

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. and Mrs. M. Bales 'A'	Demolition of existing outbuildings and extensions. Erection of extensions to provide new care beds; care suites and a Dementia Unit - Burcot Grange Residential Home, Greenhill, Burcot, Bromsgrove, B60 1BJ	Green Belt	<b>10/0337-DK</b> 14.07.2010

**RECOMMENDATION:** that permission be **REFUSED**.

### Consultations

Lickey and Blackwell PC	<p>Consulted 21.04. Response received: Lickey and Blackwell Parish Council have serious concerns about this application. Though we are aware that provision for the elderly is needed, and that Burcot Grange has a high reputation in this area, there are problems specific to this site. The proposed development is in the Green Belt, and though it would not very obvious, visibility is not the only reason for protecting Green Belt. Moreover it is a very large development. We, also, have concerns about the problems that will arise as regards vehicular access. Greenhill is a narrow, steep road with limited visibility and in several places it is too narrow for two vehicles to pass. There will be extra traffic generated by the development. During the construction period this would be particularly hazardous.</p>
WH	<p>Consulted 21.04.2010. Response received: 11.06.2010.</p> <p>Recommends that the permission be deferred for the following reasons:- The applicant has not demonstrated car parking provision which is proportional to the scale of the proposed development. C2 units require car parking 1 space per member of staff and 1 space per 4 units for nursing homes.</p> <p>The applicant has indicated a supplemental 13 car parking spaces over than which presently exists bring the total to 53, however based on an additional 40 staff and bedrooms and the ratio above, the required additional spaces are 52.</p>
ENG Strategic Planning Officer	<p>Therefore the applicant should provide revised details indicating 52 additional car parking spaces over the existing 40 spaces.</p> <p>Consulted 21.04.2010. No response to date.</p> <p>Consulted 19.04.2010. Response received: 09.06.2010.</p> <p>The above site is located within the Green Belt and therefore PPG2 and policy DS2 of the adopted Bromsgrove District Local Plan are therefore relevant. The application proposes demolition and a substantial new extension within the green belt. According to PPG2 and DS2, there is a</p>

general presumption against inappropriate development in the Green Belt and only new buildings that preserve the openness of the Green Belt and do not conflict with the purposes of the Green Belt are appropriate unless very special circumstances can be demonstrated. In the Planning Statement the applicant argues that very special circumstances exist for the proposal [points (i) - (vi)]. These relate to the need for increased specialized accommodation for the elderly, absence of alternative sites, the established site at Burcot Grange, the mix of tenure to be provided and release of underutilized housing

Many of the points raised in the Planning Statement have some validity in themselves but do not argue convincingly why such care must be provided exclusively in this particular location, for example:

- The Housing Market Assessment (Housing Vision 2008) identified that Bromsgrove will have a projected growth of 7300 households by 2026. In line with national trends Bromsgrove has an ageing population and the majority of this growth is predicted to be in middle aged (975) and pensioner households (4,800). There is also a requirement for an additional 1575 households for those aged over 85. Therefore the need for accommodation is not in dispute, the main issue is however its location within the green belt.
- The applicant states at 2.40 that "The planning application register reveals that the committed housing site at Perryfields is an application submitted by West Mercia Housing Group and Bromsgrove District Housing for 100% affordable housing. There is no evidence to suggest that this site would be available for a private sector promoted CCRC". However the wider Perryfields ADR occupies some 76 hectares and the aforementioned planning application only covers a fraction of this area. There is no evidence to suggest that any location in the rest of the ADR has been considered. In accordance with PPS1 and DS13 of the BDLP this ADR is located in a sustainable position adjacent to the Town Centre.
- the Planning Statement states that the "proposal does not seek to establish a CCRC in an otherwise undeveloped part of the Green belt. Rather the development is confined to the established curtilage of Burcot Grange established care environment since 1937". It appears from the plans submitted and from aerial photographs that the proposal would in fact be located in an otherwise undeveloped part of the Green Belt. The reference to the definition of Previously Developed Land in PPS3 is misplaced and is in any case likely to become irrelevant under the present Governments stated aims of stopping "garden grabbing". Furthermore, what is not explained is why the successful principles of running a care home could not be applied to an alternative and more sustainable location.
- The mix of tenure and broadening of facilities for the wider community does not amount to a very special circumstance. There is no convincing argument why there is a need for development to be exclusively in this location. Furthermore, there would be no

guarantee that existing dwellings in the local community would be freed up.

- The need for increased specialized accommodation for the elderly is not in dispute; it is the location within the Green Belt. The applicant states that "the encroachment of the development into the countryside is of a very limited scale in its impact because the development would be entirely within the established domestic curtilage of Burcot Grange and is well enclosed by enclosing vegetation". However vegetation is neither necessarily a permanent feature nor a constant one, as cover typically varies throughout the year.

WCC Adult and Community Services  
Consulted 19.04.2010. No response to date.

West Mercia Police  
Consulted 21.04.2010. Response received 30.04.2010.  
No objection.

Natural England  
Consulted 21.04.2010. Response received 17.05.2010.  
On the basis of the information provided, Natural England **objects** to the proposed development. We recommend that the Local Planning Authority refuse planning permission on the grounds that the application contains insufficient information to demonstrate whether or not the development would have an adverse effect on legally protected species. Our concern relates to bats.

The protection afforded these species is explained in Part IV and Annex A of circular 06/2005 to PPS9 'Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System'. Paragraph 116 is fundamental to the approach to be taken by LPAs:

"When dealing with cases where a European Protected Species may be affected, a planning authority ... has a statutory duty under Regulation 3(4) to have regard to the requirements of the Habitat Directive in the exercise of its functions. Further the Directive's provisions are clearly relevant in reaching planning decisions, and these should be made in a manner which takes them fully into account ..."

We note that this application includes an initial bat survey, which has confirmed the use of loft spaces by roosting brown long-eared, *Myotis* and *Pipistrelle*. A licence will therefore be required. The initial bat survey states that nocturnal and dawn surveys of the building will be required to provide sufficient information to support a licence application. We would also recommend that the trees on site, particularly those which would be directly impacted or otherwise disturbed by this development are surveyed for their bat roost potential. Adequate information on mitigation and/or compensation must also be supplied. In accordance with the above, this information must be made available prior to the determination of this application.

	<p>The applicant has provided a great crested newt survey Ref. RT MME-107 107 (03.06.2010). Additional comments from Natural England: No objection.</p>
Worcestershire Wildlife Trust	<p>Consulted 21.04.2010. Response received: 16.06.2010. We note that the site is well removed from the local SWSs and that the grounds are largely landscaped. We therefore consider that the main issue here concerns bats. Accordingly we wish to lend our support to the comments made by Natural England and we are happy to defer to their opinion on these applications.</p>
Tree Officer	<p>Consulted 21.04.2010. Response received: 28.06.2010. Object to the proposal as it currently stands. The Tree Protection Plan (AA TPP 02) omits substantial trees to the front of the site. There are areas of additional parking proposed to the front which will have an impact on trees present at this position not identified on the plan. The mature beech trees on the eastern boundary scheduled for removal are an important screen. These are healthy trees and their removal is unjustified. Additional Comments to follow.</p>
EHM (Commercial)	<p>Consulted 21.04.2010. Response received The premises and business will be required to comply with Health and Safety legislation which is enforced by this Council. The premises will be subject to routine inspection to assess compliance.</p> <p>Advice may be obtained on detailed compliance with this legislation from the Commercial Team at Bromsgrove District Council (telephone number 01527 881434).</p>
EHM (Contaminated Land)	<p>Consulted 08.06.2010. Response received 10.06.2010. No objection to the proposed development subject to conditions including the carrying out of a preliminary risk assessment, scheme for detailed site investigation and appropriate remediation measures.</p>
	<p><u>Reason:</u> To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy ES7 of the adopted Local Plan (January 2004)].</p>
Publicity	<p>Site notice posted on 18.05.2010. (expires: 08.06.2010) Press Notice posted 29.04.2010 (expires on: 20.05.2010). 1 comment received as follows: Burcot Grange is a high class residential home for the elderly, rated as excellent by the Care Quality Commission. It is situated in Greenhill, Blackwell, most of whose frontage is houses and gardens. This property extends rather further back for the road than most. The property is in the Green Belt, so that there is a strong presumption against development. Nevertheless, this scheme represents a relatively</p>

modest extension to the buildings. A previous extension has already added substantially to the original house. In the circumstances we feel that this extension is acceptable.

### The site and its surroundings

The application site comprises a large nursing home on the north side of Greenhill which was built in 1890 in Tudor Revival style with many surviving external and internal features. It was designed by Jethro Cousins for Henry Osler as a private house before becoming a hospital in 1937 and finally a care home in 1992. There are later extensions on the east and north east sides. There is a large curtilage to the front and rear with the land substantially falling away to the rear of the property. The building is set in a very attractive timbered setting with substantial mature cedars, chestnuts, oaks in addition to a range of ornamental shrubs. There is a circular access to the front and the attractive façade of the buildings is partly concealed by the trees to the front. There are fields adjoining the property to the east and west and residential properties on Green Hill to the front. The existing building has two principal storeys with additional accommodation in the roofspace. The extension to the rear also follows this pattern. The original part of the building still contains substantial brick chimneys. There are a number of modern ancillary buildings to the east of the main building. The site currently has accommodation for 40 residents. There are 31 bedrooms and 5 x 1 bed close care suites currently on the site. There are also additional communal facilities including a library, IT room and shop.

### Proposal

This is a full planning application for the extension of the existing care home to provide 14 care suites. There will be two new care suites on the lower ground floor, six on the ground floor, three on the first floor and three on the second floor. There will be an additional 5 care beds provided on the first floor which will augment the existing accommodation at that level to form an 11 bedroom Dementia Care Unit. The Close Care Suites essentially provide semi independent living accommodation comprising a sitting room, bedroom, ensuite and kitchenette. Three will be two bedroom and the remainder will be one bedroom suites. In addition to the suites proposed, the development also proposed a kitchen, staff room, laundry and activity room on the ground floor, two day rooms on the first floor and a residents storage and a training room on the second floor. The proposed extension will be 11m in height. The net increase in floorspace (accounting for the areas to be removed through demolition) would be 1533m<sup>2</sup>. On the ground floor, the proposal will involve the demolition of a conservatory to the front (east side) an existing single storey extension to the front, a bay window, part of a sitting room and conservatory to the rear on the west side. There will be a new single storey extension on the west side projecting 11m from the original building in place of the existing conservatory. The architectural style of the proposal reflects the style of the original building with similar treatments to the facades, chimney and window detailing.

There are 40 existing car parking spaces and 13 additional spaces will be provided. The applicant has provided a framework travel plan which includes details of public transport and staff travel arrangements.

The application is accompanied by a Planning Statement, Design and Access Statement, Travel Plan, Landscape Supporting Statement, Arboricultural Assessment, Flood Risk

Assessment and Initial Bat Survey. These are all available to view on the planning file and on Public Access.

Members should note that an outline planning application for the provision of 13 Close Care Suites and 16 Assisted Living Units to the north east of the existing care home is also pending consideration (Ref: B/2010/0334).

### Relevant Planning History

B/1995/0616 Two Storey Extension to provide 8 bedrooms and associated amenities  
Granted 09.10.1995

B/1999/1067 Insertion of dormer windows into rest room roof. Granted 20.12.1999.

### Relevant Policies

WMSS QE3, PA1, PA14

WCSP SD2, SD3, SD4, SD8, SD9, D28, D35, D38, D39, T1

BDLP DS1, DS2, DS3, DS13, S29, ES4, ES5, E9, TR11, TR8

Others PPS1, PPG2, PPS6, PPS7, PPG13

### Notes:

The main issues in the determination of this application are the following:

- (i) Whether the proposal represents inappropriate development in the Green Belt;
- (ii) If inappropriate, whether there are any very special circumstances to justify the proposal;
- (iii) the potential impact of the proposal in terms of Highway Safety and parking;
- (iv) the effect of the proposal on the character of the existing building and on the wider public amenity
- (v) the impact on trees and ecology

#### (i) Green Belt

The site is located within established Green Belt and therefore Planning Policy Guidance Note 2 (PPG2), policies D.28 and D.39 of the Worcestershire County Structure Plan (WCSP) (1996 - 2011) and Policy DS2 of the adopted Bromsgrove District Local Plan (BDLP) 2004 apply to the development.

Policies D28 and D39 of the WCSP and DS2 of the BDLP conform with the advice of PPG2 in defining the types of development which are acceptable in Green Belt locations. The proposal under consideration is clearly not essential for agriculture, outdoor sport or recreation nor does it involve the conversion of existing buildings to alternative uses or their replacement such that Green Belt openness would be retained. Policy D28 specifically states that new buildings for business purposes in the Green Belt will only be allowed in those settlements identified in the BDLP as being acceptable for infilling. The application site at Greenhill does not fall within any such settlement.

It is evident that the proposal is inappropriate and the extent of the harm caused must be considered. PPG2 states that the most important attribute of Green Belts are their openness (paragraph 1.4) and it is clear that the proposal would have a significant impact on the openness of the site and would thereby conflict with the fundamental aims of Green Belt policy. The proposal would increase the floorspace of the building by 1500 square metres, a substantial 75% increase above the size of the existing building. The proposal would essentially add an additional wing at the side and rear of the building which would be clearly visible from *the 'Uplands'* to the east on Greenhill.

The proposal would effectively double the width of the existing extension to 16m on the ground, first and second floors. The accommodation added on the second floor will utilize the roofspace in a similar arrangement to the second floors on the original building and on the extension added in B/1995/0616. In addition to the increased width, the proposal also includes extending the range on the east side of the building by a further 22m from the furthest extent of the existing extension on this side of the building. This range will project westwards by 10m, forming a courtyard arrangement with respect to the existing extension and original building. There will also be a substantial infill extension on the ground floor which is 10m in length and connects the existing lounge and sitting rooms in the original building which are set forward of the original main range. The existing conservatory to the rear on the ground floor west side is being removed but this will be replaced with an extension to provide a close care suite which is twice the width of the structure it replaces. The rear of the existing building currently provides a panoramic view of the remainder of the grounds and the countryside beyond. The proposal would result in more enclosed arrangement taking the cumulative effects of the new extensions to the east and west sides and the existing extension into account.

Whilst the proposal is primarily to the rear of the property, the increased bulk on the east side would be visible from public viewpoints and, in any event, PPG2 makes it clear that there are no exceptions for inappropriate development which may be screened from view by existing buildings, trees or boundary treatments. There are substantial differences in the screening capacity of trees between the summer and winter seasons and trees and boundary treatments may not be permanent features of the landscape. Limited visibility cannot justify inappropriate development as it fails to consider the wider impacts on openness of new development such as additional services and traffic movements. Members should note the views of Lickey and Blackwell Parish Council on this point.

Since the proposal constitutes inappropriate development in the Green Belt, it must be considered whether the harm by reason of inappropriateness and any other harm is clearly outweighed by circumstances which amount to very special circumstances to justify the proposal.

#### (ii) Very Special Circumstances

The requirement for a case for very special circumstances to be provided by the applicant is stated within paragraph 3.4 of PPG2.

"Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In

view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development".

Members should note the 'very special circumstances' amount to an entirely special and unique occurrence which could not result in a precedent being set for the proposal or analogous proposals elsewhere in the Green Belt. Whilst there is no specific prescription of the circumstances in the context of PPG2 which amount to very special circumstances, Members should seriously consider whether or not the circumstances of this proposal are entirely unique or special.

The advantages of the proposal must be weighed against the significant harm caused to openness, the most important attribute of Green Belts. The applicant's agent has submitted a case for very special circumstances which are included in the Planning Statement presented with the application; the full details of which may be viewed on the planning file or on Public Access. Please note that the case presented for very special circumstances also covers the outline application B/2010/0334 for the provision of 13 Close Care Suites and 16 Assisted Living Units which is also under consideration. The case can be summarized as follows:

1. The need for increased specialized accommodation for the elderly,
2. The absence of alternative sites in the urban area to meet the need,
3. The benefits of the established care home at Burcot Grange,
4. The provision of accommodation providing a mix of tenure,
5. Impact upon the existing housing market.

(1) The need for increased specialized accommodation for the elderly

The issue of need has been thoroughly investigated by the applicant and the report details ministerial letters and statements and the Continuing Care Retirement Communities model is strongly advocated. The provision of assisted living alongside the availability of more advanced care to provide for residents of declining health underlies this model. This avoids the need for patients to have to move. The model improves security for residents, enhances access to services such as transport and leisure. The dementia care facility provides for specialist care and there are a growing number of people with dementia. There has been an increase in demand for respite care for dementia sufferers. The twin bedded accommodation enables couples, where one partner suffers with dementia, to stay together.

The applicant also refers to the Bromsgrove Sustainable Community Strategy 2010-2013 and the Bromsgrove District Level Housing Market Assessment (HMA). The applicant considers that the proposals at Burcot Grange will contribute to meeting the objectives of the Community Strategy insofar as they relate to older persons. The HMA points to a substantial increase in the population of older residents with a need to provide 4,800 additional 2 bedroom dwellings and 1575 housing units with care provided for older people to 2026. The applicant considers that the increase in the population of persons aged 65-84 and 85+ requires an 'urgent spatial planning response'. I concur with the views of the applicant that there is a growing older population in the District and the provision of adequate serviced housing is an important corporate priority. However, the

applicant has completely failed to mention in this 'very special circumstance' why the additional housing accommodation should be provided in the Green Belt, specifically at Burcot Grange. In terms of the 'spatial' requirement referred to, actually providing the housing for the elderly would be meeting just one spatial requirement. There are substantive other requirements in respect of this type of housing such as the proximity to shops and services such as public transport for persons who may be unable to drive. The proximity of family members of the elderly person is also a critical spatial consideration and it militates against facilities in isolated locations such as the proposal. In the case of a vast majority of older residents of the District, the provision of sheltered housing and additional advanced care facilities would be best provided within and adjoining existing urban areas.

The reference to 'An Older Peoples Strategy for Worcestershire - Independent Living for Older People' does highlight a need for specialist accommodation but stresses the point that most older persons would seek to remain in their own homes, rather than the traditional choices of domiciliary or residential and nursing home care (p26). The report recommends preventative services, telecare, day opportunities as well as specialist domiciliary care. It should be noted that the desire to remain living in ones own home when elderly, will have a significant effect on the future demand for care facilities and this effect has not been quantified.

The HMA specifically referred to Bromsgrove but the trend of an ageing population is a national one. Therefore, the contention of the Applicant that there is a 'local need' for substantial additional housing for older persons in Bromsgrove and that other Districts and regions will not be in the same position defies rational argument. These circumstances are not unique and could easily be replicated in poorly serviced locations throughout the West Midlands Green Belt to the detriment of openness and visual amenity. Therefore, the need identified by the applicant does not amount to a very special circumstance to justify the development at the location proposed.

It is accepted that there are no specific policies or allocated sites within the BDLP for the provision of specialist housing and care facilities for the elderly. In this context, the Local Planning Authority must rely on the existed adopted policies in relation to such new development, notably policies D.39 of the WCSP and DS2 of the BDLP where there is a clear and strong presumption against development in the Green Belt. The reference to the emerging Core Strategy (specifically Core Policy 12, in respect of addressing local housing need) only considers a single policy and the collective spatial impact of all policies will be to focus housing development on strategically serviced urban areas within the District. Members should note the views of Strategic Planning in respect of the need for additional accommodation for the elderly.

In respect of the specific need for the extension of the facility, paragraph 1.6 of the Planning Statement states that 'facilities such as the laundry, dining facilities and other accommodation are now inadequate in terms of their size and that there is a shortage of twin bedded rooms for couples. These are *'inadequate to provide the quality of services sought by the proprietors'*. Members should note that there is no independent report, for example, from the Care Quality Commission which could state unequivocally that the facilities are inadequate and require extensions and updating. As stated above, the development represents the vision of the applicants, rather than necessarily addressing independently verified deficiencies.

(2) The absence of alternative sites in the urban area to meet the need

In assessing whether there are alternative sites available within the District, the applicant considers that an urban location is not as suitable for the proposed development as the residents will lose out on an attractive outlook to the pleasant environment. I consider that this is within the realms of appropriate urban design and I do not consider that it is a very special circumstance to justify inappropriate development in the Green Belt. There has been no evidence presented to support the assertion that the equivalent care home in Bromsgrove would result in elderly persons losing contact with the rural parts of the District. This is an argument to which no weight can be attached as outlined in point (i) above. In terms of the reference to the Strategic Housing Land Availability Assessment, (paragraphs 2.39 - 2.42), it is asserted that the site at Perryfields (Planning Ref: B2008/0758) is committed to affordable housing and there will be no availability of land for the purposes of a care home. Members should note the views of Strategic Planning on this issue: *'the wider Perryfields ADR occupies some 76 hectares and the aforementioned planning application only covers a fraction of this area. There is no evidence to suggest that any location in the rest of the ADR has been considered'*. It is evident that the applicant has selected sites identified in the SHLAA which have recently been the subject of planning applications (such as The Avenue Rubery and the former Alvechurch 1st and Middle Schools) to assert that there are no alternative locations for the proposal.

(3) The benefits of the established care home at Burcot Grange

It is stated in paragraph 2.44 of the Planning Statement that the proposed development would be taking place on previously developed land in respect of Annex B of PPS3. Two important points are relevant here. Firstly, Burcot Grange is located well outside the village envelope identified for Burcot on the Proposals Map (in the context of policy DS5) and therefore the site could not be considered a brownfield site in any way. Members should take note of the recent announcement by the government in respect of the consideration of domestic gardens as previously developed land in the context of PPS3. Gardens would not now benefit from brownfield designation, even if the site was not in the Green Belt. The site is clearly not in an accessible location compared with Bromsgrove or other urban areas of the District and it is clear that the development would perform poorly on sustainability criteria.

(4) The provision of accommodation providing a mix of tenure

This argument relates more closely to the outline application (B/2010/0334) which proposes close care suites and assisted living units. The provision of a mix of tenures in any case, does not amount to a very special circumstance.

(5) Impact upon the existing housing market

It is stated that the development will assist in releasing underutilized housing stock in the District and will thereby improve the maintenance of the existing stock. There are no

details or evidence submitted to substantiate this claim. I do not necessarily consider that this is a spatial planning benefit partly as a result of the enormous uncertainty and the fact that relying on individual choice to deliver housing does not represent forward spatial planning of any kind.

Having considered all of the matters raised, I do not consider that very special circumstances exist in this case to outweigh the harm caused to the openness of the Green Belt.

#### (iii) Highway Impact

Members should note the views of Worcestershire Highways. Policy TR11 of the BDLP states that all new development needs to make provision for the safe access and egress from the site as well as adequate parking. In terms of the size of the extension, the provision of an additional 13 parking spaces is inadequate. There is a requirement for an additional 52 spaces to serve the development. Whilst the parking issue is mentioned in the Design and Access Statement, there is currently no defined area to meet the requirements of the development. These requirements have been passed on to the applicant's Agent for a response and Members will be updated on this matter.

#### (iv) Character and Residential Amenity

Burcot Grange is currently has a distinctive Tudor style with complex window detailing and decorative timber work. The proposed buildings for demolition including the conservatories and ancillary outbuildings are of a later date than the original building and I do not consider that their loss is detrimental. In terms of the design of the extension, it is reflective of the architectural character of the original building and since the proposal lies to the side and rear, the integrity of the original remains. However, I would be concerned that the scale of the proposal would result in a more enclosed feel at the back of the building which currently enjoys an open feel. I note that the east elevation would be highly visible from the direction of 'Uplands' to the east on Greenhill. However, I do not consider that there would be a loss of amenity given the distance to neighbouring properties.

#### (v) Tree and Ecological Issues

The application has been accompanied by a Landscape Supporting Statement, an Arboricultural Method Statement and an Initial Bat Survey. Whilst there are a large number of trees on the site of varying amenity value, the arboricultural method statement states that there will be a loss of 43 individual trees and one group and another two groups will be partially removed. The remainder of the 168 trees on the site will be retained and managed in accordance with BS5837 (2005) (Trees in relation to Construction). There is a significant loss of beech trees to the east side of the site as a result of the extension and the views of the Tree Officer should be noted.

The Initial Bat Survey accompanying the application states that a number of bat roosts were discovered. Members should note the views of Natural England who recommend refusal. In the case of bats, a European Protected Species, the Local Planning Authority has a statutory duty under Regulation 3(4) to have regard to the requirements of the Habitat Directive in the exercise of its functions. The additional requirements on compensation and mitigation have been submitted to the applicant's Agent and Members will be updated on this matter.

## Conclusion

The substantial extension of the care home is inappropriate development in the Green Belt. The applicant has not provided any very special circumstances which outweigh the harm caused. The need for additional care facilities and wider housing options for elderly persons has been identified. However, it has not been coherently demonstrated why the development must necessarily be located in the Green Belt contrary to fundamental planning policy. There is a significant loss of trees and other negative ecological impacts arising from the proposal. Thereby, the proposal conflicts with the policies of the Worcestershire County Structure Plan and the Bromsgrove District Local Plan and the advice of PPG2. On the basis of all of the evidence, I recommend that permission be refused.

**RECOMMENDATION** that planning permission be **REFUSED** for the following reasons:

1. The proposal is inappropriate development in the Green Belt and would cause significant harm to the openness and visual amenities of the Green Belt in this location and would conflict with four of the five purposes of including land within the Green Belt as set out in Planning Policy Guidance Note 2. No very special circumstances have been put forward or exist that clearly outweigh the harm caused and therefore the proposal is contrary to policies SD.2, D.28, D.38, and D.39 of the Worcestershire County Structure Plan and policies DS2 and DS13 of the Bromsgrove District Local Plan and the provisions of PPG2 (Green Belts).
2. There is insufficient parking identified to serve the needs of the development which would potentially result in displacement parking. The proposal would thereby conflict with policy TR11 of the Bromsgrove District Local Plan.
3. The proposal would result in a loss of trees and have a detrimental impact on certain existing trees contrary to policies C17 and DS13 of the Bromsgrove District Local Plan and the advice of PPS9 (Biodiversity and Geological Conservation).
4. There is currently insufficient information to demonstrate the proposal would not have a detrimental impact on European Protected Species and thereby the proposal conflicts with policy CTC13 of the Worcestershire County Structure Plan, policy DS13 of the Bromsgrove District Local Plan and the advice of PPS9 (Biodiversity and Geological Conservation).
5. The proposal is not in a location which would be accessible to a variety of means of transport and other services contrary to policy SD.4 of the Worcestershire County Structure Plan (2001) and policy DS13 of the Bromsgrove District Local Plan (2004).