Withybed Lane starting from the bridge is the beginning of a single footpath. The site consists of redundant buildings and a paddock; existing residential properties are located to the northeast and northwest of the site.
- Background: A previous application for Planning Permission (22/00869/OUT) was dismissed on appeal due to the location being in the Green Belt, the appeal also confirmed the site is located in a sustainable location. The planning statement confirms advice received from the planning department highlighted that the site would be considered as Grey Belt in this instance.
- Layout: Sustainability of the site is something that is considered by the planning department. Since only limited information has been provided by the applicant; highways view could change if detailed information is submitted in the future for highways consideration.

Worcestershire Regulatory Services (Contaminated Land)

- No objection

- Due to the proximity to four historic landfill sites and the agricultural nature of the area, WRS recommend the following condition wording is applied to the application, should any permission be granted to the development.

WRS - Noise

- No objection

Canals and River Trust

- No objection
- Should Permission in Principle be granted we request that the following informatives are appended to the decision notice:
 1. The applicant/developer is advised to contact the Trust's Works Engineering.
 2. Sites which have a shared boundary with the canal may have the potential to discharge surface water to the canal with the prior agreement of the Trust.

Worcestershire Archive and Archaeology Service

- No objection
- The following advice is consistent with that given for planning application 22/00869/OUT.
- The proposed development area is adjacent to the non-designated heritage asset The Worcester and Birmingham Canal (HER ref. WSM12000). The HER record notes the following:
The Worcester and Birmingham Canal was opened in 1815 and is around 30 miles long, running from Birmingham through Tardebigge, Stoke Prior and Fernhill Heath to Worcester.
- The proposed development area is set within Alv_11 Alvechurch Marina of the Worcestershire Villages Historic Environment Resource Assessment: Alvechurch. East of the small, clustered settlement Withybed Green, the distinctive character of the Alvechurch Marina character area is formed by the canal and adjacent enclosed fields, through which the waterway bisected in the early 19th century, which – along with the railway – demarcates the western extent of the village of Alvechurch. The brick canal bridges, and plate-girder railway bridges form highly distinctive gateways between the post medieval agricultural and industrial landscapes west of Alvechurch and modern expansion on the western side of the village, while the character area is recognised as contributing significantly to the historic setting and tranquillity of the canal as well as the agricultural and industrial landscapes west of Alvechurch. The Alv_11 Alvechurch Marina character area has been assessed as being of high sensitivity to change and/or fragmentation through development, re-development and modifications which do not appropriately reflect the area's historic environment. Although not part of the Worcester to Birmingham Canal Conservation Area, the part of the Canal running through Alvechurch, is a Local Wildlife Site and part of the Green Infrastructure of Alvechurch Parish.

Network Rail

- No objection

Alvechurch Parish Council

- Objection

- Access: The Canal Bridge/Railway Bridge makes access to this proposed site difficult. We believe that County Highways should carry out a site inspection in the first instance. There are no pavements leading from the proposed site to Alvechurch village centre, therefore pedestrian access is not sustainable and suggests a further increase in traffic movement.
- Ecology: Given the sites proximity to the canal, there are likely to be bats and other protected species which should continue to receive protection.
- Green Belt: The site is in the Green Belt and outside of the village envelope and therefore contrary to our Neighbourhood Development Plan (NDP) which is a statutory document in its own right. The Parish Council believe that consideration of this proposal should be as part of a Green Belt Review

Publicity

48 letters sent 23.10.2025 (expired 09.11.2025).

14 letters of objection have been received, raising the following matters (in summary):

- Approval of this application would set a precedent for other inappropriate developments in the Green Belt.
- The land is Green Belt which affords protection from development.
- The site has significant environmental and ecological quality
- The development would destroy the beauty of a tranquil area much loved by walkers
- The existing access is already hazardous.
- Withybed Lane is very narrow, and the access point is near to a blind bend with very limited visibility. The extra traffic the development would generate would make this much more dangerous.
- Drainage and flooding concerns raised
- Any development on the site will look incongruous and will be highly visible
- No pavements available on Withybed Lane for pedestrians
- The development would be contrary to the provisions of the Bromsgrove District Plan and the Alvechurch Neighbourhood Plan
- Alternative brownfield land should be developed not the Green Belt
- Proposals would put further strain on doctors, dentists, and schools
- The railway line provides an essential boundary to the existing village of Alvechurch. Development should not encroach beyond it

A number of other issues have been raised which are not material planning considerations and therefore have not been reported in this section to Members.

Councillor R Bailes

- I am not in agreement with any Green Belt creep, and I don't believe this is line with NPPF.
- I am aware that residents are very concerned about access and also the extra pressure that 9 homes will create in this quiet corner of the village.
- There will be safety issues in this his area. The road will not cope and also the homes that lead up to the access will have a detrimental effect.
- Therefore, I want this called in for the Planning Committee to review.

Relevant Policies

Bromsgrove District Plan

BDP1 - Sustainable Development Principles

BDP2 - Settlement Hierarchy

BDP12 - Sustainable Communities

BPD4- Green Belt

BDP16 - Sustainable Transport

Others

National Planning Policy Framework (2024)

Alvechurch Neighbourhood Plan

Worcestershire Landscape Character Assessment

Relevant Planning History

- 22/00869/OUT Outline application for up to 9 dwellings with all matters reserved except for access: Refused 08 August 2022
Appeal dismissed (APP/P1805/W/23/3315385) 30 October 2023
- 21/00711/OUT Outline application for up to 10 dwellings with all matters reserved except for access – Refused 20 July 2021
- B/1995/0234 Retention of existing stables and sheds for the storage of tack and fodder and continuance of equine uses including riding, grazing & shodding etc – Approved 9 September 1995

Background

An outline application for up to 9 dwellings with all matters reserved except for access was previously refused under 22/00869/OUT on 08 August 2022 and a subsequent appeal (APP/P1805/W/23/3315385) dismissed on 30 October 2023.

Appeal APP/P1805/W/23/3315385 was dismissed exclusively on harmful impact to the Green Belt. The Inspector considered the site to be located in a sustainable location.

The appeal decision is provided in Appendix 1.

The Site

The site comprises a field measuring just under 0.5 hectares and is located within the Green Belt, outside the Alvechurch Village settlement as defined on the Bromsgrove District Plan Policies Map.

A railway line is situated beyond the site's eastern boundary and the Worcester and Birmingham Canal forms the site's western boundary. The unclassified road Withybed Lane forms the northern boundary from which vehicular access is proposed. Withybed Lane provides vehicular access to The Crown Inn Public House and dwellings located within Withybed Green to the west.

The site contains a number of fairly modest buildings and relatively low fencing. The site is currently in equine use. The buildings are located in close proximity to the site boundaries adjacent to both the railway line and canal, leaving the majority of the site open and laid to grass. Having regard to the modest scale and location of the existing development, the site has a predominately open and rural character.

Proposal

The application relates to a Permission in Principle for up to 9 no. dwellings.

Planning in Principle (PiP), is a specific planning consent route in England designed primarily for small-scale, housing-led developments. It separates the consideration of whether a site is suitable for development in *principle* from the technical details of the proposed buildings.

The (PiP) process is an alternative to the traditional outline planning application route and involves two stages:

1. **Permission in Principle (PiP) Stage:** The local planning authority assesses the site's suitability based only on three core factors:
 - Location
 - Land use
 - Amount of development (e.g., number of dwellings)
2. **Technical Details Consent (TDC) Stage:** The second stage where the detailed development proposals are assessed. The new process was introduced in June 2018 and was intended to speed up and simplify the planning process for small housing developments.

If a PiP is granted, a subsequent application for Technical Details Consent must be submitted and approved before any development can begin. This stage involves the detailed design aspects, such as appearance, layout, landscaping, and access, and requires full architectural plans and supporting technical documents. The TDC stage is similar to a Reserved Matters application or a full planning application.

Assessment of Proposal

The main issue is whether the site is suitable for residential development, having regard to its location, proposed land use and the amount of development as highlighted above.

5 Year Land Supply Position

The Council cannot currently demonstrate a five-year housing land supply (5YHLS) and therefore regard should be had to paragraph 11(d) and footnote 8 of the National Planning Policy Framework (NPPF) which together state that for applications providing housing, where the Council cannot demonstrate a 5YHLS, the policies which are most important for determining the application are considered out-of-date and planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Location

The site is located within the Green Belt. In respect of Green Belt policy, it has been established through case law that the list of exceptions for 'appropriate development' set out in Policy BDP4 of the Bromsgrove District Plan (BDP) and the National Planning Policy Framework (the Framework) amounts to a closed list. Thereby, proposals not included on the list are regarded as 'prima facie' inappropriate development. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The application form sets out that the Agent considers the most appropriate exception to consider is 'Grey Belt' under paragraph 155.

Paragraph 155 of the Framework states that: the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

Grey Belt is defined within Annex 2 of the NPPF as follows:

Grey Belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

Paragraph 143 of the NPPF sets out that the Green Belt serves five purposes which are listed below:

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

Other than types of development listed as exceptions within the Framework, development within the Green Belt is generally regarded as "inappropriate development", which is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Further exceptions to inappropriate development are set out in paragraph 155 of the Framework, where homes, commercial and other development should also not be regarded as inappropriate where it would utilise grey belt, subject to specific criteria.

Does Green Belt land on the site strongly contribute to Green Belt purposes a), b) or d)?

a) To check the unrestricted sprawl of large built-up areas; given the site's location within the district and its associated layout, the development is not considered to amount to sprawl of a Large Built-Up Area.

b) To prevent neighbouring towns from merging into one another; the site makes no contribution to this purpose.

d) To preserve the setting and special character of historic towns; the site is not within the setting of any historic town and makes no contribution to purpose d).

Would the application of non-Green Belt NPPF footnote 7 policies to the scheme proposed on the Green Belt part of the site provide a strong reason for refusing development? Footnote 7 states "The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change."

Worcestershire Archive and Archaeology Service state that the brick canal bridges, and plate-girder railway bridges form highly distinctive gateways between the post medieval agricultural and industrial landscapes west of Alvechurch and modern expansion on the western side of the village.

On this basis, the Council has no reason to believe that the application of NPPF footnote 7 policies would provide a strong reason for refusing development.

Would the proposed development on grey belt fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan?

Purposes a, b and d have already been assessed above. Regard however must be made to purposes c) and e).

c) Safeguarding the countryside from encroachment. It is accepted that the spatial occupation of the site would clearly encroach into the countryside as it currently contains only a small number of modest buildings to the boundary of the site. However, in relation to the wider function of the Green Belt the site does not fundamentally undermine the remaining Green Belt across the area of the plan.

e) Assisting in urban regeneration, by encouraging the recycling of derelict and other urban land. The proposed development would not fundamentally undermine the purpose of this Green Belt criterion.

Is there a demonstrable unmet need for the type of development proposed?

The Council cannot currently demonstrate a 5-year land supply of housing having regards to the Governments targets.

Would the development in the grey belt be in a sustainable location?

In the appeal decision dated 30 October 2023 (APP/P1805/W/23/3315385) the inspector stated:

The site is a short distance outside Alvechurch and there is a footpath alongside the canal to the train station. The route to the centre of Alvechurch is accessible on predominately well lit, relatively flat, pedestrian footpaths, along roads which are subject to mainly 30mph speed limits.

Given the close proximity of the site to Alvechurch, and its associated services and public transport, the site would help maintain the vitality of rural communities as required by paragraph 79 of the Framework and cannot be described as isolated in the context of paragraph 80 of the Framework. For these reasons, I am satisfied that the site is not isolated and is located at an accessible distance from essential services, job opportunities and public transport. Furthermore, the site would benefit from adequate footway provision and would be sufficiently well lit. Taking all these factors into account, I consider that future occupiers would not be reliant upon motor vehicles as a means of transport to access such services and facilities.

It is noted that the area is within Alvechurch Neighbourhood Plan. The neighbourhood plan is a material planning consideration. Attention should be given to Policy H1 regarding the proposed site. The site lies approximately 50m outside of the defined development boundary for Alvechurch and therefore does not comply with Part (a) of Policy H1 as it is outside the designated Alvechurch Village settlement boundary. Nevertheless, the 30 October 2023 appeal decision deemed the location to be sustainable for new development given the access to relevant services and facilities within the village.

As such, the Inspector confirmed that the site was in a sustainable location. I have no reason to disagree with this approach.

Conclusion on Green Belt Matters

In conclusion, it is considered that the site is Grey Belt and would meet the Paragraph 155 requirements and thus the proposal should not be regarded as inappropriate development in the Green Belt having regard to the Framework.

The proposals would not need to meet the 'Golden Rules' requirements set out in criterion (d) of the NPPF because the application would not be categorised as 'major' development having regards to the definition of 'major development' set out in Annex 2: Glossary on page 75 of the NPPF.

Amount

The amount of development (a maximum of 9 dwellings) is considered acceptable given the area of land shown within the red line boundary on the location plan. In addition, the previous appeal (APP/P1805/W/23/3315385) did not raise any objections to 9 dwellings which is the same maximum number proposed in this current application.

Layout of Development

The Worcestershire Landscape Character Assessment identifies the site as being part of the Copley Hill Principle Timbered Farmlands. The historic landscape of the site and its connections to the canal are evident and any proposed alterations to the land levels or its boundaries could be considered at Technical Detail Consent stage alongside its approach to appropriately reflect the area's historic environment.

Policy BDP19 seeks to ensure that development enhances the character of the area. As only permission in principle is sought, a full assessment of the likely effect of the scheme on the character and appearance of the area cannot be carried out at this stage. Nonetheless, having regard to the scale of the site and the scope available, the proposed layout is likely to be considered acceptable subject to the Technical Details consent.

Worcestershire Highways has raised no objection to the scheme. The Council acknowledges that this is the first stage in a two-part process to obtaining planning permission. Information will be required to be presented at the Technical Detail Consent stage to demonstrate that the access arrangements are safe.

Other Matters

The site is located in Flood Zone 1 and the Environment Agency maps shows some areas of surface water flooding; this would be considered at Technical Details. The construction of new developments would inevitably lead to noise and disturbance; however, this is considered to be for a short duration and an inevitable consequence of development.

Worcestershire Regulatory Services (Contaminated Land) have reviewed the site's history, and the sensitivity of the proposed development and WRS would recommend a planning condition for tiered investigation.

Members will note the views of the Worcestershire Archive and Archaeology Service. The brick canal bridges, and plate-girder railway bridges form highly distinctive gateways between the post medieval agricultural and industrial landscapes west of Alvechurch and modern expansion on the western side of the village, while the character area is recognised as contributing significantly to the historic setting and tranquillity of the canal as well as the agricultural and industrial landscapes west of Alvechurch.

Conditions cannot be placed on a Permission in Principle, and such matters will be considered at the Technical Details Consent stage. The Applicant is advised to take into consideration the advice in the consultees comments and report when considering the submission for Technical Details Consent.

Other Matters

Letters of objection have been received from 14 individuals. A summary of the issues raised that have not already been covered in the report and an Officer response to these issues are provided below, however regard has been had to the full contents of all submissions whilst drafting this report and forming the recommendation.

Concern raised	Response
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Earlier applications to the north of Withybed Lane have been refused by the Council and dismissed by the Planning Inspectorate historically.	Officers consider the location of the development to be acceptable as considered in the 'assessment of development' section of the report. Planning policy has altered following the 2023 decisions.
Withybed Lane is very narrow, and the access point is near to a blind bend with very limited visibility. The extra traffic the development would generate would make this much more dangerous.	WCC Highways have stated no objection to the PIP application. In addition, the Council acknowledges that this is the first stage in a two-part process to obtaining planning permission and that the additional Highways information can be presented at Technical Details to demonstrate that the access is safe. The granting of a PIP does not infer the granting of Technical Details, and these matters of detail will be addressed at the next stage.
No pavements available on Withybed Lane for pedestrians	WC Highways have stated no objection to the PIP application. The granting of a PIP does not infer the granting of Technical Details, and these highway matters of detail will be addressed at the next Technical Details stage.
No benefit to the local community	In terms of benefit to the local community for this type of proposal there are no direct benefit. However, there is a demand for additional dwelling locally and nationally.
The site has significant environmental and ecological quality	The site is not within any protected Ecology Area, be a Ancient Woodland or SSSI. An Ecology survey will have to be submitted within any Technical Details application. BNG requirements will be relevant at this stage.
The development would be contrary to the provisions of the Bromsgrove District Plan and the Alvechurch Neighbourhood Plan	It is considered that the location of the development to be acceptable as considered in the 'assessment of development' section of the report.
Potential future expansion	Any future expansion of the site will require a further planning application; this proposal restricts the use to a maximum of nine dwellings.
Noise impacts	Worcestershire Regulatory Services have not objection on noise grounds This matter has been considered in further detail in the report above.
Future use of the site	Any future change of the site will require a planning application.
Wrong location for development type	It is considered that the location of the development to be acceptable as considered in the 'assessment of development' section of the report.

Conclusion

The Council cannot currently demonstrate a five-year housing land supply (5YHLS) and therefore regard should be had to paragraph 11(d) and footnote 8 of the National Planning Policy Framework (NPPF) which together state that for applications providing housing, where the Council cannot demonstrate a 5YHLS, the policies which are most important for determining the application are considered out-of-date and planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Limb i) does not apply.

In view of limb (ii), the proposal would make a contribution of up to 9 dwellings to the Council's housing supply, offering some employment opportunities during construction and post development spend. The site is located within a sustainable location and is of suitable land use and amount.

This is a two-stage approach, and the Technical Details Consent will consider the detailed development proposals. On this basis, there are no known adverse impacts which would significantly and demonstrably outweigh the benefits as set out in limb ii) and it is recommended that Permission in Principle is granted.

RECOMMENDATION: That planning permission be **GRANTED**

No conditions can be imposed.

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Appendix 1: Appeal APP/P1805/W/23/3315385