

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ian Williams	Construction of an access track from Billesley Lane to Dominion Racing stables Dominion Racing Stables, Seafield Lane, Portway, Worcestershire, B48 7HL	10.04.2026	25/00749/FUL

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

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

Consultations

Worcestershire Highways - Bromsgrove

- No objection subject to conditions relating to:
 - Access gates
 - Vehicular access
 - Vehicular visibility splays
 - Conformity with submitted details
- The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact and therefore there are no justifiable grounds on which an objection could be maintained.

Arboricultural Officer

- No objection subject to the following conditions:
 - Arboricultural Method Statement
 - Tree protection measures during construction
 - No dig construction for development affecting root protection areas
- The application is supported by a Ruskin Tree Consultancy Arboricultural Report and Tree Condition Survey, all of the tree other references given in the comments below are taken from this report.
- The proposal includes an intension to create a new access point to the site from Seafield Lane which will require the removal of a short section of a mature native species hedge line. I agree with the comments made within the Ruskin report that the section of hedge to be removed will not have a major impact on the overall character of the area and wider hedge and tree line.
- The route of the proposed track runs largely outside of the BS5837:2012 recommended Root Protection Areas (RPA) of the local tree line other than a section that passes between T13 and T15 Oaks. Section 4 Arboricultural Considerations, Paragraph 4.3 highlights that the section of the track that incurs into the RPA of T13 and T15 will be installed by use of a suitable grade of No Dig method of construction which will mitigate any impact by this proposal on these trees.
- The Ruskin Arboricultural report recommends an acceptable level of measure to ensure the protection of trees within the site during the development phase of the project.

Ecology Consultee Response

- No objection subject to conditions relating to:
 - Construction Environmental Management Plan
 - Lighting Plan
 - Habitat Management and Maintenance Plan
 - Biodiversity Enhancement Plan

North Worcestershire Water Management

- No objection subject to condition relating to:
 - Surface water drainage scheme
- The site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding.
- The proposal is to create a new driveway using an impermeable tarmac surface which may increase the rate and volume of runoff from the site. I note the surface water management technical note proposes the use of a swale or French-drain alongside the access track, out falling into the ordinary watercourse. This use of above-ground SuDS is welcomed, subject to confirmation that the attenuation volume is sufficient and that discharge is limited to greenfield rates. The applicant should be aware that land drainage consent will be required for this new outfall.

Mineral Consultation Area

Consulted 27.11.2025: no comments received.

Beoley Parish Council

- The Parish Council welcomes the proposed reduction of large vehicle traffic on Seafield Lane, which will be a significant benefit to all road users and residents.
- However, the Council wishes to raise a concern regarding the potential for standing water on Seafield Lane. We request that appropriate drainage measures are considered as part of the development to prevent surface water accumulation, which could pose a hazard to road users.

Publicity

6 letters initially sent 10.07.2025 (expired 03.08.2025), reconsulted 14 contributors 04.11.2025 (expired 21.11.2025).

Site notice posted 10.07.2025 (expired 03.08.2025)

Press notice published 16.03.2026 (expired 06.04.2026)

14 responses in total were received: 6 support and 8 objections.

Support: comments in summary

- Dedicated route for commercial vehicles visiting Dominion Racing Stables, reduce Conflicts on adjacent highways
- Seafield Lane is narrow, conflict for pedestrians, improves accessibility
- Reduces wear and tear on local roads
- Supports a rural business, value to the local community, long term viability
- Reduces noise and disturbance to local residents from vehicles manoeuvring
- Respects the environment and local community, enhances local green spaces

Objection: comments in summary

- Single track roads are common in rural areas and roadside verge use is common and permissible, stone blocks have been installed to prevent verges being used
- Would not reduce congestion at the southern end of Seafeld Lane
- Speeding on local roads, no footpaths
- 5* experience for visitors is not sufficient justification for loss of pasture
- Inappropriate development in the Green Belt, no very special circumstances, would not preserve openness, gradient of land would add to impacts, visual impacts, harms to character, urbanising feature, encroachment
- Hob Hill has natural interest and beauty
- Area may have been an enclosed common
- Tarmac would increase flood risk, area prone to flooding, next to a watercourse
- Harms to amenity when walking in the area, noise and visual harms
- Harms to wildlife
- Loss of hedgerow to facilitate access, harms to oak tree, harms to character
- Dust, air pollution, noise and headlight nuisance to residents on Lilley Green Lane, overlooking, security concerns of the road/rear of these properties
- Not necessary, other more suitable options available, existing accesses, current access arrangements do not affect the viability of the business
- No changes following previous refused planning permissions
- Not a 'track' but a road

Councillor A Bailes

Councillor Bailes has called in the application to planning committee 'due to the amount of public interest in the site'.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP15 Rural Renaissance

BDP19 High Quality Design

BDP21 Natural Environment

BDP23 Water Management

Others

National Planning Policy Framework (2024)

Relevant Planning History

22/00704/FUL (application 1)

Planning permission was refused 28.11.2022 for the construction of a new access track from Billesley Lane to Dominion Racing Stables. In this application an existing field gate was being utilised for the access track with alterations to create a bell mouth width of 6m, narrowing to 4m, with a single passing bay and hedge on the western edge of the track. The application was refused as considered inappropriate development, causing harm to the Green Belt and adversely impacting on the character of the area. The application was not appealed and the timescale for appeal has lapsed.

23/01294/FUL (application 2)

Planning permission was refused 12.02.2024 for the construction of an access (in a different location to 22/00704/FUL application 1) in the same location as this planning application under consideration. The bell mouth width was proposed at 6m, narrowing to 4.5m with a single passing bay and a new fence, hedgerow and tree planting. The application was refused as considered inappropriate development, causing harm to the Green Belt and adversely impacting on the character of the area. The application was not appealed and the timescale for appeal has lapsed.

Assessment of Proposal

The Site

The site is located in open countryside and is currently in use as paddocks associated with Dominion Racing Stables. The track would be in close proximity to an existing fenced field boundary and ordinary watercourse. The Council's Proposals Map identifies the site within the Green Belt. There is a public right of way (BE-591) to the south-west of the site.

Proposals

The application proposes the creation of a new access from Billesley Lane with a bell mouth width of 8m wide narrowing to 4m wide along the proposed new access track. There would be two passing bays at 4.5m wide. In total the track is 400m long. It is proposed to plant a native hedge on either side of the track with native trees dispersed to reinforce the boundary and a post and wire fence. The proposed surface would be a bound tarmac for the first 12m leading off Billesley Lane and thereafter gravel or compact crushed stone, but details of surface have not been confirmed and can be conditioned.

The Applicant's Agent has confirmed that in-ward opening, wooden electric gates at 1.8m in height supported by 2m high brick pillars are proposed, these would not require planning permission as these aspects meet with the requirements of Part 2 (minor operations) Class A Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). These elements therefore do not form part of the application under consideration.

The Planning Statement sets out that the track is needed for the efficient running of the stables and would be used by vehicles delivering/visiting the stables; including horse bedding, feed, haylage, horse boxes, farrier, vet and staff that live off-site.

There is an existing access from Seafeld Lane, this access serves Cillardara House and is said to be required for access to the dwelling and also required for Owners access (the owners of the racehorses).

Green Belt

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.

Bromsgrove District Plan (BDP) is silent on development in the Green Belt unless it relates to the provision of additional built form. Paragraph 154 of the Framework sets out engineering operations may be appropriate development provided they preserve its openness and do not conflict with the purposes of including land within it.

Neither the Bromsgrove District Plan nor the Framework define engineering operations. It is taken in this case to mean the works required to create the access, and the track itself alongside the proposed drainage; it is agreed that the proposals would represent engineering operations.

The Planning Practice Guidance sets out that in assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment.

These include, but are not limited to:

- Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume;
- The duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- The degree of activity likely to be generated, such as traffic generation.

The new access would be created from Billesley Lane, and a new track is proposed to be located in close proximity to an existing fenced field boundary and ordinary watercourse, to the west of a line of existing established trees. The track broadly follows the tree line for approximately 270m whereby it cuts through the trees and turns in a south-easterly direction to meet the stable complex, located behind an existing conifer hedge. The stable complex is visible on the skyline and the land rises towards the south. The track is approximately 400m in length, 8m wide at the access and then reducing to be predominantly 4.0m wide with two passing points at 4.5m wide. A French drain/swale, continuous post and wire fence, and native hedge, with some interspersed native trees, is shown on either side of the track which extends the width along the route. The track itself is proposed to be tarmac for the first 12m and after that an unconfirmed bound material is proposed.

It is agreed that there would be no volume of the proposed track as this is essentially a two-dimensional feature; however, they would be a volumetric impact of the fence, hedge and proposed vegetative features. The proposed track would be utilised by vehicles, including large vehicles, which would have the potential to have a volumetric impact with the effect of reducing spatial openness. The creation of a permanent tarmac access, track, fence and vegetative boundary does have an impact on openness of the Green Belt due to the physical alterations which would have to be carried out to previously open and undeveloped land. The concept of openness does not inherently imply freedom from any form of development; however, it is the type of development proposed which would cause harms to openness.

Other considerations include those relevant to how built up the Green Belt currently is as well as factors relevant to the visual impact of the development. The visual dimension of

the Green Belt is an important part of designating land as Green Belt. The dimension of the track, the rising topography of the site and surrounding highway is a significant factor. The proposed development would be seen from public vantage points beyond the boundary of the site on Billesley Lane, and partially via the PRow, and whilst there are some trees and boundary treatments across this area of the site, the proposed development would create an incongruous feature within an otherwise open area of land contributing to visual harms and representing encroachment. Whilst Billesley Lane is bound by established trees and vegetation which may be unreliable mitigation seasonally, the track itself would still be visible, particularly from the newly created access, where visibility would extend for several hundred metres eroding the openness of the Green Belt.

The spatial impact from the proposals and the movement of vehicles would have a transient impact to the openness of the Green Belt. However, the degree of activity and the extent of the proposals cause harm to visual openness which is considered to be sufficiently adverse and fails to preserve the openness of the Green Belt. The introduction of a new access and track across the site, an urbanising and incongruous feature, is considered to represent encroachment, conflicting with one of the Green Belt purposes. The development would introduce man-made surfacing onto land that is an undeveloped field. The proposed development fails to meet with an exception to policy and is inappropriate development in the Green Belt.

Paragraph 153 of the Framework sets out that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.

Very Special Circumstances

The Agent has set out four categories for consideration as to why very special circumstances exist:

- Removing vehicles from Seafield Lane;
- Efficient running of the stables;
- Biodiversity Net Gain; and
- Supporting a rural business

1) Removing vehicles from Seafield Lane

The Planning Statement sets out that the number of vehicles using Seafield Lane has increased and that the Lane is narrow and not suitable for large vehicles. The Council cannot control what vehicles use Seafield Lane or the route used to gain access to the racing stables and therefore Seafield Lane could still be utilised to access the site via the new access.

2) Efficient running of the stables

It is recognised that businesses wish to improve their operations and be as efficient as possible, especially in the current economic climate.

3) Biodiversity Net Gain

The proposal would deliver a net gain of 14.65% of habitat units, 1137.19% for hedgerows and 8.91% in watercourse units. For habitats and hedgerows, the percentage of gain would be in excess of the 10% required by the Environment Act with the remainder of the watercourse units secured off site. The application would be subject to the Biodiversity Gain

Plan condition/informative as standard, should it be approved. The Ecology Consultant also recommends planning conditions for biodiversity which would lead to enhancements for protected species and other wildlife.

4) Supporting a rural business

The Council supports rural enterprise and recognises that Dominion Racing Stables is a local employer and that there would be consequential contributions towards the local economy through its operations. It is not evident that the business is under threat and has been operational since approximately 2000.

The weight attached to the applicant's very special circumstances is provided in the conclusion of this report.

Landscape and Rural Character

The submitted Planning Statement includes a section on 'Landscape and Design', but no visual appraisal or impact assessment has been carried out.

The site is located within the National Character Area (NCA) 97: Arden and the key characteristics of this NCA, relevant to the site include:

- a) Well-wooded farmland landscape with rolling landform.
- b) Mature oaks, mostly found within hedgerows, together with ancient woodlands, and plantation woodlands that often date from the time of enclosure. Woodlands include historic coppice bounded by wood banks.
- c) Diverse field patterns, ranging from well hedged, irregular fields and small woodlands that contrast with larger semi regular fields on former deer park estates, such as, Packington Hall and Stoneleigh Park.
- d) Complex and contrasting settlement pattern with some densely populated where traditional settlements have amalgamated to form the major West Midlands conurbation while some settlements remain distinct and relatively well dispersed.
- e) Transport infrastructure, the M42, M40, M6 and M5 are major transport corridors that sit within the landscape of this NCA.

At a County level, the site lies with the Timbered Pastures Landscape Character Type (LCT). This landscape type is a small to medium-scale, settled, pastoral landscape defined by a strong wooded character and a sense of enclosure. The key characteristics of this LCT (and relevant to the application) are:

- **Tree Cover:** The most defining feature is the prominent presence of mature hedgerow oaks, which create a distinctive "filtered views" effect through the dense network of trees. Woodlands within this type are typically of mixed native broadleaved species, often of ancient origin, and display irregular outlines.
- **Land Use:** It is a complex mosaic resulting from piecemeal clearance of former woodland and the enclosure of common land. The land use is predominantly pastoral (grazing animals), although a gradual shift towards mixed or arable farming is a concern as it can lead to the loss of hedgerow structure.
- **Settlement Pattern:** The settlement pattern is typically dispersed, with scattered farmsteads and "wayside dwellings" (small clusters of cottages along lanes) being common.

- Field Pattern: The field pattern is irregular in areas cleared directly from woodland ("assarted" land) and more geometric where former commons were enclosed. The dense network of minor, winding lanes is also a key feature.
- Ecology: These areas are noted for their high biodiversity, supporting wildlife reminiscent of mid-20th century rural landscapes, including remnant areas of wet grassland and ancient woodland species.

Page 81 of the Worcestershire Landscape Character Assessment (LCA) includes a series of landscape guidelines which seek to manage, protect and limit modern impacts on the landscape. Relevant to this LCT, the guidance states:

- Conserve the dominant presence and density of hedgerow oak trees.
- Conserve and restore the small-scale pattern of hedged fields, through appropriate management.
- Conserve the pastoral land use character.
- Conserve the distinctive pattern and character of wayside dwellings.
- Maintain the distinctive density of ponds.
- Seek opportunities to reintroduce the character of unenclosed commons through creative design.
- Conserve the distinctive pattern and character of narrow, winding lanes.
- Seek opportunities to enhance tree cover along highways and other non-farmed locations.

The Council has sought the advice of an external Chartered Landscape Architect, who have confirmed that the impact on the site's character and visual amenity would be negative, introducing urban features and traffic movement into a sensitive landscape setting, which fails to help conserve the pastoral land use of the landscape character. The sole purpose of the access track is to facilitate the use of vehicles. Vehicle movement, including night time vehicle lighting would be introduced to a landscape currently devoid of this impact. The size and extent of the track is significant. At the entrance to the site, the apron is approximately 18m wide, narrowing to 6m and then 4m for the majority of the track's length, with two passing bays. The access and track are formal, engineered operations and especially when viewed from the access, this formal arrangement is not perceived as part of the wider field, but an incongruous feature, inconsistent with the open and verdant character of the paddocks.

A section of hedgerow is proposed to be removed to facilitate the access, and a post and wire fence and hedgerow is proposed to be planted along the full extent of the track. Whilst this does limit the views of the track from certain viewpoints, the extent of the track would be plainly visible from the access and would endure for several hundreds of meters. The concealing of the track by landscaping is not considered an approach that is acceptable, mitigation rarely removes the initial harm.

Two documents have been submitted which identify tracks in the local area and seek to justify the proposals. Whilst the Council acknowledges the tracks that the documents have identified, many of these are not considered sufficiently close to the proposed site to be evidence of local character. The Council maintains that the proposals would adversely affect the character of the area, diluting the verdant rural qualities of the pasture, failing to protect and enhance the distinctive landscape character of the area.

Rural Renaissance

Policy BDP15 makes clear that all rural development should be designed to be sustainable, consistent with requirements of Policy BDP12 and BDP19; should not conflict with the environmental protection and nature conservation policies of the District Plan but should seek to enhance the environment; and should provide any necessary mitigating or compensatory measures to address harmful implications. Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances.

The Council supports rural enterprise and business development and recognises that Dominion Racing Stables is a local employer of c.40 people, and that there are consequential contributions towards the local economy.

The Planning Statement states that the proposals would remove vehicles from Seafield Lane, support the efficient running of the stables and support a rural business. The Council recognises that Seafield Lane is narrow, with pinch points, and wider passing points; however, does not consider it significantly different to the proposed track in width and there is no proposal to close any existing accesses on Seafield Lane. The Council cannot control what vehicles utilise Seafield Lane or the route used to gain access to the racing stables.

Whilst the Council does support rural businesses, given the proposals are inappropriate development, there remains conflict with BDP15.

Highways Matters and Location

Worcestershire County Council Highway Authority (WCCHA) have raised no objection to the proposals subject to planning conditions.

WCCHA confirm that the site is in a rural location off a classified road and that Billesley Lane does not benefit from footways; however, does have an approximately 2.3m grass verge with ditch. WCCHA confirm that there is no street lighting or parking restrictions.

The application has been supported by a speed survey and visibility splays of 2.4m x 41m (west) & 45m (east) splays on Drawing 24139-05 Rev A which are acceptable and in accordance with WCCHA calculations for HGV's (no HGV restrictions along Seafield Lane).

WCCHA have confirmed that the 8m radius is acceptable and that the width of the track is acceptable. WCCHA have reviewed the tracking and consider this to be acceptable also.

Arboriculture and Ecology

The Council's Tree Officer has raised no objections subject to conditions.

The Council's Tree Officer has confirmed that the removal of a section of hedge to facilitate the access would not have a major impact on the overall character of the area, wider hedge or tree line and that a suitable grade of no dig method of construction would mitigate impacts on T13 and T15 Oak trees and that other suitable tree protection has been identified.

A planning condition could be attached to a planning permission to secure the recommendations of the Tree Report, including tree protection, no dig methodology and ground support materials to mitigate the development's impact on retained trees. The Tree

Officer has also requested that an Arboricultural Method Statement should be provided by condition.

The Applicant's Ecologist, FPCR, have submitted an Ecological Report which states that the site comprises improved grassland and boundary vegetation. The loss of the improved grassland is said to not have a significant effect on biodiversity, and the report proposes mitigation and best practice. The inclusion of a native species hedgerow along the proposed track is said to mitigate the loss of the hedgerow to facilitate the access.

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The Council's Ecological Advisor has raised no objection overall to the proposal, subject to conditions and a S106 agreement to secure the significant on-site habitat. The Council has consulted Natural England's 'standing advice'.

The site currently comprises four fields of modified grassland, native species rich hedgerows, native hedgerows, broadleaved trees, areas of broadleaved woodland and a watercourse.

It has been found that the proposal triggers the need to provide a minimum 10% biodiversity net gain (BNG). Information has been submitted to demonstrate that there would be a 14.65% of habitat units, 1137.19% for hedgerows and 8.91% in watercourse units.

The development is therefore acceptable in this regard, would be subject to a pre-commencement condition for a Biodiversity Gain Plan and a legal agreement to secure the significant on-site gains.

As well as biodiversity gain, the Applicant's Ecologist, FPCR, have submitted additional information for protected species.

Badgers

No active setts were recorded at the time of the survey on site. Precautionary measures can be included within the Construction Environment Management Plan.

Birds

The Applicant's Ecologist, FPCR, confirm that the site had negligible ground nesting value and clearance outside bird-breeding season (i.e. avoiding March to August inclusive) is recommended.

Bats

The Council's Ecological Advisor has concluded that there are no trees with bat roost features on site and whilst it is noted that the removal of hedgerow to facilitate the access may have a negative impact on commuting bats, a significant new length of hedgerow is being provided on site which would be of benefit to local bat populations. Bat boxes have also been recommended and could be included within the Biodiversity Enhancement Plan.

Great Crested Newts (GCN)

The Council's Ecological Advisor has confirmed that due to the presence of GCN in a nearby pond, a Precautionary Working Method Statement should form part of the Construction Environmental Management Plan. The Applicant's Ecologist's, FPCR, do not consider that a licence would be necessary as the proposed method of works won't affect GCN. The opportunity to create amphibian habitat could be included within the Biodiversity Enhancement Plan.

Reptiles

The Applicant's Ecologist's, FPCR, Ecological Report states that the site is unlikely to support viable reptile populations. The Council's Ecological Advisor confirms that there is opportunity to create reptile refugia within the Biodiversity Enhancement Plan.

Water Voles

The Council's Ecological Advisor has confirmed the ditch would have little potential for water voles, due to it irregularly holding standing water.

These recommendations and enhancements could be secured by planning condition.

Residential Amenity

The gardens of nearby residential dwellings on Lilley Green Road, would be approximately 80m from the proposed track. There would be an increase in noise, light and general disturbance from the proposed development; however, due to the distance and context of these dwellings, it is considered that there would not be a significantly adverse impact to residential amenity to justify refusal of this development on this issue alone.

Flood Risk and Drainage

North Worcestershire Water Management (NWWM) confirm that the site falls within flood zone 1 (low risk of fluvial flooding) and is not shown to be susceptible to surface water flooding. NWWM confirm that owing to the likely impermeable materials of the surface the rate and volume of runoff from the site may increase. A swale or French-drain is proposed alongside the access track, out falling into the ordinary watercourse along Billesley Lane. NWWM welcome above-ground SuDS, subject to confirmation that the attenuation volume is sufficient and that discharge is limited to greenfield rates. NWWM have requested a pre-commencement condition for surface water drainage.

The Parish Council raises concerns over standing water on Seafeld Lane and that drainage should be included to prevent surface water accumulation. The principle of a swale/French drainage alongside the track is acceptable to NWWM out falling to the watercourse on Billesley Lane. The details of the drainage would be included within the pre-commencement planning condition.

Publicity

A site notice and press notice was displayed and neighbour letters were issued, with the Council receiving a total of 8 objections and 6 support.

Support Comments	
Comment	LPA Response
Dedicated route for commercial vehicles visiting Dominion Racing Stables, reduce conflicts on adjacent highways.	The Council cannot control what vehicles use Seafield Lane or the route used to gain access to the racing stables and therefore Seafield Lane could still be utilised to access the site via the new access.
Seafield Lane is narrow, conflict for pedestrians, improves accessibility	The Council acknowledges that Seafield Lane is a rural country road without pavements and that any traffic can create a conflict with pedestrians. It may improve accessibility if vehicles are travelling from the north; however, as above the Council cannot control the route of vehicles.
Supports a rural business, value to the local community, long term viability	The Council supports rural businesses and has acknowledged the value that Dominion Racing Stables has on the local community. No evidence has been submitted to suggest that the business is experiencing financial difficulty and that this proposed secures its long-term viability.
Reduces wear and tear on local roads	The site would still be accessed by local roads; which would experience wear and tear.
Reduces noise and disturbance to local residents from vehicles manoeuvring	Objections have been raised by residents to the west of the site; however, the Council has concluded that the impact would not be significantly adverse to justify refusal of this development on this issue alone.
Respects the environment and local community, enhances local green spaces	The Council has found that the proposals would adversely affect the character of the area, diluting the verdant rural qualities of the pasture, failing to protect and enhance the distinctive landscape character of the area. The Council's Ecology Advisor is satisfied that planning conditions could be secured to protect and secure enhancements for biodiversity.

Objection Comments	
Comment	LPA Response
Single track roads are common in rural areas and roadside verge use is common and permissible, stone blocks have been installed to prevent verges being used would not reduce congestion at the southern end of Seafield Lane.	Obstructions to the highway would be a matter for the County Council.
5* experience for visitors is not sufficient justification for loss of pasture.	This is not considered to be a material planning consideration.
Speeding on local roads, no footpaths.	Speeding would be a matter for the Police.
Inappropriate development in the Green Belt, no very special circumstances would not preserve openness, gradient of land would add to impacts visual impacts, harms to character, urbanising feature, encroachment.	It is agreed that the proposals are inappropriate development in the Green Belt and the characteristics of the site/area have been taken into account.
Hob Hill has natural interest and beauty.	The landscape impacts of the proposals have been assessed in this report.
Tarmac would increase flood risk, area prone to flooding, next to a watercourse.	NWWM have raised no objection, subject to a condition for surface water.
Area may have been an enclosed common.	The landscape impacts of the proposals have been assessed in this report.
Not necessary, other more suitable options available, existing accesses.	The Council has to assess the application as submitted. It is not proposed that the existing access to Cildara House is to be closed.
Harms to amenity when walking in the area, noise and visual harms.	The landscape impacts of the proposals have been assessed in this report.
Harms to wildlife	The Council's Ecology Advisor is satisfied that planning conditions could be secured to protect and secure enhancements for biodiversity.
Dust, air pollution, noise and headlight nuisance to residents on Lilley Green Lane, overlooking, security concerns of the road/rear of these properties.	Objections have been raised by residents to the west of the site; however, the Council has concluded that the impact would not be significantly adverse to justify refusal of this development on this issue alone.
Current access arrangements do not affect the viability of the business.	No evidence has been submitted to suggest that the business is experiencing financial difficulty and that this proposed secures its long-term viability.
Loss of hedgerow to facilitate access, harms to oak tree, harms to character.	The landscape impacts of the proposals have been assessed in this report.

No changes following previous refused planning permissions.	A summary of the planning history has been set out within this report.
Not a 'track' but a road.	The description of the development was submitted by the Applicant and is consistent with the planning history.

Green Belt Balance and Conclusions

For the reasons as stated above, the scheme constitutes inappropriate development in the Green Belt. Under the terms of paragraph 153 of the Framework, planning permission should not be approved except in very special circumstances. These only exist where the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In this balancing exercise, the Framework dictates that substantial weight is to be given to any harm caused to the Green Belt.

The spatial impact from the proposals and the transient movement of vehicles would fail to preserve openness. The degree of activity and the proposals harms to visual openness are considered to be sufficiently adverse and fail to preserve the openness of the Green Belt. The introduction of a new access and track across the site, an urbanising and incongruous feature, is considered to represent encroachment, conflicting with one of the Green Belt purposes. Furthermore, the proposals would adversely affect the character of the area by introducing an incongruous feature which is out of character for the local area diluting the verdant rural qualities of the pasture, failing to protect and enhance the distinctive landscape character of the area.

It is recognised that businesses wish to improve their operations and be as efficient as possible, especially in the current economic environment, and the Council does wish to support rural businesses.

The Council has considered the VSC case submitted by the Agent and they are insufficient to clearly outweigh the total harm caused by the development. The Council does not consider that very special circumstances necessary to justify the scheme exist and that the harms to the Green Belt by reason of inappropriateness, and harms to openness and to rural character, is not clearly outweighed by other considerations and therefore the application cannot be supported.

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

1. The proposed development fails to meet with an exception to Green Belt policy as outlined in paragraph 154 of the National Planning Policy Framework and BDP4 of the Bromsgrove District Plan. The proposed development would cause harm to the spatial and visual openness of the Green Belt by reason of its siting, length, dimensions and the topography of the site, together with the degree of activity and transient movement of vehicles. The development would be visible from public vantage points beyond the boundary of the site and the access extends visually for several hundreds of metres, eroding the openness of the Green Belt and representing encroachment. The introduction of a new access and track across the site, is an urbanising and incongruous feature. The proposals are inappropriate development which by definition is harmful to the Green Belt and should not be approved except in very special circumstances. The benefits of the proposal advanced by the Agent/Applicant are not considered to outweigh the significant harm by reason of inappropriateness and harms to rural

character. Accordingly, the proposed development would be contrary to Policy BDP1, BDP4, BDP15, and BDP19 of the Bromsgrove District Plan and the National Planning Policy Framework, particularly Chapter 13.

2. The proposed development introduces a formal, engineered access and track of a size and scale that negatively impacts on the sites character and visual amenity, introducing urban features and traffic movement into a sensitive landscape setting, which fails to conserve the pastoral land use of the landscape character. The concealing of the track by landscaping is not considered an approach that is acceptable, as this does not remove the harm and fails to achieve good design. Insufficient information has been submitted to demonstrate that such a track is evidence of local character. Accordingly, it would be at odds with Policy BDP1, BDP19, BDP21 of the Bromsgrove District Plan and National Planning Policy Framework, particularly Chapter 12.
3. In the absence of a suitably worded legal agreement the proposed development would fail to secure on-site enhancements for biodiversity net gain as required by the Environment Act 2021.

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