

# Public Document Pack



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE PLANNING COMMITTEE**

**THURSDAY 9TH APRIL 2026**  
**AT 6.00 P.M.**

**PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA**

**MEMBERS:** Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, S. J. Baxter, J. Clarke, D. J. A. Forsythe, E. M. S. Gray, R. E. Lambert, S. R. Peters, J. Robinson and J. D. Stanley

### **AGENDA**

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest  
  
To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 12th February 2026 (Pages 7 - 18)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 17/01468/FUL - Construction of freestanding restaurant with associated drive thru, car parking and landscaping and associated works. Alterations to access Stourbridge Road Car Park, Stourbridge Road, Bromsgrove, Worcestershire. McDonalds Restaurants Ltd and Cordwell Leisure Developments Ltd (Pages 19 - 48)

6. 19/00140/OUT - Outline planning application for construction of 25 dwelling. Land between 47 and 53 Redditch Road, (Alvechurch FC site), Alvechurch, B48 7RS. Crosslands Developments Ltd (Pages 49 - 80)
7. 25/00612/S73 - Variation of planning permission 19/01544/FUL dated 21/10/2020: conditions 2 (overspill parking area), 5 (external lighting), 6 (biodiversity/ecology/overspill parking area), 8 (variation of opening hours to visiting members of the public). Attwell Farm Park, Seafeld Lane, Portway, Worcestershire, B98 9DB. Attwell Farms Ltd (Pages 81 - 114)
8. 25/00749/FUL - Construction of an access track from Billesley Lane to Dominion Racing stables. Dominion Racing Stables, Seafeld Lane, Portway, Worcestershire, B48 7HL. Mr. I. Williams (Pages 115 - 140)
9. 25/00803/FUL - Proposed demolition of existing buildings on site and development of 3 new dwellinghouses. 7 Churchfields Road, Bromsgrove, Worcestershire, B61 8EB. Elmsvyne Ltd (Pages 141 - 166)

J. Leach  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

27th March 2026

If you have any queries on this Agenda please contact  
Pauline Ross  
Democratic Services Officer

Parkside, Market Street, Bromsgrove, B61 8DA  
Tel: 01527 881406  
Email: [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk)

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

Please note that this is a public meeting and will be live streamed for general access via the Council's YouTube channel.

### **PUBLIC SPEAKING**

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments.

For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council's website.

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair), as summarised below:-

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 3) Public Speaking - in the following order: -
  - a. objector (or agent/spokesperson on behalf of objectors);
  - b. applicant, or their agent (or supporter);
  - c. Parish Council representative (if applicable);
  - d. Ward Councillor

Each party will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Officer and will be invited to unmute their microphone and address the Committee face-to-face or via Microsoft Teams.

- 4) Members' questions to the Officers and formal debate / determination.

**Notes:**

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Officer on 01527 881406 or by email to [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk) by 12 noon on Tuesday 7<sup>th</sup> April 2026.**
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate face-to-face or via a Microsoft Teams invitation.**

**Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting via Microsoft Teams, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting.**

**Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Tuesday 7<sup>th</sup> April 2026.**

- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)**
- 4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.**
- 5) Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the Live Stream will be suspended and that part of the meeting will not be recorded.**



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- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

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- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE PLANNING COMMITTEE**

**THURSDAY 12TH FEBRUARY 2026, AT 6.00 P.M.**

PRESENT: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, S. J. Baxter, J. Clarke, D. J. A. Forsythe, E. M. S. Gray, S. R. Peters, J. Robinson and J. D. Stanley

Officers: Mr. D. M. Birch, Mr. M. Howarth (Anthony Collins Solicitors), Mr. B. Simm, Worcestershire County Council, Highways, Development Management and Control Manager, Ms. J. Chambers, Ms. E. Cox, Mr. J. Pavey-Smith and Mrs P. Ross

59/25

#### **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

There were no apologies for absence.

60/25

#### **DECLARATIONS OF INTEREST**

Councillor M. Marshall declared with regard to Agenda Item No.6 – Planning Application 7 Churchfields Road, Bromsgrove, Worcestershire, B61 8EB, in that he would be addressing the Committee for this item as Ward Councillor, under the Council’s Public Speaking Rules. After addressing the Committee as Ward Councillor, Councillor M. Marshall left the meeting room and took no part in the Committee’s consideration nor voting on this matter.

Councillor J. Robinson declared in relation to Agenda Item No.5 – Planning Application 24/00533/REM – Land to west Foxlydiate Land and Pumphouse Lane, Bromsgrove, in that he was employed by National Highways who were one of the consultees on this planning application. However, Councillor J. Robinson explained that he had been granted a Dispensation and therefore would remain on the Committee for the consideration of this item.

61/25

#### **MINUTES**

The minutes of the Planning Committee meetings held on 6<sup>th</sup> November 2025 and 4<sup>th</sup> December 2025, were received for Members’ consideration.

With regards to the minutes of the meeting held on 4<sup>th</sup> December 2025, Councillor M. Marshall asked for the following amendments: -

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Page 25, Minute No. 57/25, after paragraph 5, insert:-

'Members responded that location was a material consideration in a decision to award PIP and referred to the landscape assessment that had already been undertaken which pointed to the unsuitability for residential development of this location.'

Page 26, Minute No. 57/25, after paragraph 7, insert:-

'Members responded that there was no Grey Belt classification under the current NPPF and the land remained Green Belt. The land could be considered Grey Belt if it did not make a strong contribution to Green Belt purposes and this was for Members to determine. After some deliberation officers agreed that this was a matter for determination by Members.'

**RESOLVED** that, subject to the amendments, as detailed in the preamble above that the minutes of the Planning Committee meetings held on 6<sup>th</sup> November 2025 and 4<sup>th</sup> December 2025, be approved as correct records.

62/25

## **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)**

The Chairman announced that a Committee Update had been circulated to Members prior to the meeting commencing, with a paper copy also made available to Members at the meeting.

Members indicated that they had had sufficient time to read the contents of the Committee Update and were happy to proceed.

63/25

## **24/00533/REM - RESERVED MATTERS APPLICATION FOR THE ERECTION OF 217 DWELLINGS TO INCLUDE DETAILS OF APPEARANCE AND LANDSCAPING, LAYOUT, INTERNAL ROADS AND SCALE OF DEVELOPMENT PURSUANT TO THE APPROVED HYBRID PLANNING PERMISSION (REF: 16/0263) AT LAND AT FOXLYDIATE LANE AND PUMPHOUSE LANE, WEBHEATH, REDDITCH ("FOXLYDIATE") LAND TO WEST FOXLYDIATE LANE AND PUMPHOUSE LANE, BROMSGROVE. ST. PHILIPS HOMES LTD**

Further information was included in the Committee Update, with regard to amended plans being received in respect of the boundary with Longbarn and the proposed play area, as detailed on page 3 of the Committee Update.

A copy of the Committee Update was provided to Members and published on the Council's website prior to the commencement of the meeting.

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The Reserved matters application was for the erection of 217 dwellings to include details of appearance and landscaping, layout, internal roads and scale of development pursuant to the approved hybrid planning permission (Ref: 16/0263) at land at Foxlydiat Lane and Pumphouse Lane, Webheath, Redditch ("Foxlydiat").

The application related to the first phase of the development of the wider Foxlydiat site and comprised of approximately 10.03 hectares.

Officers presented the report and presentation slides, as detailed on pages 46 to 60 of the main agenda pack.

Officers referred to the Design Code, as detailed on page 43 of the main agenda pack and briefly explained that the site was identified as a part of the larger Monarch Green sub-area within the Foxlydiat site and largely reflected the Design and Access Statement submitted with the hybrid application.

Members' attention was drawn to 'Landscaping', as detailed on page 40 of the main agenda pack, which provided detailed information and explanations in respect of The Design Code and proposed boundary treatments within the different character areas.

It was noted that amendments had been submitted, in such, that brick walls were now included along the Avenue frontage. This was considered acceptable. Elsewhere external facing boundaries included walls with inset fence panels and internal boundaries timber fencing with hedgehog gaps.

The residents of Longbarn had expressed concern regarding the proposed boundary treatment along the boundary with their property and had requested that a wall be erected. Longbarn was a Non Designated Heritage Asset (NDHA). The landscaping proposals did not include a wall at this location. There was no planning requirement for a wall in this location. This was confirmed by the Council's Conservation Officer. The existing boundary treatment was hedgerow and fence. In this instance the developer was proposing additional hedge planting along the boundary. The species had been discussed with the Council's Tree Officer and had been amended to introduce trees which were compatible with the hard surfacing of the driveways/parking and had lighter canopy. The proposed landscaping was considered acceptable with regard to the boundary with Longbarn.

Officers further referred to the Urban Design (Place Services) comments, as detailed on page 32 of the main agenda pack and identified the two location where 2.5 storey dwellings would provide a termination to those vistas.

Some retaining structures were proposed in order to address changes in the levels across the site.

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Officers highlighted that the residents of Longbarn on Birchfield Road had expressed concern at the proximity of proposed dwellings to the rear of that property. Longbarn and its neighbour The Byre were considered to be Non-Designated Heritage Assets (NDHA). The proposed dwellings would be set approximately 21.2m from the rear of Longbarn and a similar distance from The Byre, this was significantly more than the separation requirements of the High-Quality Design SPD (12.5m). The nearest proposed dwellings were also approximately 5m away from the shared boundary.

Members' attention was drawn to the 'Scale' information, as detailed on page 39 of the main agenda pack, which provided information on the scale of buildings.

With regard to the Internal Road Access, the proposed plans had been amended to reflect the details of the access approved under the hybrid planning permission. The layout acknowledged and provided a link to the cycle route to be provided through the protected trees onto Foxlydiate Lane. This route formed part of the detailed grant of planning permission and details would be addressed by Condition 17 of the hybrid.

The layout also included footpath links joining up to those on the approved layout for the former Foxlydiate Hotel site (19/00615/OUT) in order to ensure permeability between the sites. A footway was shown through an area of open space close to the site entrance onto Foxlydiate Lane and plots 52-55. This part of the site was subject to a noticeable change in levels. The Council's Urban Design Consultant had suggested a planning condition, requiring details be included and this was considered appropriate. Adequate off-street parking and cycle parking was proposed within the individual plots. The Highway Authority had been consulted with on the application and had raised no objections.

As detailed in the Committee Update, the position of the play area had been adjusted within the Village Green in order to provide two separate access points linked to the proposed footpath network. The proposed equipment now included the provision of a springer with a backrest and interactive boards which were useable from ground level. It was considered that these improved the range of play options to improve inclusivity. The amended plan would be captured in the list of approved plans suggested condition, as set out on page 44 of the main agenda pack. Prior to the Planning Committee meeting commencing, the Council's Leisure Services had agreed that they were happy with the amendments.

At the invitation of the Chairman, Mr. P. Frost, local resident addressed the Committee in objection to the application. Mr. J. Kirby, the Applicant's Planning Agent addressed the Committee in support of the application, and Councillor N. Rands, on behalf of Bentley Pauncefoot Parish Council, addressed the Committee in objection to the application.

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Members then considered the application whereby officers had recommended that the Reserved Matters application be approved.

In response to questions from Committee Members with regard to the 1 metre retaining wall, officers explained that the responsibility of maintaining the retaining wall in potential residents gardens, was a conveyancing matter and not a planning matter.

Some Members referred to the following issues:-

- The exposed high voltage cable seen during their site visit. Would these still be in situ or placed underneath the ground?

Officers explained that the high voltage cables would be removed and / or buried with other cables once connected to the new sub-station to be provided on the site.

- Who would be responsible for the maintenance of the new play area? Would potential residents be expected to pay towards the cost of a maintenance company? Members were seeking reassurance that the new play area would not be neglected.

Officers explained that the Section 106 (s106) legal agreement offered the new play area to the Council or to a Management Company to maintain.

- Were officers confident that the applicant had done everything they could to prevent existing residents from being overlooked?

Officers stated the applicant had amended the boundary with Longbarn three times, in order to address the concerns raised. There would be additional hedge planting along the boundary, as detailed in the officers report. Officers were satisfied that the boundary had been discussed at great length and that the boundary was acceptable.

A brief discussion followed on the position and orientation of the proposed dwellings. Officers briefly explained that the orientation of the dwellings would provide an acceptable opportunity for solar benefit and that should the proposed dwellings all be completely south facing that this would be a very rigid pattern of development. It was important also to consider the overall quality and sense of place.

Officers further responded to questions on the affordable housing percentage being adhered to. Members were informed that the Section 106 (s106) legal agreement sets out that each phase must provide a minimum of 30% affordable housing and a maximum of 45%, with 40% affordable housing provision overall across the whole Foxlydiate site. The s106 legal agreement did not require that each phase provided the mix in the tenure table but across the development site as a whole. Therefore, the current proposal was considered to be in accordance with

the s106 legal agreement. The required affordable housing mix was detailed on page 42 of the main agenda pack.

Officers further responded to questions raised with regard to the footpaths being on an incline, the materials to be used and if handrails would be fitted.

Members were reassured that planning conditions would address these concerns, in order to ensure that there was a series of conditions and levels to navigate footpaths on any inclines.

The Worcestershire County Council's, Highways Officer further stated that footpaths adjacent to the highway (public roads) could be offered for adoption (highways maintainable) and that any footpaths along the highway would be subject to specific widths, construction and gradients being picked up under the Highways Act 1980.

During the debate and questions to officers, some Members questioned the Recommendations as detailed on pages 31 and 44 of the main agenda pack.

Some Members requested that the following be included in Recommendation C:-

'(c) That DELEGATED POWERS be granted to the Assistant Director for Planning, Leisure and Cultural Services, **following consultation with the Planning Committee Chairman and Vice-Chairman**, to agree the final scope and detailed wording and numbering of conditions as set out on page 44 of the main agenda pack.

The Council's Legal Advisor had stated, at the time that delegated powers was a matter for the Committee, and that it was within the Committee's gift to make such a request. However, it would normally be worded '**following consultation with the Planning Committee Chairman**'. The Planning Committee Vice-Chairman would only be consulted with should the Planning Committee Chairman not be available.

At this stage in the meeting officers highlighted that page 44 of the main agenda pack also needed to be amended to include lighting, as follows:-

### **Suggested Condition Topics**

- List of approved plans
- Details of bin collection points
- Details of materiality, gradient/accessibility and handrails of path from plots 52-55 to site entrance at Foxlydiate Lane
- Visibility splays
- Dropped kerbs/tactile paving
- Provision of car parking/cycle parking
- Protection measures to prevent pedestrian ingress to ponds
- **Lighting**

Following clarification and confirmation from the Committee on the inclusion of the amendments, as detailed in the preamble above, and on being put to the vote, it was

**RESOLVED** that

- a) the Reserved Matters application be approved,
- b) delegated powers be granted to the Assistant Director for Planning, Leisure and Cultural Services to determine the application following the receipt of amended play area details and layout, and
- c) delegated powers be granted to the Assistant Director for Planning, Leisure and Cultural Services, following consultation with the Planning Committee Chairman, to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report.

**Suggested Condition Topics**

- List of approved plans
- Details of bin collection points
- Details of materiality, gradient/accessibility and handrails of path from plots 52-55 to site entrance at Foxlydiate Lane
- Visibility splays
- Dropped kerbs/tactile paving
- Provision of car parking/cycle parking
- Protection measures to prevent pedestrian ingress to ponds
- Lighting

64/25

**25/00803/FUL - PROPOSED DEMOLITION OF EXISTING BUILDINGS ON SITE AND DEVELOPMENT OF 3 NEW DWELLINGHOUSES. 7 CHURCHFIELDS ROAD, BROMSGROVE, WORCESTERSHIRE, B61 8EB. ELMSVYNE LTD**

This Application had been brought to the Planning Committee for consideration at the request of Councillor M. Marshall, Ward Councillor.

At this stage in the meeting Councillor M. Marshall sat in the public gallery.

It was noted that there was no Committee Update for this item.

Officers presented the report and presentation slides, as detailed on pages 76 to 83 of the main agenda pack.

Members' attention was drawn to the objections received and the principal issues raised, as detailed on pages 62 and 63 of the main agenda pack.

Members were asked to note that Worcestershire County Council (WCC), Highways and the Council's Conservation Officer had raised no

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objections to the application. A Construction Environment Management Plan (CEMP) had been submitted and accepted. A bat survey had also been submitted, and biodiversity net gain had been addressed.

The site was located at 7 Churchfields Road and measured approximately 0.053 hectares. The surrounding properties were residential. The site was bound by No.5 and No.9 Churchfields Road. The site was currently a pitched roof bungalow. There was a hardstanding driveway in the form of bricked paving, as well as a front garden and rear garden. The site was located within the residential area of Sidemoor, immediately adjacent to the west of Bromsgrove Town Centre.

The proposal for this planning application was for the demolition of the existing bungalow and the erection of 3 dwellings (3 x 2 bedroom), with associated external works and car parking. The three dwellings would form a terraced block. The size and measurements of the proposed 3 dwellings were detailed on page 65 of the main agenda pack.

With regard to the proposed garden area for the future occupiers of the development, the Council's High Quality Design SPD recommended a minimum garden area of 70 square metres for all dwellings and a minimum garden length of 10.5 metres for two storey dwellings.

At the invitation of the Chairman, Mr. S. Martin, on behalf of local residents addressed the Committee in objection to the application. Councillor M. Marshall, Ward Councillor, also addressed the Committee in objection to the application.

Having addressed the Committee, Councillor M. Marshall left the meeting room.

Members then considered the application which officers had recommended be granted.

Members raised a number of questions and concerns in respect of the following issues:-

- Car parking spacing - were the spaces 4.5 metres or less than 4.5 metres? Was there sufficient space for 4.5 metre car parking spaces once the dwellings have been built? The area was a very tight area.
- Visibility Splays – some Members had serious concerns about this and were of the opinion that the visibility splays had not been assessed with due diligence. There was a telegraph pole in situ which vehicles would have to reverse around.
- Look at housing needs, were bungalows in demand?

A deferment of the application was briefly referred to, in order to enable a robust assessment, with due diligence, to be carried out.

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Some Members expressed their disappointment with the WCC, Highways Officer leaving the meeting prior to this application being presented.

Officers explained that WCC Highways attended Planning Committee meetings in a strategic role.

Officers further responded and in doing so, highlighted that WCC Highways had not raised any objections to the application. WCC Highways had assessed the application, and it met the required criteria. The car parking spaces would be the standard 4.5 metres, and all three dwellings would each have 2 designated parking spaces, therefore meeting the requirements of the Streetscape Design Guide. The Local Development Plan did look at smaller dwellings, however, the need for bungalows was determined by the market.

With the agreement of the Chairman, the Council's Legal Advisor drew Members' attention to Condition 6, as detailed on page 72 of the main agenda ack, which stated that:-

'The development hereby approved shall not be occupied until the access and parking facilities have been provided as shown on drawing 25-10-01.

Reason: To ensure conformity with submitted details.'

Some Members further reiterated that they had serious concerns about the visibility splays and the severe impact on the highway, referring again to the telegraph pole in situ and the area being tight for vehicles to manoeuvre safely.

A Recommendation to defer the application was proposed and seconded and on being put to the vote, it was

**RESOLVED** that the planning application be deferred pending further reconsideration by Worcestershire County Council, Highways.

65/25

## **25/00872/FUL - CONSTRUCTION OF NEW 3-BEDROOM DWELLING ON LAND ADJACENT TO 18 BROADFIELDS. MR. D. GUEST**

This Application had been brought to the Planning Committee for consideration at the request of Councillor R. E. Lambert, Ward Councillor.

Further information was included in the Committee Update, with regard to the issue of Ancient Light Law and Highways issues, and the officers response to these, as detailed on pages 3 and 4 of the Committee Update.

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A copy of the Committee Update was provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers presented the report and presentation slides, as detailed on pages 94 to 100 of the main agenda pack.

The proposed development would provide a 3-bedroom dwelling. The dwelling would be attached to the existing dwelling, with two parking spaces to the rear of the property. The proposal included a garden shed for cycle storage.

The proposed site had a maximum of width of 9.2m and maximum length of 29.2m. Topographically the site sloped upwards from west to east. The majority of the site was laid to turf containing hedges and shrubs forming domestic landscaping to No 18. Currently, a 1.8m high fence formed the garden boundary to No 18 fronting Eton Walk.

The closest end gable of No. 9 Eton Walk was a flank wall with a bathroom window facing the application site. The window was not a habitable room and was approximately 10m from the proposed dwelling's rear elevation.

Members were asked to note that no objections had been received from Worcestershire County Council, Highways, North Worcestershire Water Management and Worcestershire Regulatory Services (Contaminated Land).

Objections had been received from Hagley Parish Council and 5 individuals, as detailed on page 85 and 86 of the main agenda pack.

At the invitation of the Chairman, Mrs. J. Valdez and Mrs. S. Parsons, who had submitted objections, addressed the Committee.

Members then considered the application which officers had recommended be granted.

In response to Members, officers clarified that there were constraints of the site, however, 2 car parking spaces could be achieved with these constraints. Officers further confirmed that the proposed dwelling would be a 3 bedroom dwelling.

On being put to the vote, it was

**RESOLVED** that planning permission be granted, subject to the Conditions as detailed on pages 90 to 92 of the main agenda pack.

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The Development Management Manager presented the Planning Performance Report: Quarter Three (1<sup>st</sup> October 2025 – 31<sup>st</sup> December 2025) for Members' consideration.

In doing so it was highlighted that planning performance was based on a one-year rolling assessment period and measured the speed of decision making. The speed of decision making was highlighted on page 102 of the main agenda pack.

Officers explained that the speed of decision-making for major applications over the rolling one-year period was 93.8% and 89% for non-major applications over the rolling one-year period. The Government required a minimum of 60% of major applications and 70% of non-major applications to be determined in time, or within an agreed extension of time.

In terms of the quality of the decision making, no Local Planning Authority should exceed 10% of decisions being overturned at appeal. Members were asked to note that the data detailed within the report was intentionally nine months behind the date of publication to allow a time lag for appeals in the pipeline to be determined.

The Council's speed of quality of decision making (January 2023 – December 2024) was highlighted on page 103 of the main agenda pack. This was 6.2% for major planning applications and 2.4% for non-major applications. As such the quality of decision making at Bromsgrove District Council was deemed sound.

In response to questions from Members with regard to the potential for an increase in major applications coming through and officer capacity, the Development Management Manager stated that the team were currently ok but were seeing an increase in major applications and that if needed additional resources could be arranged. There was currently no concern.

**RESOLVED** that the Planning Performance Report: Quarter Three be noted.

67/25

**TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE ASSISTANT DIRECTOR OF LEGAL, DEMOCRATIC AND PROCUREMENT SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.**

There was no Urgent Business on this occasion.

The meeting closed at 7.35 p.m.

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Chairman

Name of Applicant	Proposal	Expiry Date	Plan Ref.
McDonald's Restaurants Ltd and Cordwell Leisure Developments Ltd	Construction of freestanding restaurant with associated drive thru, car parking and landscaping and associated works. Alterations to access. Stourbridge Road Car Park, Stourbridge Road, Bromsgrove, Worcestershire,	14.02.2018	17/01468/FUL

## RECOMMENDATION:

### (a) MINDED to GRANT FULL PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Assistant Director of Planning, Leisure and Cultural Services to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matter:

- 1) £10,000 for the revalidation and optimisation of the Microprocessor Optimised Vehicle Actuation signal timings specification at the Parkside Junction.

## Consultations

### **Worcestershire County Council Highway Authority**

- No objection subject to conditions and obligation relating to:
  - Site Access
  - Parking provision
  - Cycle provision
  - Drainage
  - Construction Traffic Management Plan

### **Mott MacDonald Highway Consultants**

- BDC may reasonably take a decision “on the balance of evidence”, cognisant with other wider planning considerations, or alternatively, again seek further evidence and iteration of the traffic evidence base. It should be noted, however, that the latter approach is not guaranteed to provide a definitive answer. Such a decision, however, remains with BDC as Authority,

### **Strategic Planning and Conservation**

- No Objection
- It is accepted that the opportunity for this site as identified in the BDP is not able to be implemented in full. The areas where full compliance is not possible do not amount to an in principle objection to the scheme.

- Whilst concerns remain about the frontage onto Birmingham Road not being what was envisaged as an active frontage, on balance our view is that this does not amount to a reason for the scheme not to proceed in principle.

## **Conservation Officer**

- No objection
- On the basis that the current car park contributes little to the setting of the CA or the listed buildings, the improved design, better choice of materials and the reduced scale of the proposal will have a neutral impact on the designated heritage assets, and will therefore not result in harm to their significance.
- The proposed site is currently used as a carpark and fronts Birmingham Road with access from Stourbridge Road. It is within close proximity of the northern tip of the Bromsgrove Town Centre Conservation Area, Davenall House, Grade II, is on the south east side of Birmingham Road and Parkside, Grade II, is on the west side of Stourbridge Road.
- Previously concerns have been raised regarding the choice of materials for the new build and the separation of the building from the Birmingham Road by the car access for the drive through.
- The building has now been reduced in height to a high single storey, which will reduce its impact in the street scene, while at the same time partially enclosing the site. The building materials are largely red brick with a panel of grey bricks to add interest, which is an improvement on previous schemes. The building will still be separated from Birmingham Road by the access to the drive through, however it is largely positioned to the front of the site (in terms of the Birmingham Road) partially enclosing this part of the road. Alternative layouts, it is assumed, would have positioned the carpark to the Birmingham Road side of the site. Views of the drive through will be partially screened by the proposed landscaping, which includes railings and trees. Access to the car park and drive through will be from Stourbridge Road, via the current car park access.

## **Worcestershire Archive and Archaeological Service**

- No objection subject to condition relating to:
  - The securing of a programme of archaeological works

## **North Worcestershire Water Management**

- No objection subject to condition relating to:
  - A Drainage Strategy

## **Worcestershire Regulatory Services - Contaminated Land**

- No objection subject to conditions relating to:
  - Tiered investigation

## **Worcestershire Regulatory Services - Air Quality**

- No objection

## **Worcestershire Regulatory Services**

**Odour:** The applicant should provide full details relating to the proposed position of the kitchen extraction flue and the odour control system for comment and approval.

**External Lighting:** The applicant should provide full details of the proposed external lighting scheme for comment and approval.

**Construction Phase Nuisance:** In order to minimise any nuisance from noise, vibration and dust during the construction phase the applicant should refer to the WRS Demolition & Construction Guidance and ensure its recommendations are complied with.

## **Worcestershire Regulatory Services – Noise**

No objection subject to a condition relating to:

- Demonstrating the noise from an external fixed plant/ventilation opening will not adversely impact the nearest sensitive receptors.

## **Arboricultural Officer**

- No objection subject to additional tree planting and conditions relating to:
  - New stock to be planted is at least Heavy Standard Grade 12-14 cm stem girth trees
  - Specification of tree pits

## **Publicity**

- A total of 5 letters were originally sent on 4 January 2018.
- Three site notices were displayed around the application site on 8 January 2018 which expired on 29 January 2018.
- The application was advertised in the Bromsgrove Standard on 12 January 2018, expiring on 26 January 2018.

Those who made comments on the application were reconsulted on 4 December 2018 when amended plans and information were submitted by the applicant.

A total of 408 comments have been received as a result of the publicity of the application. These are not necessarily all individual comments, as some individuals have chosen to comment more than once on the application. Of these 391 comments are recorded as objections and 17 are recorded as making comments in support of the proposal.

On submission of the current scheme a further round of consultation has been undertaken given the time lapse in progressing the application.

A total of 15 letters were sent on 16 October 2025

Site notices were displayed around the application site on 16 October which expired on 10 November 2025.

The application was advertised in the Bromsgrove Standard on 24 October 2025, which expired on 10 November 2025.

The application now has recorded a total of 450 comments, of which 423 are recorded as objection and 26 recorded as support.

The matters raised in support of the application are summarised as follows:

- Would raise Bromsgrove's profile
- Would improve the range of eateries in the town bringing jobs, visitors and footfall
- Congestion will happen regardless

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- Helps support other local businesses and increase trade
- Provide a safe place for young people to meet and socialise
- Would improve the health of the High Street and provide a facility enjoyed by other towns and cities
- The site is currently an eyesore and a waste of a prime location in the town centre
- Established KFC has done no harm
- Young families and children should be catered for to support a vibrant community

The matters raised in objecting to the application are summarised as follows:

- Would be damaging to children and family's health and wellbeing
- Would be contrary to Government guidance on discouraging fast food outlets close to schools, homes and youth facilities in interests of health and curbing obesity
- Would be in easy walking distance for pupils of Meadows First School, Parkside Middle School, North Bromsgrove High School, the Library and the playground next to the Asda store..
- Would encourage anti-social behaviour and increases in crime
- Increase in traffic hazard to pedestrians and cyclists
- The crossroads adjacent to the site is already heavily congested and with limited space for manoeuvring of delivery lorries within the carriageway
- Those living in the area should be free from the constant odour of fried food and air pollution from idling cars.
- The data used for the transport statement is not fit for purpose and does not take account of recent developments
- There is a connection between obesity and processed foods and the onset of certain cancers
- The Bromsgrove Town Centre Plan seeks to reduce fast food outlets and clustering of fast food outlets at this end of town would be unacceptable.
- Will do nothing for schools encouraging healthy eating
- Increase in traffic would result in a reduction in air quality and health risk for children walking to school
- Recent opening of Aldi, Home Bargains, Food Warehouse and Lidl has led to traffic increases at all times.
- Controlled parking at McDonalds will not encourage people to stay in town, and also with a drive through, and would result in the loss of another public carpark when there is already insufficient parking in the town
- Nuisance caused from littering and noise
- The site should remain designated for office or retail use
- There is already an unbalanced portfolio in relation to fast food in the town.
- Detrimental to residential amenity
- A drive-through is inappropriate on the fringes of a crowded town next to residential housing
- Bromsgrove Town Centre Plan seeks to reduce fast food outlets and the clustering of such outlets at this end of town is unacceptable.
- Drive-through will encourage car use
- The District Plan puts the site forward for office led mixed use and not retail/restaurant use.
- Unacceptable loss of mature trees and shrubs
- Wrong public health message to put a fast food outlet directly opposite a GP surgery.

- Loss of the car park would leave no car park for football fans to park on. The local and surrounding roads are already full on match days with as many as 3000 plus fans on a full game. The removal of this car park leaves no North Car Park. The towns other car parks will not be able to cope with the volume of cars needing to park.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 – Sustainable Development Principles  
BDP16 – Sustainable Transport  
BDP17 – Town Centre Regeneration  
BDP19 – High Quality Design  
BDP20 – Managing the Historic Environment  
BDP25 – Health and Wellbeing

### **Others**

NPPF – National Planning Policy Framework  
NPPG – Planning Practice Guidance

## **Relevant Planning History**

17/01469/ADV	INSTALLATION OF 7 NO. FASCIA SIGNS.	Pending consideration
17/01470/ADV	VARIOUS SITE SIGNAGE INCLUDING 1 NO. GATEWAY HEIGHT RESTRICTOR, 7 NO. FREESTANDING SIGNS, 2 SINGLE SIDED DIRECTIONAL SIGNS, 3 NO. BANNER UNITS AND 14 NO. DOT SIGNS.	Pending consideration
17/01471/ADV	THE INSTALLATION OF A FREESTANDING 12M TOTEM SIGN	Pending consideration

## **Assessment of Proposal**

### **1. Site and surroundings**

1.1 The site comprises the council owned car park occupying the majority of a roughly triangular shaped piece of land close to the junction of Market Street, Stourbridge Road and Birmingham Road in Bromsgrove. The site is broadly level and largely comprises a tarmacked area for car parking with ancillary lighting/signage/CCTV cameras/ticket machines. Vehicular access is gained from Stourbridge Road. Roughly in the centre of the site is a belt of trees.

1.2 Adjacent to the application site to the south are two storey red brick buildings housing a wedding dress shop and a hair and beauty salon. An area of land immediately adjacent to the Market Street/Stourbridge Road/Birmingham Road junction is being utilised as a car wash.

1.3 To the north is the Aldi supermarket which is a single storey building finished predominantly in red brick and render.

1.4 The Parkside building housing the council offices lies to the west of the application site on the opposite side of Stourbridge Road and comprises a two storey red brick building with modern extension which houses the public library. The building is listed at Grade II.

1.5 To the east of the application site on the opposite side of Birmingham Road lies a three-storey modern parade of shops as well as Davenal House which houses a doctors surgery and the Norton Collection Museum. Davenal House is listed at Grade II.

## **2. Proposal**

2.1 The application proposes the construction of a single storey restaurant building, including drive thru and associated infrastructure and car parking. The building is proposed to be sited towards the eastern side of the site, close to and parallel with the Birmingham Road frontage.

2.2 Vehicular access will be via the existing access off Stourbridge Road which is proposed to be modified. A total of 28 car parking spaces are proposed on the site to include two accessible spaces. A brick wall with black bow top railings above is proposed along the Birmingham Road frontage which will mimic the same feature present along the Birmingham Road frontage to the Aldi supermarket site.

2.3 The building is proposed to be finished in red brick with grey brick feature panels and white canopy details.

## **3. Principle of development**

3.1 The site lies within the Town Centre as defined by the Bromsgrove District Plan. Policy BDP17 provides guiding principles to new development within the Town Centre as well as specifically allocating the application site along with the adjacent Aldi supermarket site, at policy BDP17.15 for redevelopment, known as site TC8 'Birmingham Road/Stourbridge Road Junction'.

3.2 The supporting text to Policy BDP17 explains that the site will be considered for a variety of different uses however a development which incorporates new office accommodation will be favoured. It goes on to outline that there will be a need to reinstate the street frontages along Birmingham Road with high quality architecture as well as tree planting along Stourbridge Road and Birmingham Road to reinstate the historic lime avenue.

3.3 Policy BDP17.15 itself outlines four development principles that will apply to the site, as well as reiterating that the site offers an opportunity for office led mixed use development. These criteria relate to encouraging the reinstatement of street frontages through a perimeter block arrangement, the requirement for high quality distinctive architecture to establish the crossroads as a key gateway in to the town, any development proposed respecting the scale of development on the Birmingham Road Retail Park and

that the Stourbridge Road frontage would need to have regard to the former Parkside School opposite.

3.4 The development as proposed constitutes the erection of a restaurant building with takeaway food provision. This is considered to represent a mixed use of the site (Classes E and sui generis). Clearly this does not make any provision for office accommodation which the policy in the Development Plan favours for the site.

3.5 In response to this the applicants have submitted a report reviewing the Bromsgrove office accommodation market. The report considers the availability of office space and demand trends, as well as market trends and development viability. The report concludes that the demand for office accommodation is weak within the town centre and notes that a number of established owner occupiers have relocated to out of town locations. Topaz Business Park due to its location adjacent to the motorway has attracted the strongest occupiers and secured the highest rents. Following this, accommodation on the south east of the town at Buntsford Park and Harris Business Park are also popular with occupiers. It is further noted that only one speculative office building has been constructed within the buoyant Solihull M42 market in the last 8 years. Taking these matters in to account it is considered that new office development is commercially unviable. This is evidenced in relation to the specific application site through the marketing exercise undertaken for mixed use redevelopment which did not attract any interest for office use.

3.6 In considering the report submitted, Strategic Planning have confirmed that the report provides justification to address why the policy in relation to the site cannot be implemented in full. On balance it is considered that whilst concerns remain relating to the Birmingham Road frontage there is not a reason why the scheme cannot proceed as a matter of principle. Your officers have no reason to take a different view to those of colleagues in Strategic Planning and therefore no objection is raised to the development of the site in principle.

## **4. Public Health**

4.1 Policy BDP25 of the Bromsgrove District Plan provides a range of policies relating to Health and Wellbeing.

4.2 Chapter 8 of the National Planning Policy Framework (NPPF) (2024) relates to promoting safe and healthy communities. Of particular note is paragraph 97 of the NPPF which states that:

*Local planning authorities should refuse applications for hot food takeaways and fast food outlets:*

- *within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or*
- *in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour.*

4.3 Policies BDP25.6 and 25.7 relate to the control of A5 hot food takeaway uses. Use class A5 no longer exists, and hot food takeaways are now considered a Sui Generis use.

4.4 Relevant to this application is Policy BDP25.6, which only permits hot food takeaways where the proposed use will not result in the proportion of units within a designated centre exceeding 5%.

4.5 Policy BDP25.7 applies a 400m buffer around schools, parks and youth centred facilities, within which hot food takeaways would be resisted. 400m was chosen because it was considered to be a reasonable distance given that it represents a 10 minute walk. This policy only applies to proposals that fall outside the defined designated town centre, whereas the application site abuts its inside edge, and therefore does not apply in this case. However, given the concentration of schools near to the site and the weight of objection raised by the local community on this issue, for Members' information distances to the local schools are as follows:

Meadows First School: 430m  
Parkside Middle School: 430m  
North Bromsgrove High School: 569m

4.6 Therefore, even if Policy BDP25.7 were to apply to the proposal, the site exceeds 400 metres from all the schools in proximity to the site and would meet with this Policy requirement. Furthermore, as stated above, the NPPF only seeks to resist applications for hot food takeaways which are within walking distance of schools unless the location is within a designated town centre which is the case in this instance.

4.7 In addition, and specifically with reference to the requirements of BDP25.6, it is clear that the application is a mixed use proposal not solely a hot food takeaway proposal. BDP25.6 is not now in accordance with the NPPF at paragraph 97, which is a material consideration of significant weight, particularly in view of the fact that the NPPF is more up to date than the Bromsgrove District Plan.

4.8 Paragraph 90 of the NPPF states that planning decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation.

4.9 Taking all of the above in to account it is considered that the proposal is acceptable on public health grounds and application of the policies of the NPPF are such that resisting the application on these grounds is not supported by planning policy.

## **5. Design and the Historic Environment**

5.1 The application proposes the construction of a single storey restaurant building sited parallel to Birmingham Road. Vehicular access is proposed from Stourbridge Road in the position of the existing vehicular access to the site. It is proposed to widen this vehicular access. Pedestrian access will be from both the Stourbridge Road entrance and the retention of the existing pedestrian access from Birmingham Road.

5.2 A large part of the site will remain as car parking, albeit in a rearranged layout. The proposed layout plan makes provision for EV changing points and access to the building in a form of a drive thru.

5.3 Landscaping is proposed to both the Stourbridge Road and Birmingham Road frontages including new tree planting.

5.4 The existing stone wall is shown as being retained to the Stourbridge Road frontage, with a wall and bow top railings, similar to those at the Aldi frontage, is proposed to the Birmingham Road boundary.

5.5 The building itself is proposed to be finished in red brick with darker brick panels. Dark glazing and panels are shown above a number of the windows with white canopy detailing.

5.6 BDP19 of the Bromsgrove District Plan broadly deals with matters relating to design. In addition, BDP17.15 sets out some development principles which will apply to the development of the wider site allocation. These include the encouragement of a perimeter block arrangement to reinstate street frontages, the requirement for high quality architecture, the scale of development to respect the scale of Birmingham Road retail park and that the Stourbridge Road frontage should have regard to the former Parkside School (now the Council offices) opposite the site.

5.7 Opposite the site to the east is the north eastern extremity of the Bromsgrove Town Centre Conservation Area, and two buildings in particular, the grade II listed Davenal House, which is currently a doctors surgery and the Norton Trust Museum, which was probably the coach house to Davenal House. Although it has been altered and extended, its historic and architectural character are still apparent and it was identified in the 2012 Conservation Area Appraisal as an 'unlisted building that makes a positive contribution'.

5.8 Parkside, on the Stourbridge Road, dates from 1909 and is Grade II listed. The significance of both listed buildings and the unlisted Museum building are largely related to their architectural interest, but they do reflect the character and materials of many other buildings in the centre of Bromsgrove and particularly the Town Centre. The setting of Parkside, in terms of neighbouring buildings, has probably not altered significantly since it was constructed. Birmingham Road has lost the sense of enclosure it once had with the demolition of the houses that would have been on the application site.

5.9 BDP20 of the Bromsgrove District Plan covers matters relating to the Historic Environment and in particular that the District Council will support proposals which sustain and enhance the significance of Heritage Assets including their setting. Furthermore, development affecting Heritage Assets, including alterations or additions as well as development within the setting of Heritage Assets, should not have a detrimental impact on the character, appearance or significance of the Heritage Asset or Heritage Assets and BDP20.9 requires development within or adjacent to a Conservation Area should preserve or enhance the character or appearance of the area.

5.10 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that LPAs have special regard to the desirability of preserving a listed building or its setting.

5.11 As noted earlier in this report, the Conservation Officer has provided comments on the application and does not raise any objections, overall noting that the development will have a neutral impact on the designated heritage assets and not result in harm to their significance.

5.12 The siting of the building is such that it will partly enclose the Birmingham Road frontage, one of the characteristics of development encouraged by BDP17.15. Furthermore, the reduced scale of the building is such that it respects that at the Birmingham Road retail park and the absence of built form proposed at the Stourbridge Road frontage maintains the status quo here.

5.13 Having regard to the policies of the Development Plan, the requirements of the relevant planning Act and the current use of the site as a car park, it is considered that the design of the building and site is considered appropriate for its setting and no harm will result to the significance of the heritage assets which are in proximity to the application site.

## **6. Highway Matters**

6.1 Policy BDP16 of the Bromsgrove District Plan requires that development should comply with Worcestershire County Council's Transport policies, design guide and car parking standards as well as a series of more specific development requirements.

6.2 Paragraph 115 of the NPPF sets out a series of criteria for assessing applications for development with specific reference to promoting sustainable transport. Paragraph 155(d) states that it should be ensured that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

6.3 Paragraph 116 of the NPPF goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

6.4 It is noted that a large number of the comments made objecting to the application raise matters relating to the local highway network and the Stourbridge Road/Birmingham Road/Market Street/The Strand junction. It is well established that any proposal seeking planning permission can only seek to address those matters directly arising from the development proposed and cannot be used to address any pre-existing highway issues.

6.5 There has been considerable work undertaken in relation to highway matters over the lifetime of the application, including consultation with Worcestershire County Council Highway Authority and Mott MacDonald on behalf of the council.

6.6 In response to the most recent revised submission the Highway Authority have concluded that they have no objection to the application subject to planning conditions and obligations. In coming to this conclusion, the following have been reviewed the following:

- Planning Statement (updated September 2025)
- Amended Site Plan (July 2025)
- Traffic Note 4 (October 2025)
- Stage 1 Road Safety Audit
- Delivery Management Plan

WCC Highways have also reviewed and updated the "Land at Stourbridge Road Car Park Microsimulation Modelling report (July 2025)".

6.7 The Highway Authority response is separated into a number of sections which are summarised below;

## **Vehicular Access**

- The existing access at Stourbridge Road is proposed to be modified to form a simple priority T junction arrangement with a 6.5 to 6 metre site access road and yellow box/keep clear carriageway markings on Stourbridge Road.
- Adequate junction visibility splays can be achieved of 2.4m x 43m in both directions
- Vehicle swept path analysis demonstrates that a rigid delivery vehicle (HGV) would be able to undertake right in, left out turning manoeuvres at the access within the confines of the carriageway
- Swept path analysis suggests that there would be some limited overrunning of the opposing lanes when a deliver vehicle seeks to access and egress the site, however this is not extensive and would be typical for delivery and service vehicles operating in the urban road network. The highway authority are satisfied that delivery vehicles undertaking left-in and right-out turning manoeuvres would be able to do so safely within the confines of the carriageway.
- An independent Stage 1 Road Safety Audit has been undertaken for the proposed site access at Stourbridge which highlighted one safety risk associated with pedestrian crossing at the access, however the site plans have been updated to satisfactorily address this matter.

## **Development Impact Assessment – Parkside Junction**

- Review of the microsimulation modelling of the Parkside Junction indicates that the development proposals result in regular instances of drivers waiting to turn right into the site from Stourbridge Road blocking back into the Parkside Junction as vehicles on the Stourbridge Road approach to the junction and queue across the proposed site access.
- The applicant has agreed to provide carriageway markings and signage to prevent queuing vehicles from blocking the site access.
- The micro-simulation modelling also indicates that as a result of the traffic demand generated by the proposed development, the performance of the Parkside signalised junction will deteriorate over time. WCC Highways accepts that the limitations of the microsimulation model and the local context of the site mean that the impact of the proposed development at the Parkside junction is overestimated within the model.
- The Parkside junction has recently been improved to enhance performance and operational capacity, comprising an upgrade to MOVA (Microprocessor Optimised Vehicle Actuation) control, queue detection and the refurbishment of signalling equipment. The improvements to the Parkside junction enable the signal operation to be optimised and dynamically respond to actual vehicle demands, queues and delays during network peak hours
- The modelling assessment demonstrates that that the proposed development will attract and generate additional vehicle trips and turning movements during network peak hours, proximate to the Parkside junction, that were not known/taken into account within the Parkside junction improvement scheme. Should the LPA be minded to approve the application, WCC Highways requests that a proportionate contribution of £10,000 is secured via S106 Agreement towards the revalidation and optimisation of the MOVA signal timings specification, to enable the actual development impact to be

adequately monitored and managed and to ensure any associated deterioration in junction performance can be satisfactorily mitigated.

## **Delivery Management Plan**

- A delivery management plan has been submitted which explains how deliveries will take place at the site.
- As the delivery vehicle requires a number of car parking bays whilst parked on site and requires the use of a number of parking bays to be prohibited to undertake the necessary manoeuvres within the site, deliveries and servicing will avoid peak trading periods.
- Deliveries are proposed to be scheduled to occur at quiet trading periods, overnight between 20:00 and 08:00.

## **Site Layout**

- WCC Highways is satisfied that sufficient on-site parking is proposed, in accordance with the requirements of the Worcestershire Streetscape Design Guide.
- WCC Highways is satisfied that sufficient parking would remain available to accommodate customer demand during the proposed overnight delivery windows.
- WCC Highways is satisfied that the proposed drive-thru arrangements are suitable and that any concentrations of traffic demand at the drive-thru would not result in vehicles queueing onto Stourbridge Road.

6.8 Mott MacDonald provided a detailed response to these comments which concluded overall that the updated application reflected a more considered approach to the concerns previously raised relating to the impact of the development on the operational performance of the Parkside junction in relation to queuing and delays. However, this matter, in their view, had not been fully resolved.

6.9 Further consideration of the Mott MacDonald comments was given by the Highway Authority. Their position remains that they raise no objection to the proposal subject to conditions and the requested planning obligation.

6.10 The comments received at this time from the Highway Authority are framed having regard to the NPPF particularly at paragraphs 109, 110, 115, 116 and 117:

- The request by Mott MacDonald for further modelling assessments and rebasing of the model is considered to be in conflict with paragraph 116 of the NPPF as mitigation has been identified and modelling undertaken in accordance with Department for Transport guidance. No evidence has been presented by Mott MacDonald to justify why the development should be prevented or refused based on the tests in paragraph 116.
- With respect to the concerns relating to the mitigation scheme proposed and the reduction in the scale of the development not being sufficient it is considered that this conflicts with the NPPF at paragraph 115(d). Further mitigation beyond that already identified would likely be of a significant cost which would undermine the viability of the development. Paragraph 115 is clear that a balance needs to be struck to ensure mitigation for development is viable and enables it to come forward. The approach being undertaken by Mott MacDonald would undermine this position within the NPPF.

6.11 A final response from Mott MacDonald has been received which, in summary, makes the following points in conclusion:

- The planning application has been delayed for many years, during which both local traffic conditions and the scheme's design and evidence base have changed.
- Given the time elapsed, a decision may now need to be made using the evidence that is currently available.
- Although microsimulation modelling was intended to provide robust traffic assessment, all parties agree that flaws in the base model limit how reliable the results are. Attempts to fill these gaps (such as validation or sensitivity testing) were suggested but not undertaken, leaving the actual scale of traffic impacts at Parkside unproven.
- Worcestershire County Council's position of no objection carries notable weight. Their view is based on the constrained evidence available and relies partly on professional judgement. While there are points of disagreement, differing professional judgements are considered reasonable due to the limitations in evidence.
- The site access design has been refined and now credibly addresses localised safety risks, though some residual risk remains.
- Overall, the development's traffic impact—particularly at the Parkside junction—remains “not proven” rather than demonstrably severe.
- Bromsgrove District Council can reasonably determine the application based on the balance of available evidence and wider planning considerations, or seek further traffic evidence. However, further work may still not produce a definitive answer.

6.12 Your Officers are clear that a considerable length of time has elapsed since the planning application was originally submitted, during which a not insignificant amount of work has been undertaken relating to the highways impacts of the proposal.

6.13 The concerns expressed by Mott MacDonald are noted, particularly their concerns around the impact on the Parkside Junction being not proven, rather than being proven to be demonstrably severe. In terms of determining the planning application clear reference is made to there being a need to exercise professional judgement on the matter.

6.14 Whilst it is clear that further work could be undertaken to address the deficiencies with the evidence presented on the highways impacts it is not clear that this further work would result in a definitive answer as to the impact on the Parkside junction.

6.15 Worcestershire County Council acting as the Highway Authority raise no objection to the application and as the statutory consultee on these matters their comments carry significant weight in the determination of the planning application. Mott MacDonald themselves recognise that as the statutory consultee they have direct experience in operating the highway network and involvement in developing the Parkside MOVA scheme.

6.16 In view of the above, and the application of paragraphs 109, 110, 115, 116 and 117 of the NPPF it is your officers view that it has not been demonstrated that there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. In addition, in view of the advice of the Highway Authority, the requirement to carry out further modelling work may render the development of the site unviable contrary to paragraph 115(d) of the NPPF. As such it is considered that there is no policy basis on which to resist the application on highway grounds.

## **7. Trees**

7.1 The scheme requires the removal of a significant number of the existing trees on the application site.

7.2 There has been considerable discussion with the Council's Arboricultural Officer regarding the landscaping on the site. Whilst it is the preference that the existing trees on the site are retained, mitigation planting is proposed which is considered to be appropriate in terms of the numbers and sizes of trees proposed.

7.3 The mature Beech tree at the southern side of the entrance drive is shown to be retained on the site.

7.4 No objections are raised to the proposed scheme subject to a number of conditions.

7.5 Your Officers note that trees are proposed to the Birmingham Road and Stourbridge Road frontage which accords with the supporting text to policy BDP17 of the Bromsgrove District Plan. Furthermore, the applicant has advised that further tree planting to the Stourbridge Road frontage may be possible, however this is dependent on site constraints and cannot be established until works were to commence.

7.6 It is considered that a planning condition could reasonably be attached to any planning permission to seek further details relating to additional tree planting along this road frontage. Further conditions are considered reasonable in relation to tree protection, excavation works, tree pit planting specifications and the implementation of the submitted landscaping scheme.

## **8. Other matters**

8.1 The application proposes 24 hour opening and deliveries after peak hours between 8pm and 8am. Concerns have been raised relating to the impact of this through noise and disturbance. It is noted that the current use of the site is as a car park and cars arriving to utilise the drive thru element of the site would not result in a materially different impact to the existing use of the site. Given the position of the site in relation to the high street it is considered that pedestrian footfall to the site would be limited late into the evening/early hours of the morning. Deliveries to the site could occur at any time after 8pm and this may result in some limited noise and disturbance whilst lorries are manoeuvring/delivering goods. Officers are mindful, however that there will be existing traffic noise adjacent to the application site and the Birmingham Retail Park development is unrestricted in terms of opening hours and deliveries. Taking all these matters into account it is considered unreasonable to restrict the hours of operation of the proposed building.

8.2 It will be noted that consultation has been undertaken with a number of other consultees as set out earlier in this report. These covers matters such as archaeology, drainage, contaminated land, odour, construction nuisance. No consultee has raised objection to the proposal and recommended conditions that could be attached to any forthcoming permission.

8.3 It should be noted that as the application was validated before Biodiversity Net Gain was a requirement the application is not subject to this legislation.

## 9. Conclusion

9.1 The application proposes the redevelopment of a site within the Bromsgrove Town Centre, which, along with the adjacent Aldi supermarket site is allocated for development in the Bromsgrove District Plan. Whilst the proposal is not for the favoured office development, BDP17 sets out that the site will be considered for a variety of different uses. For the reasons set out above, the proposal complies with Policy BDP25 with respect to concerns relating to public health.

9.2 No objections to the proposal are raised from the majority of consultees on the application, with a number recommending conditions to be attached to any approval.

9.3 Considerable work has been undertaken with respect to highway matters and with respect to guidance contained within the NPPF it is considered that there is no policy basis on which to refuse the application on these grounds.

9.4 The proposed development would deliver economic benefits including job creation, both during the construction phase and in the longer term.

9.5 Overall, given the presumption in favour of sustainable development it is considered that the benefits of the proposal outweigh the disbenefits and it is therefore recommended that full planning permission be granted.

### **RECOMMENDATION:**

#### **a) MINDED to GRANT FULL PLANNING PERMISSION**

(b) That **DELEGATED POWERS** be granted to the Assistant Director of Planning, Leisure and Cultural Services to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to the following matter:

- 1) £10,000 for the revalidation and optimisation of the Microprocessor Optimised Vehicle Actuation signal timings specification at the Parkside Junction.

### **Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following plans and drawings:

2918/SK/35A Proposed site access  
V15672-MCD\_L01 Rev E Proposed Landscape Plan  
Block Plan 14583\_AEW\_2770\_0002 Rev B  
Proposed Building Elevations and Sections 14583\_AEW\_2770\_0005 Rev A

Proposed boundary wall 2961\_AEW-8096\_0019

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3. No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
  - a) The programme and methodology of site investigation and recording.
  - b) The programme for post investigation assessment.
  - c) Provision to be made for analysis of the site investigation and recording.
  - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - e) Provision to be made for archive deposition of the analysis and records of the site investigation
  - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: In accordance with the requirements of paragraph 218 of the National Planning Policy Framework. The condition is required to be pre commencement as it relates to potential below ground archaeology which would be lost if works were to commence prior to investigation.

4. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 218 of the National Planning Policy Framework.

5. No works or development shall take place until a site drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hard-standing areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). The surface water drainage measures shall provide an appropriate level of runoff treatment. In addition this should include details of the provision for the sustainable disposal of surface water within the site so as to prevent its discharge onto the highway. The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason: To ensure that a suitable drainage system is in place. The condition is require to be pre commencement as drainage works are integral to the first stages of development on site.

6. Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 5 have been complied with:

1. Previous reports submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

2. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

3. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: 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

7. Electric charging points shall be installed in 10% (as a minimum) of the allocated parking spaces at the development. This may be phased with 5% of spaces operational initially and a further 5% of spaces made EV recharging ready (i.e. incorporating appropriate cabling) to allow additional provision to meet future demand. The developer is responsible for ensuring the charging point complies with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. As a minimum, charge points should comply with Worcestershire County Council Design Guide which requires 22kw charge points in visitor areas, 7kw charge points in staff areas.

Reason: Development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

8. Secure cycle parking facilities must be provided at the development as determined by Worcestershire County Council Design Guidance. Full details of the location, type of rack, spacing, numbers, method of installation and access to cycle parking should be submitted to and approved by the local planning authority prior to the first occupation of the development. The development shall be carried out in accordance with the details hereby approved prior to the first use of the development.

Reason: To ensure satisfactory provision is made for the parking of cycles.

9. The Development hereby approved shall not be brought into use until the vehicle parking provision, including Drive-Thru Lane and Grill Bays, as shown on drawing 2918/SK/35A have been sited, provided with a properly consolidated surface, and are available for use by customers. Thereafter, parking spaces shall be kept clear of obstruction and retained only for the parking of vehicles, including delivery and servicing vehicles, in association with the consented use.

Reason: To ensure that satisfactory provision is made for the parking of vehicles and vehicle circulation.

10. Before Development commences, a detailed schedule of works and design for the site access works at Stourbridge Road, including the site access road, visibility splays Stourbridge Road carriageway markings, signage and pedestrian crossing provision shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the submitted detailed scheme, which is broadly in accordance with drawing 2918/SK/35A, subject to any non-material modifications identified during the detailed design, technical approval and Road Safety Audit processes, has been agreed in writing by the Local Planning Authority and has been implemented in full.

Reason: In the interests of safe and suitable access for all users and highway safety.

11. The Delivery Management Plan hereby approved, dated October 2025 shall be implemented in accordance with the regime contained within the Plan.

Reason: In the interests of highway safety.

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12. The Development hereby permitted shall not be brought into use until a full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, but not be limited to:

- measures and initiatives to encourage and maximise the use of sustainable and active modes for travel to work;
- an accessibility strategy to specifically address the needs of employees with limited mobility requirements;
- the mechanisms for monitoring and review;
- the mechanisms for reporting;
- appointment and contact details of a travel plan coordinator.

Thereafter the Travel Plan shall be implemented, monitored and reviewed in line with the approved details for a minimum period of five years following first occupation.

Reason: To reduce single occupancy car travel and provide a genuine alternative for employees to travel to work by active and sustainable modes of transport.

13. The Development hereby approved shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring; and
- Details of any temporary construction accesses and their reinstatement.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety. The condition is required to be pre commencement as the matters relate to works starting on site.

14. Prior to installation on site, full details of the proposed position of the kitchen extraction flue and odour control system shall be submitted to and approved in writing by the Local Planning Authority. The details shall be carried out in accordance with the details hereby approved.

Reason: To protect the amenities of the area

15. Prior to installation on site, full details of the proposed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall be carried out in accordance with the details hereby approved.

Reason: To protect the amenities of the area

16. The approved soft landscaping scheme shown on drawing No. V15672-MCD\_L01 Rev E shall be carried out in the first planting and seeding seasons following the occupation or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order to ensure the development is satisfactory in appearance.

17. Notwithstanding the proposed tree planting shown on drawing V15672-MCD\_L01 Rev E, details for additional tree planting along the Stourbridge Road frontage shall be submitted to and approved in writing prior to the first use of the development hereby approved. Any additional planting shall be carried out in the first planting and seeding seasons following the occupation or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order to ensure the development is satisfactory in appearance.

18. Prior to commencement of development an arboricultural method statement and tree protection plan should be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In order to protect the trees on the application site. The condition is required to be pre commencement as any preliminary ground works could affect the protected trees on the site.

19. Prior to first planting on site, details of the tree planting pits shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details hereby approved.

Reason: In order to protect the proposed tree planting on site.

20. Prior to first occupation of the development, full details of the hard landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include, but not be limited to, details of the following: a) all external surface materials; b) details of all boundary treatments; c) details of all outdoor furniture including bins, benches and play equipment; d) management and maintenance measures. The hard landscaping scheme shall be implemented prior to first occupation of the development in accordance with the approved details and thereafter permanently maintained.

Reason: In order to ensure the development is satisfactory in appearance.

21. No development comprising external elevational treatments shall take place until full

# Agenda Item 5

details, including samples and specifications of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details

Reason: In order to ensure the development is satisfactory in appearance.

22. Prior to installation on site, details of the wall materials to the Stourbridge Road entrance and the brick wall to Birmingham Road shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is satisfactory in appearance.

23. Prior to the first use of the development hereby approved, a report shall be submitted to and approved by the Local Planning Authority demonstrating the noise from an external fixed plant/ventilation opening will not adversely impact the nearest sensitive receptors.

Reason: To protect the amenities of the area

**Case Officer:** Sarah Hazlewood Tel: 01527881720  
Email: sarah.hazlewood@bromsgroveandredditch.gov.uk

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17/01468/FUL

Stourbridge Road Car Park, Stourbridge Road,  
Bromsgrove, Worcestershire,

Proposal: Construction of freestanding restaurant with associated  
drive thru, car parking and landscaping and associated works.  
Alterations to access.

Recommendation:

Minded to Grant full planning permission subject to conditions  
and planning obligation

# Aerial Photograph



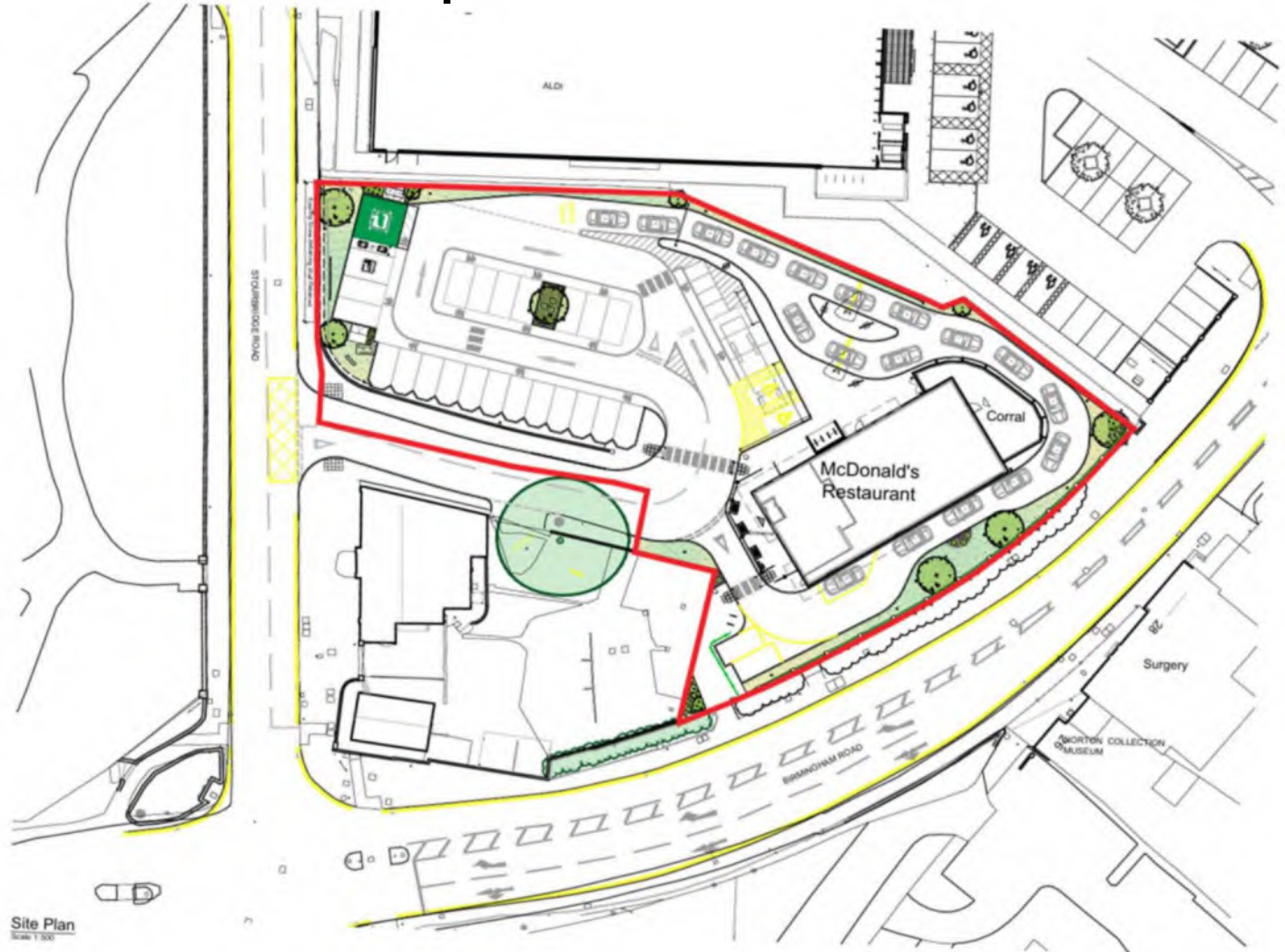
# Application Site



# Application Site

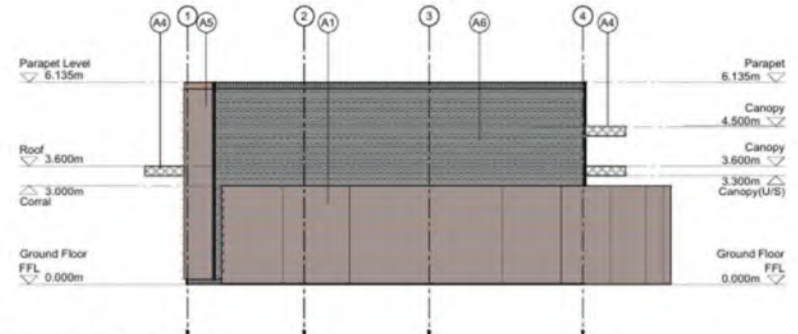


# Proposed Site Plan



Site Plan  
Scale 1:500

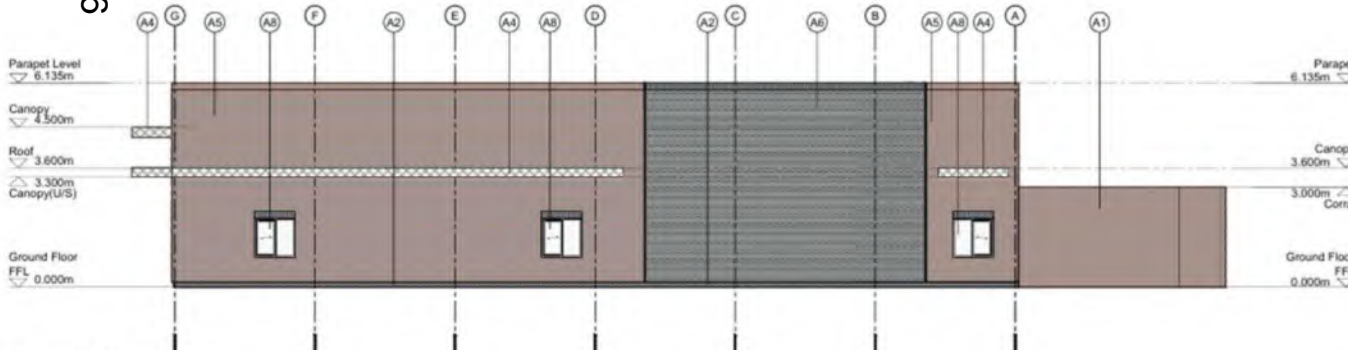
# Proposed Elevations



Proposed Elevation 1

Proposed Elevation 2

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Proposed Elevation 3

Proposed Elevation 4

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# Proposed CGI Images



View from Birmingham Road

Proposed CGI Images



View from proposed entrance on Stourbridge Road

Applicant	Proposal	Plan Ref.
Crossland Investments Ltd	Outline planning application for construction of 25 dwellings. Land between 47 and 53 Redditch Road, (Alvechurch FC site), Alvechurch, B48 7RS	19/00140/OUT

**RECOMMENDATION:**

- (a) **MINDED to APPROVE OUTLINE PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following:
  - (i) Highway contribution towards £7,322.13 towards community transport and school transport, a contribution of £21,189.58.
  - (ii) The payment of £1,332,000 towards the cost of providing replacement sports facilities and associated works for Alvechurch Football Club.
  - (iii) Education Infrastructure contribution of £124,255.00 for middle school contributions and a High School contributions £118,868.00 to four schools Crown Meadow First School and Alvechurch CE Middle School. As well as North and South Bromsgrove High Schools.
  - (iv) Off-site teen and adult play and sports facilities and play pitch improvements of £35,966. The off-site contribution will be between George Road open space and play Swans Length open space and play area and Wiggin Memorial open space and play area.
  - (v) Healthcare contributions of £21,600 towards Herefordshire and Worcestershire ICB towards the Kingfisher and Nightingale Primary Care Trust. In addition, £33,908 towards the Worcestershire Acute Hospitals NHS Trust. The hospitals are Alexandra Hospital, Kidderminster Hospital Worcestershire Royal Hospital in Worcester.
  - (vi) Waste Management Contribution Waste and recycling bins calculated as follows: £44 per dwelling.
  - (vii) Planning Obligation Monitoring Fee: Financial figure to be confirmed
  - (viii) The securing of a 50% provision of on-site affordable dwelling units
  - (ix) The provision and future maintenance in perpetuity of the SuDs facilities

And:

- (c) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services to agree the final scope and detailed wording and numbering of conditions as set out in the report

## **Consultations**

### **Worcestershire Highways**

- No objection subject to a financial contribution towards community transport and conditions relating to detailed technical drawings being submitted to demonstrate the suitability of the proposed access arrangements for pedestrians, cyclists and motorised vehicles
- As this is an outline application with all matters reserved, all highway issues will be dealt during the Reserved Matters stage.

### **Tree Officer**

- No objection
- The layout K-02F is a great improvement on previous layouts in respect of tree protection providing greater clearance to the trees and provides a longer term sustainability for the replacement planted TPO protected Oak trees on the Northern boundary.
- Moving the properties back from the Western boundary has also addressed the shading issues from the existing trees.
- Whilst the service road running to the front of plots 1- 8 causing an incursion into the BS5837:2012 recommended Root Protection Area (RPA) but this can be resolved with a suitable grade of No Dig construction specification The service road running to the front of plots 1- 8 causing an incursion into the BS5837:2012 recommended Root Protection Area (RPA) of some of the mature trees on the Western boundary but as the site is flat it would be easily achievable to install any section of the road / path that incurs into the RPA by use of a suitable grade of No Dig construction a specification for which I would request under a full application.
- With a full application that a arboriculture method statement protection plan and no dig construction specification and details of the routes for any ground utility services should be provided.

### **Worcestershire Wildlife Trust**

- No objection
- Subject to conditions on the grounds that it is accepted that the Preliminary Ecological Appraisal (PEA) from Pearce Environmental Ltd demonstrates that there is no overriding ecological constraints

### **Leisure and Cultural Services**

- No objection subject to off-site teen and adult play and sports facilities and play pitch improvements of £35,966.
- If the Hayes playing fields permission is implemented there is unlikely to be a need for the pitch in the short and medium term to be maintain for formal club usage as the clubs involved in this site and the local area are intending use the new facilities that would be created.

- There would also be a number of vacant pitches in the PPG17 catchment area if the Hayes pitches are implemented. Therefore, there is unlikely to be a need for a single pitch site in this location in the short to medium term.
- The proposal for on-site open space appropriate to the need of the new development based on formula calculation of the Supplementary Planning Document (SPD) would be the preferred option, subject to approved landscaping plans etc.

## **Sport England**

- No objection subject to a financial contribution of £1,332,000 for securing replacement investment in community football facilities.

## **North Worcestershire Water Management**

- No objection
- The site is within flood zone 1 (low risk of modelled river and tidal flooding) and the Environment Agency's surface water flood map shows low surface water flood risk
- There is risk to the Redditch Road but there are no flood records at this location.
- The porosity test results show infiltration is not a viable option for surface water discharge due to the high ground water level. In section 3.3.1 of the Flood Risk Assessment it states if soakaways are ruled out then surface water will be discharged to an attenuation pond before being discharged to a ditch via a 'hydrobrake' which will attenuate flows. This is acceptable subject to conditions
- An attenuation pond is required which should be 1/3 gradient to allow for safe access/ egress and for maintenance so mowers can mow the bank if necessary. The pond could be used as a key amenity feature for the development.
- Given the high ground water levels it would be advised if the applicant installed additional drainage around the properties to reduce the risk of drainage issues in the area.
- The finished floor levels should be raised 150mm above surrounding ground levels to minimise risk of surface water flooding.

## **Worcestershire Regulatory Services (WRS) Noise**

- No objection subject to conditions
- The site is adjacent to several commercial activities including a recycling operation which necessitate a noise assessment. The residential dwellings will need to be designed and constructed to achieve internal noise levels as stated in BS8233 (2014).
- Agreement with D Whitman of Acoustic Response Ltd has specified double glazing can be installed to achieve suitable internal noise levels. Passive ventilation systems installed should achieve 35 dB or better.
- Concerns about amenity and noise levels within outdoor amenity spaces. The LOAEL (lower observed adverse effect limit) for outdoor living space is 50dB LAeq, 16hr. Noise measurements carried out at location 5, furthest from the Redditch Road gave results in excess of 50dB. As such, further noise control measures will need to be provided to justify how noise levels in outside spaces will be managed.

## **Worcestershire Regulatory Services (WRS) Odour**

- Being located relatively close to an active sewage treatment works may detract from that amenity and potentially give rise to continuous exposure to odour that may be considered an amenity compromise at the very least and at worst a statutory odour nuisance.
- Any odour assessments conducted at such works will always be of limited use unless it has been conducted for a significant period of time by a panel of independent odour assessors to conclude its findings
- Noise can become an issue as effluent pumps and motor equipment on the settlement tanks operate remotely at these sites.
- Overall providing the recommendations of the report are followed, this site is suitable, in principal, for the residential development proposed.

### **Worcestershire Regulatory Services (WRS) Air Quality**

- No objection
- Mitigation measures as part of the development is necessary to minimise impact from the development on local areas of poor air quality and assist in alleviating pollution creep arising in the general area
- The need for secure cycle parking, electric vehicle charging
- The need for ultra low emission boilers

### **Worcestershire Regulatory Services (WRS) Contaminated Land**

- No objection subject to appropriate conditions relating to risk assessment.
- The site is bordered by a sewage treatment works to the east and a number of commercial operations to the south of the site including, vehicle maintenance and a recycling facility.
- The site has the potential to have been constructed on 'made ground'. Therefore WRS consider that there is potential for contamination to exist on the site. The degree and extent of contamination is currently unknown. More information relating to ground conditions is required to determine whether or not remediation will be required (prior to any construction work commencing).

### **Severn Trent Asset Protection (Waste Water)**

- Although Severn Trent do not normally object to proposed developments the location of proposed properties, it is most definitely not ideal.
- The treatment works operate on a 24hr basis and can generate unpleasant odours, which can vary in severity depending on individual works and weather conditions.
- In addition to the potential odour issues for any resident, there is also the potential of noise pollution generated by the works, plant machinery and maintenance works.
- Also, there is a pressurised sewer passing through the site pumping foul sewage into the treatment works. This asset is strategically important to the Company and its customer base.
- The development will have to take its location into consideration, ensuring we have reasonable 24hr emergency access (not located in front or rear gardens, and located within public open space).

### **Housing Strategy and Enabling Officer**

- If the land is considered Grey Belt we would require 50% of the provision to be affordable housing. Of this 50%, two thirds should be social rent and one third should be 1/3 Share Ownership/Alternative Home Ownership product.
- There is a priority for 3 bed properties and we would require 50% of the affordable housing to be 3 beds and 50% other eg 30% 2 Bed 10% one bed 10% 4 bed.
- Any Shared Ownership should be 50:50 between two and three beds.
- If there are any one beds we would not want flats with communal areas.
- We would require properties to be 2 Bed 4 person, 3 bed five or six person, 4 bed six, seven or eight person and they should be pepper-potted with clusters through the site.

## **Worcestershire County Council Education**

- The development as submitted, is likely to yield an average of 4 pupils across all year groups and is situated in the catchment area of Crown Meadow First School, Alvechurch CE Middle School and the shared catchment area of North Bromsgrove and South Bromsgrove High School.

## **Herefordshire and Worcestershire ICB**

- A financial contribution of £21,600 towards the Kingfisher and Nightingale Primary Care Trust.

## **Worcestershire Acute Hospitals NHS Trust**

- Objection unless a contribution of £33,908 is secured for the purpose of the provision by the Trust of acute and accident and emergency healthcare services.
- It is explained that the Trust is currently operating at full capacity and whilst it can plan to cater for known population growth it cannot plan for unanticipated additional growth needed by the occupants of the new development in the short and medium term.
- It is reasoned that 25 dwellings, based on the 2011 census average household size of 3 people per dwelling would create an additional population of 75 residents and that this would generate 115 additional interventions.
- The Trust will receive no commissioner funding to meet this demand in the first year of occupation and without this contribution there would be adverse impact on the delivery of health care in the Trust's Area.

## **Alvechurch Parish Council**

- Objection for the following reasons
- The development contravenes the following policies of the Alvechurch Parish Neighbourhood Plan:
  - H1 - Locations for New Housing Development
  - H3 - Affordable Housing on Rural Exception Sites in the Green Belt
  - H4 - Housing Design Principles
  - H6 - Providing a Mix of Housing Types and Sizes
- The proposed development is in the Green Belt and this application pre-empts the BDC Green Belt Review.
- There are no exceptional circumstances to support this development and the location is not infill as it is not within the village boundary.
- The development does not contain a mix of housing types and sizes. There is no confirmation of the inclusion of affordable housing.

- The location is inappropriate for housing as it borders a WCC Depot that provides salt to the highways spreading vehicles and is near to a sewage works with sluice gates, giving rise to noise and odour.

## **Publicity**

- 49 neighbours notified 18.09.2025 (expire 22.10.2025)
- Site notice displayed 22.05.2024 (expired 17.06.2025)
- Press notice published 31.05.2024 (expired 17.06.2025)
  
- 43 letters of support received: general support for much needed housing particularly if it will be affordable and the good work the club does for the community.

## **Objection summary:**

- The application site is outside the village envelope as defined by the Alvechurch Parish Neighbourhood Plan (APNP) and would not comply with Policy H1 in the APNP.
- This site along with the large sites being promoted by various developers to the southeast of Alvechurch – referred to as APN2 and 8 in the AONP would result the Redditch Road houses being surrounded by residential development
- The level of detail in terms of layout is insufficient
- The effect on wildlife
- The footways from the site to Alvechurch village are not conducive to walking because they are narrow, overgrown, obstructed by parked vehicles and lacking in street lighting
- Additional pressure on Alvechurch school which is already short of places for village residents
- Additional pressure on Alvechurch Medical Centre which is already very busy and where it is difficult to get appointments
- A441 is already a busy road being used as a ‘rat run’
- Concern about affordable housing provision which is necessary to support the needs of the community

## **Site Description**

The 1.71-hectare site lies within an area of sporadic residential development interspersed with open space and agricultural land on the north-east side of Redditch Road. It is located beyond and to the southeast of the village envelope of Alvechurch. Redditch Road is a classified road with a speed limit of 40 mph.

The site is occupied by open space, sports pitch and pavilion/ club buildings and car parks.

There are sewage works adjacent to the northeast boundary and residential properties adjacent to the northwest boundary and commercial and residential uses beyond the southeast boundary.

The site is located in the Green Belt.

## **Planning History**

None relevant.

## **Relevant Planning Policies**

### Bromsgrove District Plan

- BDP1 Sustainable Development Principles
- BDP 2 Settlement Hierarchy
- BDP 3 Future Housing and Employment Growth
- BDP4 Green Belt
- BDP6 Infrastructure Contributions
- BDP 7 Housing Mix and Density
- BDP8 Affordable Housing
- BDP12 Sustainable Communities
- BDP 16 Sustainable Transport
- BDP19 High Quality Design
- BDP21 Natural Environment
- BDP24 Green Infrastructure

### Others

Alvechurch Parish Neighborhood Plan (APNP) including policies

- H1 – Location for new housing
- H4 - Housing Design Principles
- H6 – Mix of Housing Types and Sizes
- LHW 3– Protection of and improvement to open spaces
- High Quality Design SPD
- SPG11 Outdoor Play Space
- NPPF National Planning Policy Framework (2024)
- NPPG National Planning Practice Guidance

## **ASSESSMENT**

### Description of Development

Planning permission in outline is being sought for the construction of 25 dwellings. All matters apart from the proposed number of dwellings is reserved for future approval. It is proposed that 12 dwellings will be affordable.

An indicative site layout plan has been submitted showing 25 dwellings fronting a parallel service road at the front of the site and a curved road ending in a cul-de-sac to the rear. This would equate to a density of 15 dwelling per hectare.

The whole site will be re-developed and this include the loss of the buildings on site. It is anticipated that the Club will relocate to The Hayes, Redhill Road, Kings Norton.

The following reports and documents have been submitted in support of the application including:

- Design and Access Statement

- Heritage Impact Assessment
- Flood Risk Assessment
- Arboriculture Impact Assessment
- Preliminary Ecological Appraisal
- Noise report and Odour Assessment
- Transport Assessment

The main focus for Members relate to the following matters:

- Housing land supply
- Green Belt/Grey Belt
- Sustainability
- Highway matters
- Affordable housing provision
- Loss of football pitch provision and off-site open space provision
- Design
- Living conditions of future occupants
- Noise/odour
- Trees and hedgerows
- Ecology
- Flood risk and drainage
- Planning obligations

## **Principle of Development**

### **Housing Land Supply**

The Council cannot demonstrate a five-year housing land supply. Therefore, despite progress which has been made in identifying sites and granting planning permissions the Council considers that it cannot demonstrate a five-year housing land supply.

Paragraph 11(d) of the National Planning Policy Framework (NPPF) states that where policies that are most important for determining the application are out-of-date, planning permission for new housing 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;
- (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.

The Council therefore falls short of a 5-year supply of land for housing and paragraph 11(d) as set out above is engaged.

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.

### **Green Belt/Grey Belt**

The site is in the West Midlands Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of Green Belts are their openness and their permanence.

The Green Belt serves five purposes:

- 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 LBUA.
- 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."

The question has been raised as to whether the site comprises Local Green Space (LGS), as referred to in footnote 7. LGS is defined in the text of the NPPF thus:

"106. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

107. The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land. 108. Policies and decisions for managing development within a Local Green Space should be consistent with national policy for Green Belts set out in chapter 13 of this Framework"

Neighbourhood Plan Policy LHW2: Protection of Local Green Spaces identifies LGS in the Plan area as:

- a. The Wiggin/Meadows Village Field
- b. Rowney Green Parish Council playing fields
- c. The Hopwood Community playing field
- d. The Alvechurch Memorial Green

The application site is not designated as Open Space under LHW2 but instead designated under Policy LHW3 as an identified Open Space.

The site is not included in areas in footnote 7.

**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's five year land supply is 2.24 years. The Council cannot currently demonstrate a 5-year land supply of housing having regards to the Governments targets.

## **Sustainability**

The site is located within approximately 700m distance of the commercial area of Alvechurch where key local amenities are located. There is a continuous footway along the eastern side of the carriageway between the site and commercial area. There is a section of road of approximately 140m between the northern boundary of the site and the last / nearest streetlighting column/lamp.

The nearest bus stops are located along Redditch Road at approximately 25m to the north of the northern boundary of the site. The next nearest bus stops are located at approximately 400m walking distance along Redditch Road to the north. These bus stops also appear to be incorporated by the school bus service (247A).

It is considered the site is located in a sustainable location.

## **Does the proposal include major development involving housing?**

The proposed development would be considered a major application. 50% of the proposed housing would be affordable (12 dwellings). The proposal would be located within grey belt and would meet the requirements under Paragraph 155 and the Golden Rules for major development. As such, it would not be inappropriate development within the Green Belt. It would therefore comply with Policy BDP1 of the Bromsgrove District Plan which, seeks to follow the Framework's presumption in favour of sustainable development. The proposal also complies with the Framework, including with regard to development within the Grey Belt

## **Conclusion on Grey Belt**

The site is considered grey belt and is and therefore in accordance with paragraph 158 should be given significant weight in favour of the grant of permission in the tilted balance of paragraph 11.

## **Highways**

WCC has raised no objection to the scheme on highway ground and has requested a contribution of £8,920.80 towards community transport for this site should this application be approved.

The highest calculated trip generation for the privately owned houses during an hour period is 14 two-way trips (5 arrivals and 9 departures). It is highly unlikely that this level of vehicle trip generation will cause or exacerbate any highway capacity issues.

Further to the above, the site currently generates a significant number of vehicle trips associated with training, ground maintenance, and associated bar facility, with approximately 40 vehicles (80 two-way trips) entering and exiting during typical weekdays and 150 to 400 vehicles during match days. Furthermore, a significant number of vehicles (up to approximately 220) park along the adjacent section of Redditch Road on match days, which occurs approximately 25 times throughout the August to April season.

Based on the vehicle trip generation forecast and existing use of the site, it is considered unlikely that the proposed residential development will cause or exacerbate any highway capacity or safety issues.

### **Affordable Housing**

The land is considered Grey Belt and therefore requires 50% of the provision to be affordable housing (12 units). Of this 50%, the Housing Strategy and Enabling Officer has requested that two thirds should be social rent and one third should be 1/3 Share Ownership/Alternative Home Ownership product. This can be secured through a suitable legal agreement.

The applicant has agreed to this approach.

### **Loss of Football Pitch Provision**

Members will note the views of Sport England and Leisure and Cultural Services.

Sport England has raised no objection subject to securing a Section 106 agreement for off-site mitigation at The Hayes.

This equates to a contribution of £1,332,000 towards the cost of providing replacement sports facilities and associated works for Alvechurch Football Club at The Hayes at Redhill Road, with payment of the financial contribution in full prior to the commencement of development at Lye Meadow.

The Leisure Department have stated no objection, subject to an off-site contribution to teen and adult play and sports facilities and play pitch improvements of £35,966. The off-site contribution would be linked to George Road open space and play area, Swans Length open space and play area and Wiggin Memorial open space and play area.

The applicant has agreed to this approach.

The Leisure department states that there is unlikely to be a need for the pitch in the short and medium term to be maintain for formal club usage as the clubs involved in this site and the local area are intending to use the new facilities that would be created.

### **Design**

Based on the submitted indicative plan, I am comfortable that the site can accommodate 25 dwellings within many of the environmental constraints such as space around protected and other trees, space for drainage, play areas and a reasonably safe vehicular access point, in accordance with policy BDP 19.1.

### **Living conditions of future occupants**

The application site is adjoined by existing residential dwellings to the north-west and south-east boundaries. Members will be aware that such detailed matters of layout and scale are reserved for future consideration. Without full details of the proposed buildings, it is difficult to fully assess the impact of the development on the amenities of adjoining residences. However the illustrative layout suggests no significant problems in this respect.

On the above basis I am reasonably satisfied that any resultant development can be accommodated without detrimentally affecting existing residential amenities and to be able to secure and accommodate an acceptable level of privacy and separation as detailed in the guidance within SPG1. Any overlooking issues can be controlled through a subsequent Reserved Matters application and the imposition of suitable conditions.

### **Noise and Odour**

Being located relatively close to an active sewage treatment works may detract from that amenity and potentially give rise to continuous exposure to odour that may be considered an amenity compromise at the very least and at worst a statutory odour nuisance. However, an odour assessment has been submitted and is judged as satisfactory by WRS, providing the recommendations of the report are followed-

There are no objections on the basis of noise issues. There are no objections on soil contamination, subject to suitable conditions.

### **Trees and Hedgerows**

The application is supported by Eden Arboriculture Arboricultural Impact Assessment (AIA) which is used as the tree information reference document for the comments below.

The tree officer states that moving the properties back from the Western boundary on the indicative plan has addressed the shading issues from the trees on that boundary.

As part of any reserve matters application an arboricultural method statement and protection plan should be provided along with details of the routes for any ground utility services to ensure that they do not conflict with the RPAs of any trees. As apart of the application

### **Ecology**

A Preliminary Ecological Appraisal prepared by Pearce Environmental Ltd. This has all assessed the likely effects of the proposed development in terms of Ecology and Wildlife, in the context of the site and surrounding area. No statutory or non-statutory designated sites occur within the site boundary.

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

It should be noted that as the application was validated before Biodiversity Net Gain was a requirement the application is not subject to this legislation. However to protect the landscape and ecological of the site. A management plan (LEMP) for the long-term protection and management of the trees, hedgerows, habitats and species present on the site has been included in the application site.

### **Flood Risk and Drainage**

North Worcestershire Water Management as the Lead Local Flood Authority (LLFA)

for the area have been consulted and have raised no objection, subject to conditions, noting that the site is located within Flood Zone 1, which has a low probability of flooding.

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

## **Planning obligations**

In accordance with Paragraph 57 of the NPPF and Section 122 of the CIL regulations, planning obligations have been sought to mitigate the impact of this major development, if the application were to be approved.

- A financial contribution of £7,322.13 towards community transport and school transport, a contribution of £21,189.58.
- A financial contribution of £1,332,000 towards the cost of providing replacement sports facilities and associated works for Alvechurch Football Club
- A financial contribution of £124,255.00 for middle school contributions and a High School contribution of £118,868.00.
- A financial contribution of £35,966 towards off-site open space
- A financial contribution of £21,600 towards Herefordshire and Worcestershire ICB
- A financial contribution of £33,908 towards Worcestershire Acute Hospitals NHS Trust
- A financial contribution of £44 per dwelling regarding the provision of refuse bins
- A Section 106 monitoring fee
- The provision of 50% affordable dwellings on the site

The applicant has stated he is willing to agree to the contributions and requirements of the Section 106 Agreement as outlined at the start of this report.

## **Conclusion**

The site meets the definition of grey belt; it does not strongly contribute to NPPF 143 (a), (b), or (d), and the policies relating to areas or assets in footnote 7 do not apply.

The development complies with the NPPF Golden Rules, accordingly significant weight should be given in favour of the grant of permission. x 50% of the housing proposed will comprise affordable housing, and the applicants confirm their agreement to this requirement.

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 25 dwellings to the Council's housing supply, offering some employment opportunities during construction and post development spend.

The proposal would also result in development on grey belt land that complies with the Golden Rules as set out under Paragraph 156 of the Framework. In line with Framework Paragraph 158 this is afforded significant weight in favour of the grant of permission.

Taking everything into account, I consider that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits identified above. As a result, the application of Paragraph 11d of the Framework indicates that permission should be granted.

## **RECOMMENDATION:**

- (a) **MINDED to APPROVE OUTLINE PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following:
  - (i) Highway contribution towards £7,322.13 towards community transport and school transport, a contribution of £21,189.58.
  - (ii) The payment of £1,332,000 towards the cost of providing replacement sports facilities and associated works for Alvechurch Football Club.
  - (iii) Education Infrastructure contribution of £124,255.00 for middle school contributions and a High School contributions £118,868.00 to four schools Crown Meadow First School and Alvechurch CE Middle School. As well as North and South Bromsgrove High Schools.

- (iv) Off-site teen and adult play and sports facilities and play pitch improvements of £35,966. The off-site contribution will be between George Road open space and play Swans Length open space and play area and Wiggin Memorial open space and play area.
- (v) Healthcare contributions of £21,600 towards Herefordshire and Worcestershire ICB towards the Kingfisher and Nightingale Primary Care Trust. In addition, £33,908 towards the Worcestershire Acute Hospitals NHS Trust. The hospitals are Alexandra Hospital, Kidderminster Hospital Worcestershire Royal Hospital in Worcester.
- (vi) Waste Management Contribution Waste and recycling bins calculated as follows: £44 per dwelling.
- (iii) Planning Obligation Monitoring Fee: Financial figure to be confirmed
- (iv) The securing of a 50% provision of on-site affordable dwelling units
- (v) The provision and future maintenance in perpetuity of the SuDs facilities

And:

- (c) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services to agree the final scope and detailed wording and numbering of conditions as set out in the report

## Conditions:

1. Details of appearance, landscaping, layout, access and scale (hereafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.  
Reason: In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.
2. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and shall be carried out as approved. The development hereby permitted shall be begun not later than whichever is the latest of the following dates
  - i. The expiration of three years from the date of this permission; or
  - ii. The expiration of two years from the final approval of the reserved matters; or
  - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.Reason: In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

3. Any reserved matters application shall be submitted in general conformity with drawing No: K01-Location Plan  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.
4. The reserved matters submitted pursuant to this permission shall be in accordance with the indicative masterplan K01-Location Plan and the principles described in the Design & Access Statement received by the local planning authority on 07 February 2019. Any reserved matters application shall include a statement providing an explanation as to how the design of the development responds to the relevant Design & Access Statement.  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.
5. The development hereby permitted shall not exceed 25 dwellings  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.
6. The development hereby permitted shall not exceed two storeys in height  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning
7. The reserved matters application relating to layout shall include a plan identifying the number and location of the affordable housing units to be provided on the site. The plan shall identify the size (bedroom numbers), type and tenure of each affordable housing unit. The development shall be carried out in accordance with the approved details.  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.
8. The 'layout' reserved matters shall include details of facilities for the storage of refuse on the site, secure and covered cycle storage relating to each dwelling, and parking/turning areas. The development shall be carried out in accordance with the approved details.  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.
9. **No development shall take place until details of the finished ground floor levels of all the buildings** and the finished ground levels for all other areas of the site have been submitted to and approved in writing by the local planning authority. The details shall include sections which show the development relative to the ground levels adjoining the site. The development shall be carried out in accordance with the approved details.  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.
10. No part of the development shall be occupied until external lighting has been provided in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The scheme shall

include scaled plans and drawings illustrating the design of the light units and columns. The external lighting shall be retained thereafter.

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

11. **No development shall commence on site** until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

Reason: In order to protect the amenities of the occupiers of the proposed development.

12. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

It should be noted that where remediation is necessary, this remediation may involve work/techniques that need to be completed before any development is commenced, for example the removal from site of contaminated soils/underground structures, the design and incorporation of gas protection measures in any buildings etc. To carry out such work after construction has started/been completed, may require potentially expensive retrofitting and in some cases the demolition of construction work already completed.

Reason: 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.

13. The 'landscaping' reserved matters shall include an Arboricultural Method Statement, and a scheme for the phasing, delivery and future management of public open spaces within the application site. The development shall be carried out in accordance with the approved details.  
Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.
14. **Prior to commencement of groundworks**, demolition, remediation or built development detailed technical drawings with a supporting transport technical note shall be submitted which demonstrate the suitability of the proposed access arrangements for pedestrians, cyclists and motorised vehicles shall be submitted and approved by the Local Planning Authority

unless otherwise approved in writing. The supporting technical drawings and information shall include:

- a. Provision of a clear trip rate generation and assessment of the access arrangements
- b. Detailed technical drawings which clearly demonstrate the widths and radii for an appropriate junction arrangement in accordance with the requirements of the Worcestershire Streetscape Design Guide.
- c. Provision of a technical drawing demonstrating the achievable visibility splays, and forward visibility splays in accordance with the requirements of the Worcestershire Design Guide.
- d. Provision of a technical drawing which demonstrates that two-way can enter and exit the site in a forward gear which includes the following vehicles in accordance with the Worcestershire Streetscape Design Guide:
  - i. Large vehicle
  - ii. Rigid Heavy Goods Vehicle
  - iii. Articulated Goods Vehicle.

Reason: In the interest of highway safety.

15. **No development shall take place until a sustainable** urban drainage system (SUDS) has been constructed on that land in accordance with a scheme which has been submitted to and approved in writing by the local planning authority. The scheme shall include measures to secure the ongoing maintenance of the SUDS following the completion of the development. Thereafter, the SUDS shall be maintained in accordance with the approved scheme.

Reason: To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

16. No dwelling shall be occupied until a drainage system for the disposal of foul and surface water on that land has been completed in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.

Reason: To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

17. **No development shall take place until** a site wide landscape and ecological management plan (LEMP) for the long-term protection and management of the trees, hedgerows, habitats and species present on the site has been submitted to and approved in writing by the local planning authority. The LEMP shall incorporate a mitigation strategy and a programme for implementation. The development shall be implemented in accordance with the approved LEMP and implementation programme.

Reason: In order to protect the trees which form an important part of the amenity of the site.

**Case Officer:** Jonathan Pavey-Smith Tel: 01527 881689  
Email: [Jonathan.Pavey-Smith@bromsgroveandredditch.gov.uk](mailto:Jonathan.Pavey-Smith@bromsgroveandredditch.gov.uk)

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# 19/00140/OUT

Land between 47 and 53 Redditch Road, (Alvechurch FC site),  
Alvechurch, B48 7RS

Outline planning application for construction of 25 dwellings.

Recommendation: Approval of outline planning permission  
Subject to S106 legal agreement.



# Indicative Layout Only















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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Attwell Farms Ltd	Variation of planning permission 19/01544/FUL dated 21/10/2020: conditions 2 (overspill parking area), 5 (external lighting), 6 (biodiversity/ecology/overspill parking area), 8 (variation of opening hours to visiting members of the public)  Attwell Farm Park, Seafield Lane, Portway, Worcestershire, B98 9DB	08.12.2025	25/00612/S73

## RECOMMENDATION:

- (a) **MINDED to GRANT FULL PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services to determine the application following the receipt of satisfactory comments from the Tree Officer and WRS: Noise
- (c) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services following consultation with the Planning Committee Chairman, to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report.

## Consultations

**Full copies of the responses from consultees are available to view on Public Access and Members are encouraged to review these.**

### **Worcestershire Highways - Bromsgrove**

- No objection – Travel plan condition recommended
- The Highway Authority would expect to see the most noticeable increases in traffic flows occurring during the evening period. As this will tend to be outside the weekday PM peak period, evening baseline traffic is likely to be lower, such that the local highway network will have the capacity to accommodate the increase in evening traffic flows.
- There is no reason to think that the existing access cannot cope with such extended hours of traffic. On this basis, the Highway Authority would not require the Applicant to make any improvements to the existing site access.
- Visibility splays are well established and are considered to be adequate.
- A review of personal injury collision (PIC) statistics on Seafield Lane has been undertaken by the Highway Authority. The analysis shows there have been no recorded PICs on Seafield Lane in recent years. This suggests that, whilst the Park has experienced significant increases in visitor numbers, the associated vehicular traffic has not resulted in any PICs. There are also no PICs associated with HGV vehicles. PIC analysis shows that there have been no PICS involving pedestrians, cyclists or horse riders. Hence, whilst there may be a perceived highway safety issue, there is no evidence to show that there is an existing highway safety issue associated with Seafield Lane.

- No concerns with overspill car park layout.

With regard to specific issues raised:

- *Unlit roads* – safety issue Seafield Lane and other surrounding roads have no street lighting. This does not mean the roads are inherently unsafe, such that the application should be refused. The roads are already being used during hours of darkness and there is no PIC history to suggest any highway safety issue. During hours of darkness, all road users need to take account of the situation and travel with due care and attention.
- *Conflict with Oakland International Site* It is claimed that there is potential for conflict with HGVs arriving at and leaving the Oakland International site, as its vehicle access is opposite the Park access. There is no PIC history to suggest such conflict has resulted in PICs occurring. As stated above, all road users need to take account of the situation and travel with due care and attention.
- *Overflow Car park gate onto Cherry Lane* It is claimed that the gate to the overflow carpark on Cherry Pit Lane is an extremely dangerous means of access/egress, with virtually no visibility for traffic approaching from Cherry Pit Lane or eastbound traffic on Seafield Lane. The Highway Authority is aware that this field access gate is well established, having been in place since at least 2009 and likely well before that. In addition, no evidence has been provided that this access point is used by Park visitor vehicles to either enter or exit the overspill car park. The Applicant would be entitled to use the access point for any general maintenance operations, given it is well established.
- *Cherry Pit Lane* It is claimed that Cherry Pit Lane is particularly unsuitable for increased traffic, as it is a narrow, single-track country lane with no lay-bys, no street lighting, sharp curves, steep inclines, and deep ditches on either side. Whilst the Highway Authority accepts that two way traffic along Cherry Pit Lane is likely to result in potential conflict at times, there are currently no legal restrictions to prevent any cars, including Park visitors, from using the road, if they so wish. Whilst the Applicant could advise Park visitors not to use Cherry Pit Lane to travel to and from the site, this would not be enforceable.
- *Lack of sustainable travel options* This issue was considered as part of the 2019 planning application. Farms and most farm parks are, in the main, not located close to urban locations, nor are they located close to high frequency public transport routes. The majority of visitors to this site will be school trips and family visits, which will either be by coach or private car with multiple occupants. Given the rural leisure use, it was previously recognised that visitors would be unlikely to travel as a single occupancy trip, by public transport or on foot. Some opportunities do exist for cycling, accepting this will be a minority of users. Hence, planning consent for the Park was granted, taking account of limited sustainable travel options. This application, to vary planning conditions, does not justify any recommendation of refusal on sustainable travel.
- **UPDATED COMMENTS** following Transportation Statement including traffic data:
- the Highway Authority is still content these increased flows can be accommodated, without causing any significant detrimental impact to the overall capacity and effective operation of the local highway network.

## **WRS - Noise**

- No objection

- ORIGINAL COMMENTS: October 2024 12 complaints of breach of planning conditions received by WRS Planning Enforcement Team. 9 Halloween Events followed by 27 festive light trail events. A Community Protection Warning was served on 22/11/2024. Subsequently a Community Protection Notice (CPN) was issued on 19/12/2024.
- The original submission included a Noise Impact Assessment and Noise Management Plan.
- Noise measurements were taken during low-activity periods and do not represent peak or evening event conditions; no measurements were taken during amplified music sessions.
- The assessment lacks essential technical detail, including source measurements, predictive noise modelling, and noise mapping, and relies on a single unrepresentative monitoring location with no clear methodology.
- Low-frequency noise (40–160 Hz) is insufficiently addressed
- The assessment assumes current usage levels and does not consider cumulative impacts from increased evening opening, patron noise, vehicles, or peak-period amplified music.
- The Noise Management Plan is structured but lacks continuous monitoring, clear spatial mitigation measures, car park controls, and independent compliance mechanisms.
- No lighting impact assessment has been provided, despite its importance for Condition 5 and amenity protection.
- Further work is needed, including a lighting assessment, peak-period noise measurements, and a detailed operational noise map.
  
- UPDATED COMMENTS: following submission of noise assessment addendum, a draft Noise Management Plan (NMP), and a Transport Statement.
- Transport Statement shows extended hours unlikely to result in significant increase in peak hour traffic/parking demand.
- Noise Management Plan and addendum to the Noise Impact Assessment address concerns raised during consultation, particularly regarding amplified music and patron noise. Live music no longer proposed. Amplified sources set to inaudible levels at noise sensitive receptors.
- Monitoring will be conducted via audibility checks, and mitigation measures such as acoustic fencing, signage, and activity placement are planned. The updated NMP outlines procedures for staff training, complaints handling, and ongoing review, ensuring that noise impacts are effectively managed.
- The addendum confirms that the nature of activities will remain unchanged and that the proposed hours will not result in significant noise impacts, considering the proposed new changes and the proactive approach to mitigation.
  
- Further comments awaited on the amended Noise Assessment and Noise Management Plan draft and will be reported to Committee as an update.

## **Agricultural Advisor (Reading Agricultural Consultants Ltd (RAC))**

- No objection
- ORIGINAL COMMENTS: Attwell Farm Park is an established farm visitor venue that benefits children and other community groups and families with a greater understanding and knowledge of farm animals connecting children and visitors

with farming and nature and can provide a greater understanding and experience of the countryside as well as where our food comes from and the value of nature and habitats.

- RAC accepts that high frequency and sudden loud noises and flashing lights and unusual lighting can affect the normal behaviour and welfare of cattle, causing stress and increased agitation. Such behaviour can affect the physical and productive performance of livestock. In the case of Heath Green Farm, for dairy cattle it could lead to a decrease in milk yield and quality, reproductive failure, and potential injury to livestock.
- Whilst cattle cannot identify colours, their vision is different to that of humans, they are dichromats, primarily seeing shades of yellow and blue. It is important that cows have a period of darkness in each 24 hour period, however many farms often retain a very low light level in livestock areas to avoid stress. Light that comes from above the cow is best to prevent shadows which can cause panic in herds.
- RAC would have concerns on any high intensity external lighting and the extension in height of any outdoor light trail or any loud noise live music event held at Attwell Farm Park on the potential for affecting animal behaviour of grazing cattle or housed livestock in close proximity to such events.
- RAC understands that the applicant has confirmed (Noise assessment – addendum 22/11/2025) that there will be no live or high level amplified music events in external areas of Attwell Farm Park at any point. It further confirms that any amplified music will be confined to low level sources which would be set up and monitored and any potential for noise impacts, would be managed through an agreed noise management plan (NMP). RAC would consider that if such a NMP can be agreed and approved by the Council as a condition in order to mitigate any external impact, RAC would consider that helpful.
- However, RAC is concerned that there is currently not a structured management proposal as to why or where noise levels may be amplified or any activities which would constitute non- ordinary lighting to the outdoor paddocks.
- In the case of Attwell Farm Park, RAC would accept an extension to their current opening times to 9:00pm Monday to Sunday. This would allow the farm park to facilitate and manage an increase in annual visitor numbers. 38. However, RAC does have some concerns on how the park will adjust its future management role and decision making in providing the current well-established educational aspects that are seen, observed and in which visitors actively participate in.
- UPDATED COMMENTS: following further representation from Heath Green Farm
- KFCL in their report also deal with shouting and screaming inducing stress together with different types of music which can affect cattle behaviour. Again, RAC would agree with such comments but would also note that in many dairy milking parlours, a radio is often and regularly on at a low level providing an acceptable background noise which the cattle are familiar with. It is the sudden unusual loud or unfamiliar noise which affects cattle behaviour
- RAC noted and would still hold the view that it had some concerns with regard to the above as there is currently not a structured management proposal as to why or where noise levels may be amplified or any activities which would constitute non-ordinary lighting to the outdoor paddocks. RAC would further note that this would extend to the outdoor concrete area and external building lights overlooking this area and potential closure of this outdoor concrete area during reduced daylight hours. If such issues could be overcome either through conditions or an agreed

and accepted management plan which minimises the accepted risks to animal welfare, then it would be RAC's view that an extension of opening hours would be acceptable.

## **Tree Officer**

- The easterly and southerly boundaries of the site are defined by hedge and tree lines predominantly Hawthorn and Oak. Therefore 45% of the BS5837:2012 recommend Root Protection Area (RPA) of the trees in the hedge lines falls within the area of the site and currently under the hardcore area. A considerable proportion of the remaining RPA on the trees in this hedge line is influenced by the constraint of the carriageway of Seafield Lane or Cherry Pitt Lane which is an impermeable surface and therefore would be expected to constrain the root growth activity on the trees in that area. Therefore, the need for the trees to have suitable opportunity to develop and maintain healthy root activity within the area of the site has added importance.
- Tree Officer comments on the amended overspill car park proposal are awaited and will be reported to Committee as an update.

## **WRS: Contaminated Land**

- No objection

## **WRS: Air Quality**

- No objection

## **WRS: Light Pollution**

- No objection (external lighting)
- Ensuring that any external lighting does not adversely impact the local wildlife should also ensure that local residents are not adversely impacted.

## **North Worcestershire Water Management** ~~Consulted 09.07.2025~~

- No objection
- No drainage or flood risk implications of the variation of condition application

## **Beoley Parish Council**

- Objection
- Noise nuisance – concerned at noise levels from previous evening events and adverse impact on residents and businesses resulting in Community Protection Notice. Amplified music and music events are not compatible with the planning use (educational facility), in a rural setting or with autism/ SEN events.
- Noise Management Plan - not suitable or appropriate in a rural setting. No independent monitoring or control of noise levels. No respite for residents.
- Traffic – access via narrow, unlit roads, unsuitable for increased volumes. Traffic on the surrounding lanes makes walking and cycling dangerous; no convenient public transport. Concerned at potential increase in traffic / risk to highway safety.
- Access - restricted visibility, poor markings and signage. Potential for conflict with HGV's arriving at and leaving the Oakland International site. The current access drive is entirely unsuitable for any increase in visitor numbers and traffic volume: the gate to the overflow carpark on Cherry Pit Lane is an extremely dangerous

means of access/egress, with virtually no visibility for traffic approaching from Cherry Pit Lane or eastbound traffic on Seafield Lane.

- Economic - no viability reasons put forward to justify why extra hours are needed
- Car Parking - revised car park spaces encroach into the root protection areas of the trees. Concerned regarding car parking numbers and use of the car park for non-Farm Park visitors.
- Visual Appearance – concerned that approved scheme has not been implemented.
- Ecology – concerned that approved ecological improvements and landscaping have not been carried out.
- Endangered Species - nocturnal endangered species locally, including various species of bats and badgers along with owls nesting in the woods. The Parish Council would like to see the external lighting condition remain in the interests of nocturnal wildlife, resident's amenity and the protection of adjoining agricultural businesses and their livestock.
- Flood risk – concerned at potential for increasing flood risk.
- Sewage - The proposed increased visitor numbers will result in an increase in sewage output. The Farm Park is not on mains drainage and many surrounding parishioners do not have access to mains water for their homes and rely on wells. The Parish Council would want to see robust analysis of how the sewage and waste water will be dealt with and what if any impact there is on local drinking water before any further increase in visitor numbers is permitted.
- Compliance with planning conditions - Historically, and by their own admission, compliance with planning conditions by the applicants has been poor with numerous breaches to the detriment of the Parish. We do not wish to see the lighting condition amended to something which is more complicated, subject to opinion and difficult to interpret, as this will make enforcement more difficult. We would like to see a clear planning condition imposed banning amplified music.
- Planning use - The Farm Park was granted planning permission as an educational facility and we do not believe that the 'seasonal events' proposed comply with the planning use granted.
- Animal Welfare – concerned at adverse impact on animals at the Farm Park from excessive handling / flash photography. Also, significant adverse impacts upon the livestock of adjoining and nearby agricultural businesses.

## **Publicity**

1 letter sent 11/07/2025 (expired 04/08/2025)

Site Notice displayed 08/07/2025 (expired 01/08/2025)

Press Notice published 17/07/2025 (expired 03/08/2025)

- 153 responses in support
- 22 responses in objection

Matters raised in support:

Disability/SEND/Neurodiversity

- SEND sessions important for families with neurodivergent needs/disabilities - some families simply wouldn't be able to attend during a normal day session as it is too overwhelming for some children
- Opportunity for autistic children to build confidence and promote wellbeing.

- Inclusivity, accessibility, inclusive education and sensory friendly experiences
- Not many places for autistic children to visit – Attwell Farm Park is an excellent venue – it runs events that are very helpful for children with additional needs.
- Supports the NHS by providing a facility for neurodiverse children.

#### Economic

- Will help to create more jobs and help business thrive
- Attwell Farm Park works with local colleges, work experience programmes and SEND employment initiatives to help young adults build confidence and gain practical, career-ready skills.
- Evening openings allow for more collaboration with local food vendors, producers, schools, youth services, and wellbeing organisations, creating inclusive, safe, and welcoming events for all.

#### Matters raised in objection:

##### Residential amenity (Noise, light, health & wellbeing)

- Negative impact on local residents is likely given experience of noise and lights from events held outside of existing opening hours
- Previous evening noise/lighting resulted in Community Protection Notice (CPN)
- Adverse impact on health and well being of residents - 50% increase in hours during the week and 33% increase at weekends
- Noise nuisance – would be intrusive for existing residential properties
- No justification to amend lighting condition – no need to light paddocks
- Existing lighting is intrusive

##### Highway safety & Traffic

- Increase in traffic on rural lanes and potential conflict with traffic from Oakland International site - concern for highway safety of vehicles/pedestrians/cyclists/ animals
- Nearby field has been used for additional parking.

##### Animal welfare

- Impact on livestock at neighbouring farm – causing distress and panic in the animals. Implications for milk yield.
- Concern that noise prevents livestock from grazing the adjoining field and requires animals to be kept in barn. Implications for cost of additional feed in place of grazing.
- Concern that lighting adversely impacts livestock even when in barn

##### Rural character

- Harmful to rural character. New car park layout harmful to existing trees.

##### Water/Sewerage

- Residents that rely on local bore hole water have concerns about the treatment of sewage from these premises

##### SEND/Neurodivergent

- Unlikely children/families would visit in the evenings. Dedicated sessions could be provided for SEND/neurodivergent within existing opening hours.

- Also that any opening hours permitted beyond 6pm be restricted to autism friendly/SEND/Neurodiverse events only.

Other issues have been raised but these are not material planning considerations and have not been reported.

Copies of these representations are available to view on Public Access and Members are encouraged to do so.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP12 Sustainable Communities

BDP13 New Employment Development

BDP15 Rural Renaissance

BDP16 Sustainable Transport

BDP21 Natural Environment

BDP25 Health and Well Being

### **Others**

National Planning Policy Framework (2024)

National Planning Practice Guidance

## **Relevant Planning History**

Plan Ref.	Proposal	Decision	Decision Date
22/01241/S73	Variation of condition 8 planning permission 19/01544/FUL - Variation of opening hours to visiting members of the public	Granted	06.12.2022
21/01861/AGR	Replacement agricultural building	Permission required	13.01.2022
20/01279/AGR	Prior Notification under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) for the extension of an existing agricultural building.	Prior Approval not required	05.11.2020
19/01544/FUL	Continued use of land and farm buildings as a farm based Rural Educational and Interpretation Visitor Centre with associated facilities including visitor parking, the retention	Granted	21.10.2020

of outdoor play equipment, toilet blocks, animal enclosures, shelters and fencing, the wall filling the formerly open sided elevation of the southernmost building, pedestrian link between the café/play barn and winter barn and steel walling adjacent to the visitor parking area. Retention of a mobile office building for a twelve month period.

Current application under consideration:

25/01290/FUL Extensions and change of use of land and cattle barn to rural educational and interpretation visitor centre

## **Background**

Planning permission 19/01544/FUL was originally granted by Planning Committee in 2020 for the:

Continued use of land and farm buildings as a farm based Rural Educational and Interpretation Visitor Centre with associated facilities including visitor parking, the retention of outdoor play equipment, toilet blocks, animal enclosures, shelters and fencing, the wall filling the formerly open sided elevation of the southernmost building, pedestrian link between the café/play barn and winter barn and steel walling adjacent to the visitor parking area. Retention of a mobile office building for a twelve month period.

## **Site Description**

The site is located within the Green Belt. It is accessed off Seafield Lane approximately 100m north west of the junction with Chery Pit Lane. Footpath BE-552 (Beoley) is located opposite the main site entrance on Seafield Lane and leads to Alcester Road. Footpath BE-553 (Beoley) runs along the site's southern boundary, connecting Cherry Pit Lane and Carpenters Hill.

There are a number of residential dwellings in the vicinity. The Attwell Farmhouse is located along the access drive close to Seafield Lane. Adjacent to the overspill car park is Seafield Lodge which is accessed from Cherry Pit Lane. Heath Green Farm is located adjacent to the site to the west and accessed off Carpenters Hill. Oaklands International is located opposite the site on Seafield Lane.

Seafield Pedigree Ltd trading as Attwell Farm is a livestock and grass farm extending to 81 hectares which is owned and run by the Attwell family and as part of its farm diversification scheme has Attwell Farm Park.

Attwell Farm Park is a 'Rural Education and Interpretation Visitor Centre' with associated facilities granted retrospective planning permission in 2020.

## **Current Proposal**

The current application seeks to vary the following existing conditions:

## **Existing Condition 2**

2) Within 4 calendar months of the date of this decision notice a scheme of hard and soft landscaping to be applied to the Overspill Parking Area hereby approved shall be submitted for consideration to the Local Planning Authority. The soft landscaping scheme shall also be designed to soften the visual impact of the acoustic fencing required under condition 3. This landscaping scheme shall include:

- (a) planting plans (to a recognised scale and to be of native species appropriate to the character of the area) and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting;
- (b) the method and specifications for operations associated with planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting;
- (c) written specifications including cultivation and other operations associated with tree, plant and grass establishment;
- (d) any existing trees and hedges, which are to be retained, accurately plotted;
- (e) Overspill Parking Area layout;
- (f) Sympathetically constructed and drained hard surfacing of the Overspill Parking Area. The location, type and materials to be used for the Overspill Parking Area permeable hard surfacing including details of sustainable drainage integration and including specifications and details of manufacturer, type and design of the proposed surfacing. Samples may be required to be submitted and approved;
- (g) a timetable for the implementation of the soft and hard landscaping scheme.

There shall be no excavation or raising or lowering of levels within the prescribed root protection areas of retained trees and hedgerows unless previously approved in writing by the Local Planning Authority.

The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved details and timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to ensure the Overspill Parking Area can be used for visitor access and parking during wet weather conditions in the interests of highway safety.

## and **Existing Condition 6:**

6) Within 4 calendar months of the date of this decision notice appropriate plans, specification and management scheme for the enhancement of the site for biodiversity and ecology through the provision of features including native hedgerow reinstatement, native tree planting and new bat and bird roosting/nesting boxes, shall be submitted for consideration to the Local Planning Authority. The submission shall include an implementation timetable. The scheme shall be completed in accordance with those details and implementation timetable that have been approved in writing by the Local

Planning Authority and shall be subsequently managed and maintained in accordance with the approved specification and scheme.

Reason: To ensure a net gain in biodiversity and ecology is achieved

## **Proposed Conditions 2 and 6**

The application proposes that conditions 2 and 6 be varied to the following single condition:

Enhancement of the site for biodiversity and ecology and hard and soft landscaping to be applied to the overspill parking area shall be carried out in accordance with the Archer Ecology Landscape and Ecological Management Plan (AELEMP) dated March 2021 as amended by:

- The position of the acoustic fence, ditch and double hedge screen shown on drawing number WAA 061 / LP01 / 2000 / Rev C;
  - Plan 913/01/A Overspill Car Park; Implementation timetable and maintenance as set out in AELEMP and Plan 913/01/A Overspill Car Park.
- 

## **Existing Condition 5**

5) There shall be no external lighting provided in connection with this development.

Reason: To safeguard the rural character of the area.

## **Proposed Condition 5**

It is proposed to vary condition 5 as follows:

Prior to the installation of any external lighting associated with the development hereby approved, a Lighting Assessment for the provision of wildlife-sensitive external lighting shall be submitted to and approved in writing by the Local Planning Authority

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## **Condition 8**

The original condition 8 attached to planning permission 19/01544/FUL stated:

8) Visiting members of the public shall be limited to between 9:00am and 5:00pm.

Reason: To safeguard the amenities of neighbouring residents.

This was subsequently varied under 22/01241/S73 to:

8) Visiting members of the public shall be limited to between:

9:00am and 5:00pm Monday - Friday on non-official school holidays authorised by the Local Education Authority in the Bromsgrove District Council area (currently Worcestershire County Council).

9:00am and 6:00pm Saturday and Sunday and official school holidays authorised by the Local Education Authority in the Bromsgrove District Council area (currently Worcestershire County Council).

Reason: To safeguard the amenities of neighbouring residents.

## **Proposed Condition 8**

The current application seeks to vary condition 8 as follows:

Visiting members of the public shall be limited to hours between 9:00am and 9:00pm.

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## **Assessment of Proposal**

### Principle

Attwell Farm Park benefits from an existing planning permission granted subject to conditions. The current proposal is to vary four of the conditions attached to the planning permission. The principle of seeking to vary planning conditions is set out in S73(2) of The Town and Country Planning Act 1990 which states that:

S73 Determination of applications to develop land without compliance with conditions previously attached.

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

- (a) If they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) If they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

The grant of a S73 application is a grant of a new planning permission. This is in addition to any existing planning permissions at the site (19/01544/FUL and 22/01241/S73) set out in the planning history section above.

### Conditions 2 and 6

Details submitted under conditions 2 and 6 were approved on 7 January 2022. The approved details include a timetable for planting, replacement of failures and maintenance which is replicated below. The approved details have been part-implemented. The planting that has been undertaken has largely not been successful. During a site visit, your Officers observed drainage pipes being installed. The overspill car park layout has not been implemented in accordance with the approved details and the maintenance/monitoring scheme (see table below) has not been adhered to.

APPENDIX IV – MAINTENANCE / MONITORING ACTIONS AND IMPLEMENTATION SCHEDULE

Action	Description	Activity	Year 1 (autumn/winter of 2021/2022)												Year 2	Year 3	Year 4	Year 5	Continue beyond 5 years?	
			J	F	M	A	M	J	J	A	S	O	N	D						
Action 3	Overspill parking area / soft landscaping	Plant trees													-	-	-	-	-	
		Monitor tree growth														May - August	May - August	May - August	May - August	Yes
		Replacement of failed trees														Nov-March	Nov-March	Nov-March	Nov-March	Yes
		Spot treat weeds														May to October	May to October	May to October	May to October	Yes
		Sow meadow grassland														-	-	-	-	-
Action 8	Hedgerow planting	Plant trees													-	-	-	-	-	
		Monitor tree growth														May - August	May - August	May - August	May - August	Yes
		Replacement of failed trees														Nov-March	Nov-March	Nov-March	Nov-March	Yes
		Spot treat weeds														May to October	May to October	May to October	May to October	Yes
		Trim height of hedgerow in front of acoustic fence														-	Sept-February	-	-	Yes, once every three years (i.e., years 3, 6, 9, etc)
Action 9	Rhododendron management	Cut/control of infestation													Sept-February	Sept-February	Sept-February	Sept-February	Yes, or until infestation is eradicated	
		Application of herbicide													May to October	May to October	May to October	May to October	Yes, or until infestation is eradicated	

The proposed variation seeks permission for an alternative parking layout on the overspill car park which provides 161 no. car parking spaces (compared to 151 no. in the approved layout); a greater number of spaces running parallel with the Seafield Lodge boundary and parking located closer to both Cherry Pit Lane and Seafield Lane. A double hedge and acoustic fence continue to be positioned alongside the boundary of the overspill car park with Seafield Lodge. WCC Highways has raised no objection to the proposed amendment of the overspill car park layout.

Permission is also sought in the proposed variation for an alternative surfacing material - to retain the dark, loose, non-crush surfacing that has been laid in place of the approved Cotswold stone. 15 no. new trees continue to be proposed; the positions within the overspill car park have been amended. Eight are proposed close to the entrance drive (none previously), 3 within the main body of the overspill car park (10 previously), 3 along the boundary with Seafield lodge (1 previously). 1 new tree is proposed alongside Seafield Lane (4 previously). The drainage remains the same as the approved scheme.

The overspill car park continues to be in the same location as that previously granted planning permission by Committee. The existing hedgerows to both Seafield Lane and Cherry Pit Lane are shown retained in both schemes. The current proposal introduces car parking spaces closer to the Seafield Lane/Cherry Pit Lane boundaries and much closer to the existing trees along those boundaries. Following concerns regarding the possible adverse impact on the boundary trees/hedge resulting from impaction, an amended layout has been submitted. This now includes notes that the proposed car parking located within the Root Protection Areas of adjacent trees and hedgerows located on the roadside boundaries of Seafield Lane and Cherry Pit Lane shall be implemented with a no-dig construction technique in accordance with BS5837:2012. At the time of writing this report re-consultation comments are awaited from the Tree Officer. An update will be provided to Members.

An acoustic fence continues to feature along the overspill car park boundary with Seafield Lodge with hedge planting in front. The amended layout includes a proposal to increase the length of this fencing northwards to slightly beyond the end of the run of car parking spaces positioned adjacent to the south-western boundary. It is considered this would improve the barrier and mitigate the effect of car headlights which may otherwise shine towards the rear boundary of Seafield Lodge.

A group of trees continue to feature within the car park bays. These are fewer in number, with more being concentrated around the perimeter of the car park in the revised layout compared to the approved layout. Ecological features of brush piles for Herpetofauna, bird and bat boxes with the inclusion of native planting continue to feature in the layout, landscaping and ecological enhancement of the overspill car park.

The supporting information sets out that the use of a dark stone is no more harmful than a lighter Cotswold stone and suggests that as the site is not located in the Cotswolds, such a light colour stone surface is not characteristic of the area. There are hard surfaces in the vicinity and the dark colour is not dissimilar.

Prior to the grant of planning permission 19/01544/FUL the area of the overspill car park was a grassed field. The introduction of an overspill car park introduces development where there was previously none and this is discernible in views from the adjoining lanes in both the approved planning permission and current proposed scheme. On balance, it is not considered that the revised layout would be significantly more harmful to justify a refusal of planning permission and subject to the awaited Tree Officer comments, is considered acceptable. The Tree Officer comments may influence the precise wording of suitable conditions.

## Condition 5

The original application 19/01544/FUL did not include any proposal for external lighting. The existing planning condition states that there shall be no external lighting, with the associated reason to safeguard rural character.

The proposed variation does not include a lighting scheme. Instead, it proposes that prior to installation any external lighting associated with the development shall be subject to a lighting assessment for the provision of wildlife sensitive external lighting and retains the same reason: to safeguard rural character.

Since the grant of planning permission, there have been a number of events which have included lighting at this site in breach of the planning condition. These are referred to in the supporting documents submitted with the application; the planning statement explicitly states that it does not endorse the 2024/25 light trail or any type of light trail. These events have since ceased. The use of lighting at this site did result in the issuing of a Community Protection Notice. Several public comments have raised concerns regarding the adverse impact of lighting on residential amenity and the welfare of animals with reference made to the dairy herd at Heath Green Farm and many reference their adverse experiences with the previous light trail and use of a flood light to illuminate the overspill car-park. An objection has also referred to the Agent of Change Principle and that the development at the Farm Park is an Agent of Change that has implications for Heath Green Farm – regarding its ability to use its grazing fields and animal housing both of which would be affected by lighting and noise citing previous experience as an example.

Paragraph 200 of the NPPF states:

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

The Agent of Change principle provides that existing businesses should not be subject to unreasonable restrictions as a result of new development that has been permitted after they were established. The newly proposed development is the one that must include restrictions to mitigate any harm that may arise from the activities of the pre-existing use. Planning Committee would have considered this principle in granting planning permission for the Farm Park in 2020.

The existing Attwell Farm Park planning permission is for a farm based Rural Educational and Interpretation Visitor Centre with associated facilities. The existing condition requires that no external lighting shall be installed at the Farm Park, simultaneously having the effect of preventing any harm to Heath Green Farm that may arise from inappropriate types of lighting. That is not to say that a suitable lighting scheme could not be designed to integrate effectively.

Heath Green Farm has commissioned and submitted with their objection a report from Kingshay Farming and Conservation Limited which addresses the impact of noise and artificial light on cattle. Heath Green Farm has also provided its own comments raising concerns on these matters. These are available to view in full on Public Access. The Kingshay report advises that excessive artificial light can affect cattle welfare referencing disruption to circadian rhythms, melatonin suppression, behaviour disturbance and reduced productivity. It also points out that housing livestock indoors comes with additional costs to farmers of higher feed costs and increase expenses of bedding materials and machinery use for cleanings sheds and feeding animals. It further advises that there may also be conflict with requirements for livestock to be grazed outdoors for a minimum number of days. It expresses concern at potential music events and evening light trails posing a risk to the welfare of nearby livestock.

The Council's Agricultural Consultant has also provided comments on matters of livestock welfare, the preparation of which included both visits to Heath Green Farm and Attwell Farm Park. The Agricultural Consultant has had regard to the Kingshay comments and other comments provided relating to animal welfare.

The Agricultural Consultant has advised that livestock's vision primarily sees shades of blue and yellow; that it is important that cows have hours of darkness in each 24 hour period; that some farms retain very low light levels in livestock areas to avoid stress and that light from above the cow is best to prevent shadows that can cause panic. They advised flashing lights and unusual lighting can affect normal behaviour and welfare of cattle causing stress and increased agitation. They expressed concern at any high intensity external light level including that an outdoor light trail has the potential to affect animal behaviour.

The Agricultural Consultant noted that the supporting information states that 'there is no aspiration or necessity to introduce 'ordinary' lighting to the paddocks' and that there is

existing external lighting fixed to the building. The response expressed some concerns that there is no explanation of what would constitute any 'non-ordinary' lighting to the outdoor paddock, though goes on to advise that if this could be overcome by planning conditions, their view would be that an extension of opening hours would be acceptable.

Neither planning legislation, nor local or national planning policy impose a general prohibition on external lighting either in the Green Belt or elsewhere. Applications are to be assessed on their own merits. Imposing a planning condition is predicated on the assumption that its requirements are achievable. It must meet the 6 tests (necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise and reasonable in all other respects). A condition cannot be used to alter the operative part of the planning permission.

The agent has declined requests for a lighting scheme to be submitted as part of the current application, explaining that none is currently proposed and this is not considered necessary and instead has suggested 3 options:

- Option 1: Only impose the alternative condition 5 as set out above. It will be a matter of discretion if, when and how a lighting scheme is submitted for the overspill car park.
- Option 2: A planning condition may be imposed requiring a lighting scheme to be submitted to and agreed within 6 months for the overspill car park. This condition can be imposed in addition to the proposed alternative condition 5.
- Option 3: Planning condition prohibiting use of this car park between 6:00pm and 9:00pm. However, AFP cannot guarantee that no cars will ever park here after 6:00pm and complaints to the LPA due to occasional infractions is not welcomed.

Lighting in the Green Belt or rural area is not itself unusual and a condition can be imposed to ensure the impact is satisfactorily controlled. It is considered that imposing a suitably worded planning condition requiring lighting details to be submitted prior to installation would not alter the operative part of the planning permission. It can ensure that the impact on residential and neighbour amenity, on animal welfare both on-site and at Heath Green Farm and wildlife can be satisfactorily controlled.

During discussions regarding the wording of the proposed varied condition and reason, the planning agent has asserted that because the reason for the existing condition refers solely to rural character, it would be unreasonable of the LPA to introduce additional reasons relating to residential and neighbour amenity, animal welfare both on-site and including neighbouring farms and wildlife. The agent has inferred such an approach would not be compatible with the requirement to determine similar cases in a consistent manner and sought to link this to planning policy guidance advice which cautions that inconsistency could constitute behaviour that may give rise to a substantive award of costs against a Local Planning Authority at appeal. In this instance, the experience of unauthorised lighting has demonstrated that that lighting may have an adverse impact on residential amenity and animal welfare in addition to rural character. I consider these additional impacts to constitute a material planning consideration.

It is considered that condition 5 could be varied to require lighting details to be submitted however these should be required to ensure the satisfactory impact on residential amenity, livestock on site and at the neighbouring farm (Heath Green Farm), wildlife, and rural character. The following re-worded condition is suggested:

Prior to the installation of any external lighting in connection with this development, details including a Lighting Assessment demonstrating its suitability with regard to the

impact on animals at the Farm Park, livestock using the adjoining fields and barns at Heath Green Farm, wildlife, residential amenity of neighbouring properties, and with the rural setting shall be submitted to and be approved in writing by the Local Planning Authority. The submitted details shall include a specification, details of proposed location(s), times of operation and a timetable for installation. The details shall seek to minimise any light spill outside of the site including any upward spill. The lighting shall be implemented in accordance with the approved details and shall not be amended without the prior approval of the Local Planning Authority.

Reason: To ensure the satisfactory impact of the external lighting on animal welfare both at the Farm Park and the adjoining Heath Green Farm, wildlife, residential amenity and rural character.

## Condition 8

Condition 8 restricts the hours that members of the public may visit the site. This condition was imposed to safeguard the amenities of neighbouring residents. The condition has previously been amended from 5:00pm to allow the public to visit until 6:00pm at weekends and official school holidays.

The current proposal seeks to vary the hours to enable the public to visit 9:00am – 9:00pm every day, all days of the year. The application submission states that the decision whether to open will be a management one taken by the operator of the Farm Park. Objections have been received from both the Parish Council and members of the public to the proposed increase in hours.

## *Use*

The existing planning permission grants permission for the 'Continued use of land and farm buildings as a farm based Rural Educational and Interpretation Visitor Centre with associated facilities including visitor parking, the retention of outdoor play equipment, toilet blocks, animal enclosures, shelters and fencing, the wall filling the formerly open sided elevation of the southernmost building, pedestrian link between the café/play barn and winter barn and steel walling adjacent to the visitor parking area. Retention of a mobile office building for a twelve-month period.'

There has been reference in the application to a music event. Reference has also been made in some of the supporting information to 'entertainment, events and leisure'. This was queried given that the authorised planning permission description does not include any of these. The agent has responded that there is no inconsistency and that '100% of visitors 100% of the time experience "entertainment, events and leisure" whilst being educated about farming at AFP' and has referred to Use Class F1. The submitted Noise Assessment and Noise Management Plan draft have been amended to specifically exclude external 'live' music events and loud amplified music. Subsequent supporting information submitted with the application confirms that the nature of farm park usage will not change during the proposed extended hours. The application has been assessed on that basis. For Members information, a venue for live music performance is *Sui Generis* i.e. it is not included in any Use Class.

An education and visitor centre is considered to fall within Use Class F1 (Learning and Non-Residential Institution). Use Class F1 includes the following:

Any use not including residential use:  
(a) for the provision of education

- (b) for the display of works of art (otherwise than for sale or hire)
- (c) as a museum
- (d) as a public library or public reading room
- (e) as a public hall or exhibition hall
- (f) for, or in connection with, public worship or religious instruction

The existing planning permission does not include any conditions that limit its use only to that specified in the description. The Use Classes Order 1987 (as amended) states that use of a building or land for any other purpose in the same class is not to be taken to involve development of the land.

### *Highway Matters*

There are no restrictions on visitor numbers within the existing planning permission, nor restrictions on the use of the main or overspill car park areas.

Annual visitor numbers are stated in the submission as 100,000 in 2022, 200,000 in 2023 and 230,000 in 2024. There are currently 50 members of staff, with many staff living locally. The agent has confirmed that a motivation for the application is an intention to increase visitor numbers.

The Transport Statement explains that from 2022 to 2024, for about 10 to 15 days each year, an adjacent field was used for additional parking when the overspill car park was full. Learning from this experience, the Park adapted its pricing structure to spread visitor numbers more evenly over the day. This strategy proved successful, and no visitor cars parked in this field in 2025.

Public concerns have been received on the potential generation of traffic and matters of highway safety particularly during dark evenings. The Highway Authority has raised no objections. It has confirmed that in preparing its comments Personal Injury Collision Statistics (PICs) have been reviewed and there have been no recorded PICs on Seafield Lane in recent years. This suggests that, whilst the Farm Park has experienced significant increases in visitor numbers, the associated vehicular traffic has not resulted in any PICs. There are also no PICs associated with HGV vehicles. Seafield Lane has no street lighting or footways. However, the PIC analysis shows that there have been no PICs involving pedestrians, cyclists or horse riders. Hence, whilst there may be a perceived highway safety issue, there is no evidence to show that there is an existing highway safety issue associated with Seafield Lane.

The Transportation Statement includes traffic data from Monday 22 June and Sunday 28 June 2015 on Seafield Lane at the Woodside Farm junction (this is located 400m to the south-west of the Attwell Farm Park junction) and traffic data from Thursday 11 April and Wednesday 17 April 2024 on Seafield Lane at the same location. The Transport Statement concludes that over the 9 year period there is no evidence of a major increase in traffic or the average speed (stated as 40mph). The Highway Authority response advises this headline statement is to be treated with caution. It notes the two sets of 85th percentile speeds are generally consistent with each other, being approximately 40mph in both directions, well below the posted speed limit of 60mph. This reflects the alignment of Seafield Lane, being relatively narrow, with passing places, which may lead drivers to travel at lower speeds. It is considered that this will be a contributing factor to a lack of PICs occurring along Seafield Lane.

The Highway Authority notes the weekday AM 8:00am-9:00am peak hour two-way trips have remained the same over the 9-year period. Whilst some increase might have been expected, to allow for some growth in background traffic, the results suggest much of this traffic is probably similar origin-destination trips over the nine years. Also, the Highway Authority would not expect much Park-related trips during the AM peak hour, given the development does not open to the public until 9:00am.

The weekday PM 5:00pm-6:00pm peak hour two-way trips have increased by approximately 13% over the 9-year but from a low base, so whilst the percentage increase might be considered significant, the actual number of trips, being 11, is not deemed significant and can be readily accommodated on the local highway network. It is likely some of this increase is related to traffic leaving the Park.

Comparing the two-way 5-day and 7-day average daily flows, there have been increases of 5.4% and 10.8%, respectively. These might be considered low, given the 9-year period and the opening of the Park, with recorded significant increases in visitor numbers.

ATCs are snapshots of traffic flows and may not always show travel patterns on a daily or monthly basis. Hence, the Highway Authority analysed the ATC results in more detail. It was noted the 6:00pm-10:00pm 7-day average two-way flows showed a more noticeable increase between 2015 and 2024, with 807 two-way trips in 2015 and 969 two-ways in 2024, being a 20% increase.

It was also noted that Thursday 11 April to Sunday 14 April 2024 was the end of the Easter holidays. The ATC results show that traffic flow on Thursday 11 April 2024 was noticeably higher than for the rest of that recorded week. For the 6:00am-10:00pm time period on Thursday 11 April, 1151 two-way trips were recorded, which is a 29.2% increase on the 2015 6:00am-10:00pm 5-day average two-way flows of 891 and a 42.6% increase on the 807 6:00am-10:00pm-day average two-way flows in 2015.

The above shows how selective reporting can influence a narrative. It is clear there will be days when traffic flows along Seafield Lane are significantly higher than the baseline flows were before the Farm Park opened and noticeable to the local community. However, the Highway Authority is still content these increased flows can be accommodated, without causing any significant detrimental impact to the overall capacity and effective operation of the local highway network.

The Highway Authority acknowledges that the main impact of this planning application is to allow more visitors during the evening period. As base flows will be lower during the evening, the increase can be readily accommodated, with minimal detrimental impact.

NPPF paragraph 116 states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'

The Highway Authority has raised no objection, no unacceptable impact has been identified on highway safety nor that any impact would be severe. It is considered that there is no justification to refuse the application on highway grounds.

## *Noise*

The applicant has submitted a Visitor Management Policy. This includes information on existing and proposed management during evening hours. It explains that one motivation

to increase the hours is to increase visitor numbers and states that daily visitor numbers will be spread across a longer working day. With regard to seasonal use it states that:

It does not automatically follow that AFP will open all parts of the Park, all year until 9pm. That is a management decision. For example:

- During the summer, visitors will access the paddocks until 9:00pm. The paddocks will have animals in the evening.
- During the winter, AFP is likely to prevent the public from accessing the paddocks in the evening, when it is too dark and when most animals (emus and ducks) are accommodated indoors all day. In other words, in the winter, AFP will be open until 9:00pm and guests can witness animals kept indoors. Guests will not have access to the paddocks after dark. This restriction will be enforced by using gates to close the paddock walk. AFP currently manages the paddocks in the winter in this manner because:
  - 1) Without any external lighting in the paddocks it would not be sensible or safe to allow people to walk around in the dark.
  - 2) No animals are kept outside in winter other than ducks and emus, meaning there is little enjoyment in walking empty fields.

Many of the objections express concern about noise. Beoley Residents Association has submitted its own acoustic representation letter objecting to the application and criticising that the original Noise Assessment as inadequate and referred to WRS comments identifying deficiencies in the original submission. Subsequently, additional information was provided by the applicant in an Addendum and the Noise Assessment and Noise Management Plan draft were updated. WRS commented that the proposal may be suitable subject to conditions relating to noise management. More recently an updated Noise Assessment (version 2) and updated Noise Management Plan – draft (version 2) has been submitted that include nearby dwellings that were previously not included. This has been referred to WRS: Noise and comments are awaited. Members will be provided with an update.

BDP19 seeks to deliver high quality development by ensuring sufficient appropriate landscaping and to maximise distance between noise sources and noise sensitive receptors. This is an existing Farm Park and other than the alternative layout for the overspill car park, the site layout is not proposed for change in this application.

NPPF paragraph 198 states that planning decisions should mitigate and reduce to a minimum potential adverse effects from noise and avoid significant adverse effects. It is recognised that the NPPF does not seek to prevent noise in its entirety. Both the NPPF and the National Planning Policy Guidance (PPG) on Noise refer to the Noise Policy Statement for England (NPSE). The NPSE states that the level above which significant adverse effects on health and the quality of life occur is the 'Significant Observed Adverse Effect Level (SOAEL) and that it is not possible to have a single objective noise-based measure that defines SOAEL

The first stated aim of the NPSE is to avoid significant adverse effects on health and quality of life. The second aim is to mitigate and minimise noise where the impact lies somewhere between the 'Lowest Observed Adverse Effect Level' (LOAEL) - which is the level that adverse effects on health and quality of life can be detected - and the SOAEL. This does not mean that adverse effects cannot occur.

The PPG Noise identifies LOAEL noise as present and intrusive and gives an example where noise can be heard and causes small changes in behaviour, attitude or other physiological response, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise, potential for some reported sleep disturbance, affects the acoustic character of the area such that there is a small actual or perceived change in the quality of life. In contrast SOAEL is present and disruptive and the noise causes a material change in behaviour, attitude or other physiological response, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep, quality of life is diminished due to change in acoustic character of the area.

The PPG advises that above the LOAEL noise starts to have an adverse effect and consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise).

Committee would have been required to consider these matters when it granted planning permission for this development. Noise mitigation in the original planning permission required the introduction of an acoustic fence along the boundary of the overspill car park, to protect Seafeld Lodge from the noise impact arising from use of the overspill car park. The fence has been installed. There are no restrictions to the maximum number of vehicles or visitors to the site, no restrictions to the approved use itself and no requirement for a management policy for how the site operates or how noise is managed. The current application confirms that the nature of activities will remain unchanged. No change of use is being applied for.

A Noise Assessment (WA/0325/NA-738-v2) has been submitted. This is available to view on the website and members are encouraged to do so. It includes a mitigation summary for each noise sensitive receptor and includes those nearest no-applicant owned properties at Seafeld Lodge and Heath Green Farm. It states that amplified music will be confined to low level sources and will be set up and monitored to achieve inaudibility at the nearest noise sensitive receptors. The submitted Noise Management Plan draft (WA/1025/NMP-365-draft-v2) is also available to view on the website and members are encouraged to do so.

It is considered that a condition requiring a Noise Management Plan would mitigate and minimise effects above the LOAEL. In coming to this conclusion, it is recognised that there may be Lowest Observed Adverse Effect Level noise and that planning policy recognises this may occur.

Paragraph 198 also advises consideration to be given to identify tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. Although this is a Green Belt location, this is not considered to be a tranquil area for the purpose of paragraph 198. For example, there are existing businesses in close proximity and roadway noise is audible.

### *Impact on animal welfare*

Consideration of the impact of lighting on animal welfare is included under the condition 5 assessment above. This section will focus on impact of noise.

Heath Green Farm has commissioned and submitted with their objection a report from Kingshay Farming and Conservation Ltd. It reports that cattle have a different hearing range to humans; the threshold for discomfort is 90-100dBA with one study showing levels exceeding 70dBA impacted milk quality; shouting and specifically screaming children is identified as a stressor in livestock.

The Agricultural Consultant has provided advice and taken into account objections received including the Kingshay report. They have advised that sudden loud noises or any loud noise music event held at Attwell Farm Park has the potential for affecting the behaviour of grazing cattle or housed livestock. Having considered these in the site context the consultant has commented that it would accept an extension to the current opening hours and suggested a structured management plan regarding why or where noise levels may be amplified with a conditioned noise management plan to mitigate the potential noise impacts.

In conclusion, it is considered that the impact on animal welfare can be mitigated and this could be incorporated in a management plan as discussed in the preceding section of this report.

### *SEND/Neurodivergent Consideration*

Many letters of support have been received from and on behalf of SEND people and their families explaining the benefit of the facility for those with SEND needs. The supporting information makes clear that the additional hours would enable better access by those with SEND and their families/carers, Molly Ollys, for those receiving end of life care as well as by the general public. Supporting information states that in 2024 eight days were specifically for SEND/neurodivergent people. In explanation of why these events cannot take place during existing opening times the application explains:

Peak daytime hours, including half-term breaks and special events, can be overwhelming for many neurodiverse visitors, resulting in heightened stress and anxiety. To address this, since 2022 Attwell Farm Park has occasionally extended opening hours until 9pm to provide a quiet atmosphere for such visitors. These evening hours create a supportive and safe environment that is better suited to the needs of neurodiverse individuals. Attwell Farm Park has received positive feedback from attendees to confirm the benefit of evening events to the neurodiverse community. Opening until 9:00pm gives more scope to accommodate those with special needs, on days when other groups and the general public are precluded from visiting until 9:00pm.

It does not wholly explain why specific times could not be made available during the authorised opening hours. These SEND/neurodivergent evenings have ceased since the CPN was issued. The agent has advised that it is difficult to predict how the ratio of later opening times until 9:00pm that will be split between each of the following:

- SEND/neurodivergent
- Local school and other community groups
- Members of the general public

Due regard is required to be had to the Public Sector Equality Duty (PSED) under s149 of the Equality Act 2010 in which disability is a relevant protected characteristic. It requires decision-makers to have "due regard" to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different groups.

The information received and numbers of letters in support of the application demonstrate the support for Attwell Farm Park for use by SEND/neurodivergent people. Some of the representations were of the view that without the increased opening hours the venue may close. The applicant's agent has confirmed this is not the case. The applicant has advised that on 20/03/2026 Attwell Farm Park has won the WCC Tourism awards for the Accessible and Inclusive category and the Large Visitor Attraction. These have been won whilst the CPN is in operation and whilst operating the authorised hours. Some objections have included a caveat that they do not object to limited additional hours for use by SEND/neurodivergent groups.

In conclusion, it is considered that the increase in opening hours would accord with the PSED with regard to disability insofar as it applies to SEND/neurodiverse people. This is a consideration in favour of the proposal. However, Members should be aware that the application makes clear that the attendance by certain sectors is an operational management consideration.

### *Economic Considerations*

The Planning Statement explains that increasing visitor numbers would in turn increase the revenue of Attwell Farm Park, local businesses and local tradespeople. No figures are provided though it estimates that 20 additional jobs will be created at the Farm Park.

Although not submitted formally as part of the application, a public comment made by an employee of the Farm Park also explains that the company works with local colleges, work experience programmes, and SEND employment initiatives to help young adults build confidence and gain practical, career-ready skills.

Policy BDP15 states that the Council will support proposals that satisfy the social and economic needs of rural communities and requires all development to be sustainable. NPPF paragraph 85 requires that significant weight be placed on the need to support economic growth and productivity.

In the context of this application, the proposal represents an investment in the Farm Park and is seeking economic growth and under the NPPF should be given significant weight in the planning balance.

### Other Matters

Concerns have been received that local residents rely on local bore hole water and have concerns about the treatment of sewage from these premises. This would be a matter to be directed to the Environment Agency. This application does not include any sewerage infrastructure. It is seeking to vary planning conditions.

### **Conclusion/ Planning Balance**

There is a requirement for the Local Planning Authority to be positive and proactive during the determination of a planning application. In taking this approach, additional information has been sought and submitted. The current proposal has provided information in support of the application including Noise reports, a draft Noise Management Plan, Visitor Management Policy and Transportation Statement.

Planning permission was granted originally in 2020 for the use and its associated facilities. There are no planning conditions restricting the use. It is recognised that there have been times that the site has opened outside of its approved opening hours and during those times has used lighting in breach of planning conditions and that this has resulted in a CPN, the requirements of which reflect planning conditions.

Objections have been made raising material planning concerns together with supporting representations. These have been considered in this report together with consultee comments and require assessment in the planning balance. Planning conditions are to be used, where the relevant tests are met, to address concerns that would otherwise result in a refusal of planning permission and is relevant in the determination of this planning application.

In this instance and on balance overall, subject to the final satisfactory comments of the Tree Officer and WRS: Noise, it is considered that planning permission should be granted.

## **RECOMMENDATION:**

- (a) **MINDED to GRANT FULL PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services to determine the application following the receipt of satisfactory comments from the Tree Officer and WRS: Noise
- (c) That **DELEGATED POWERS** be granted to the Assistant Director for Planning, Leisure and Cultural Services following consultation with the Planning Committee Chairman, to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report.

## **Suggested Conditions:**

- Prior to the installation of any external lighting in connection with this development, details including a Lighting Assessment demonstrating its suitability with regard to the impact on animals at the Farm Park, livestock using the adjoining fields and barns at Heath Green Farm, wildlife, residential amenity of neighbouring properties, and with the rural setting shall be submitted to and be approved in writing by the Local Planning Authority. The submitted details shall include a specification, details of proposed location(s), times of operation and a timetable for installation. The details shall seek to minimise any light spill outside of the site including any upward spill. The lighting shall be implemented in accordance with the approved details and shall not be amended without the prior approval of the Local Planning Authority.
- Visiting members of the public shall be limited to between 9:00am and 9:00pm
- Those attached to the original planning permission amended as appropriate by condition details previously approved including:
  - Acoustic fence
  - Landscaping maintenance
  - Electric vehicle charging
  - Accessible parking spaces
  - Cycle parking
- List of approved plans
- Overspill car park
- Hours

Plan reference

- Biodiversity/ecology
- Lighting
- Tree protection
- Noise management
- Travel plan

**Case Officer:** Jo Chambers Tel: 01527 881408  
Email: [jo.chambers@bromsgroveandredditch.gov.uk](mailto:jo.chambers@bromsgroveandredditch.gov.uk)

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25/00612/S73

Attwell Farm Park Seafield Lane Portway  
Worcestershire B98 9DB

Variation of planning permission 19/01544/FUL dated 21/10/2020:  
conditions 2 (overspill parking area), 5 (external lighting), 6  
(biodiversity/ecology / overspill parking area), 8 (variation of opening  
hours to visiting members of the public)

Recommendation: Minded to Grant

# Site Location



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# Proposed overspill car park layout



# Site Photos

2022 – View of overspill car park from Cherry Pit Lane



2024 - View from Seafield Lane

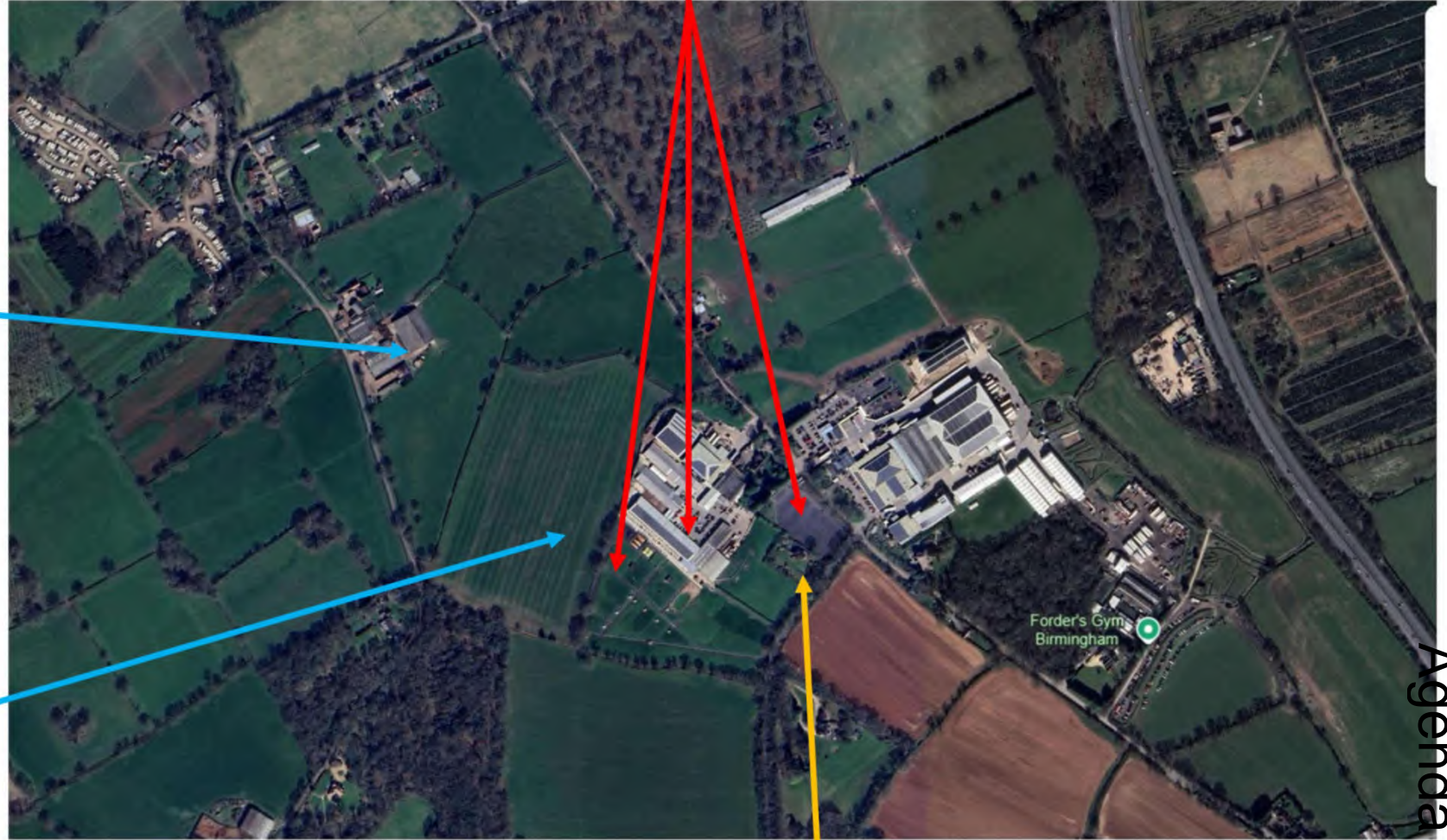


2024 - View from Seafield Lane/Cherry Pit Lane junction



# Aerial View

Atwell Farm Park



Heath Green Farm cattle shed

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Heath Green Farm field

Seafield Lodge

Forder's Gym Birmingham

Agenda Item 7

## 25/00612/S73

Variation of planning permission 19/01544/FUL dated 21/10/2020: conditions 2 (overspill parking area), 5 (external lighting), 6 (biodiversity/ecology / overspill parking area), 8 (variation of opening hours to visiting members of the public)

### MAIN ISSUES

- Noise: impact on residential amenity, animal welfare, rural character
- Lighting
- Appearance of overspill car park
- Impact on trees
- Highway safety
- Public Sector Equality Duty
- Economic Growth

**Recommendation:** Minded to Grant

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# Agenda Item 8

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 Seafield 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.

<b>Support Comments</b>	
<b>Comment</b>	<b>LPA Response</b>
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.

<b>Objection Comments</b>	
<b>Comment</b>	<b>LPA Response</b>
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.

**Case Officer:** Rosie Paget Tel: 01527 881184  
Email: [rosie.paget@bromsgroveandredditch.gov.uk](mailto:rosie.paget@bromsgroveandredditch.gov.uk)

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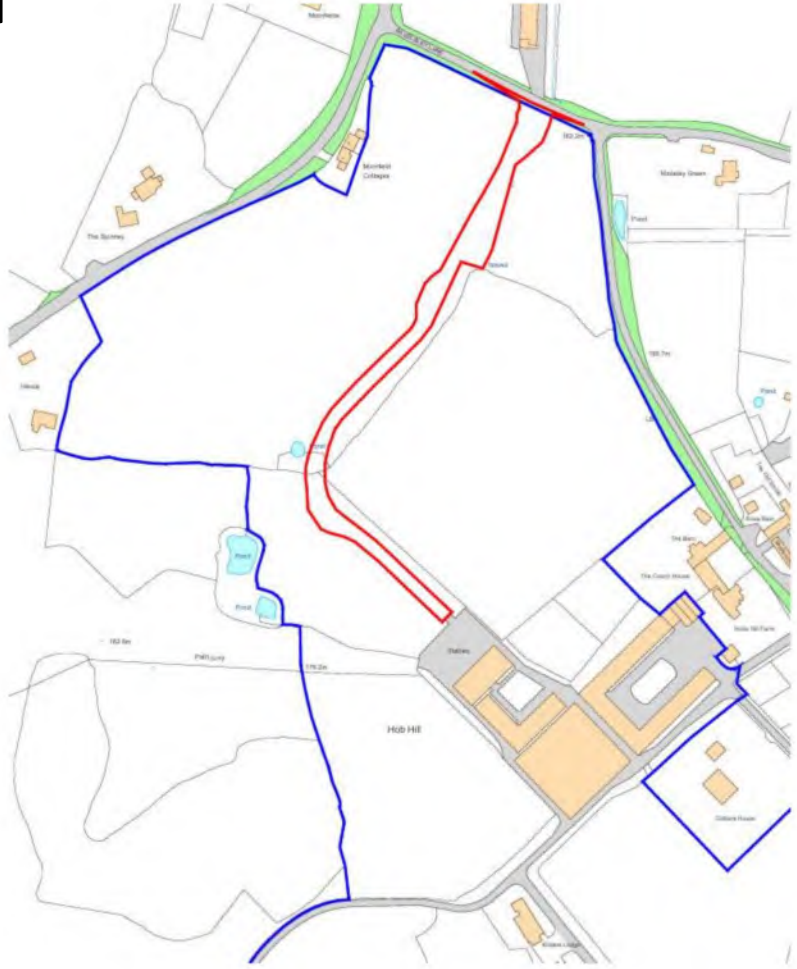
25/00749/FUL

Dominion Racing Stables, Seafield Lane, Portway,  
Worcestershire, B48 7HL

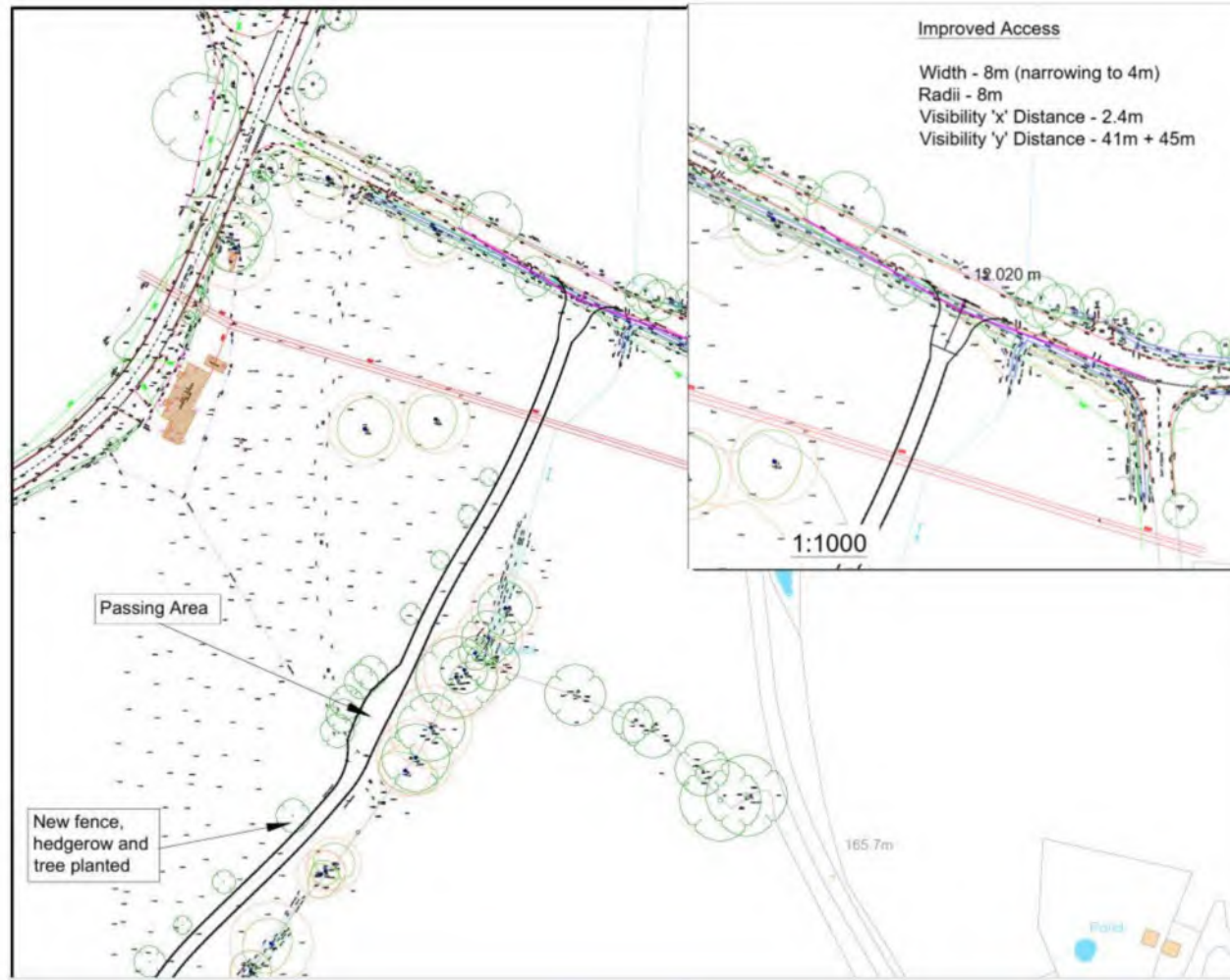
Construction of an access track from Billesley Lane to  
Dominion Racing stables

Recommendation: Refusal

# Location Plan



# Proposed Access Plan – Billesley Lane



# Illustrative Proposals



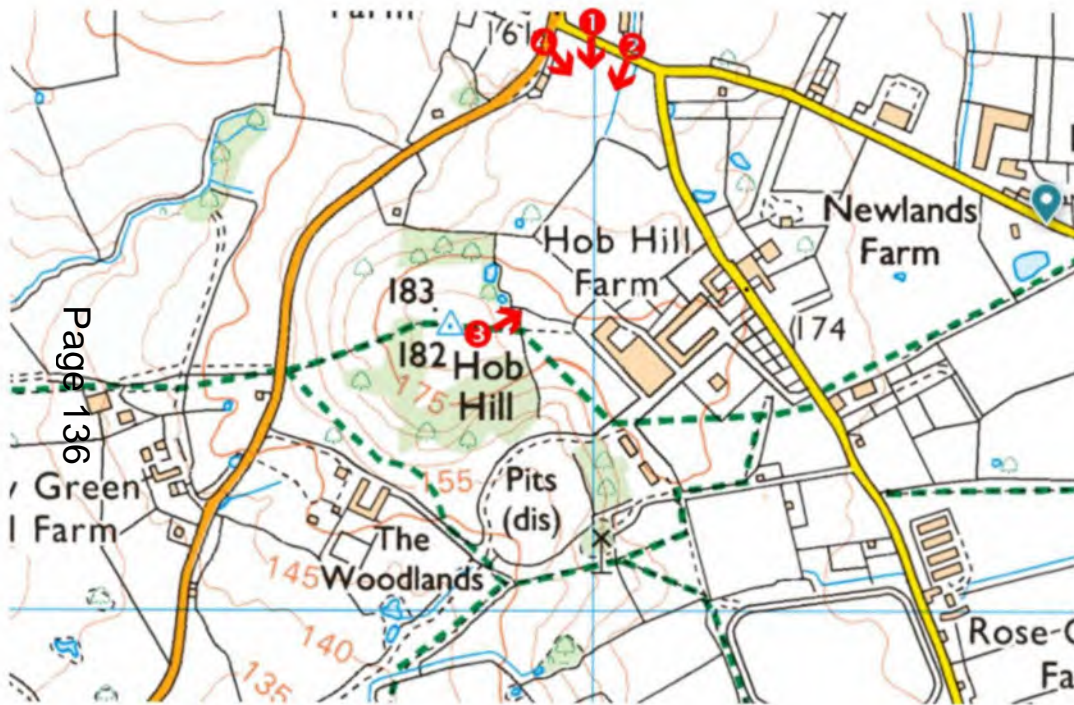
# Google Street View



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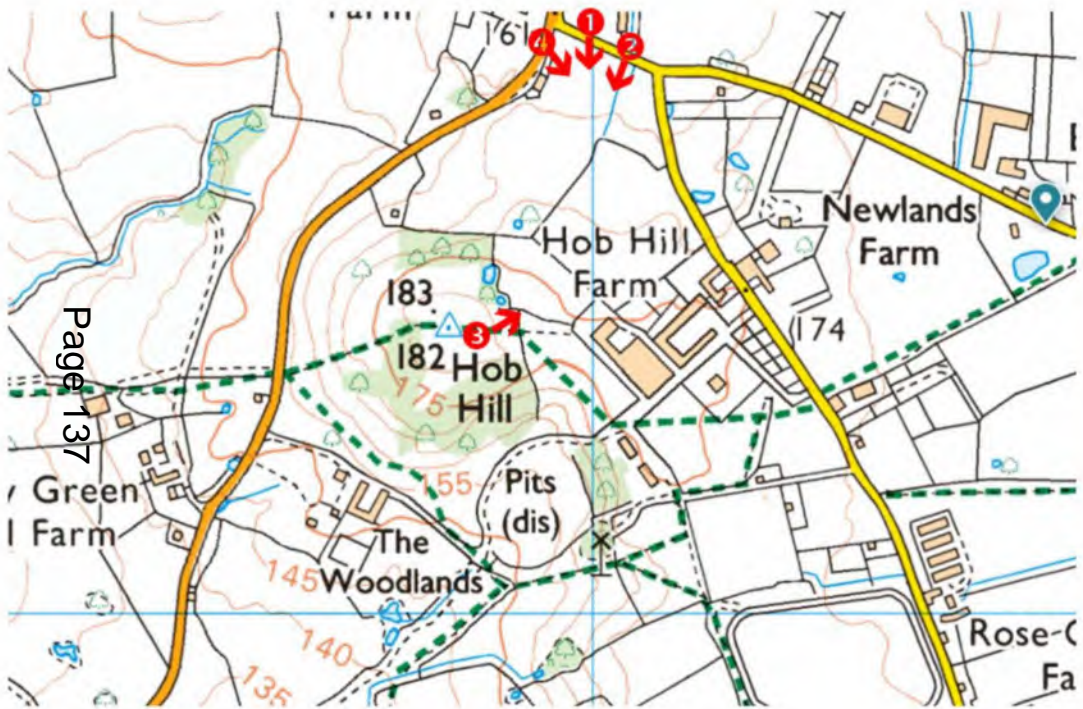
# Site Photos



View 1: from Billesley Lane viewing towards the site and route of the proposed track.



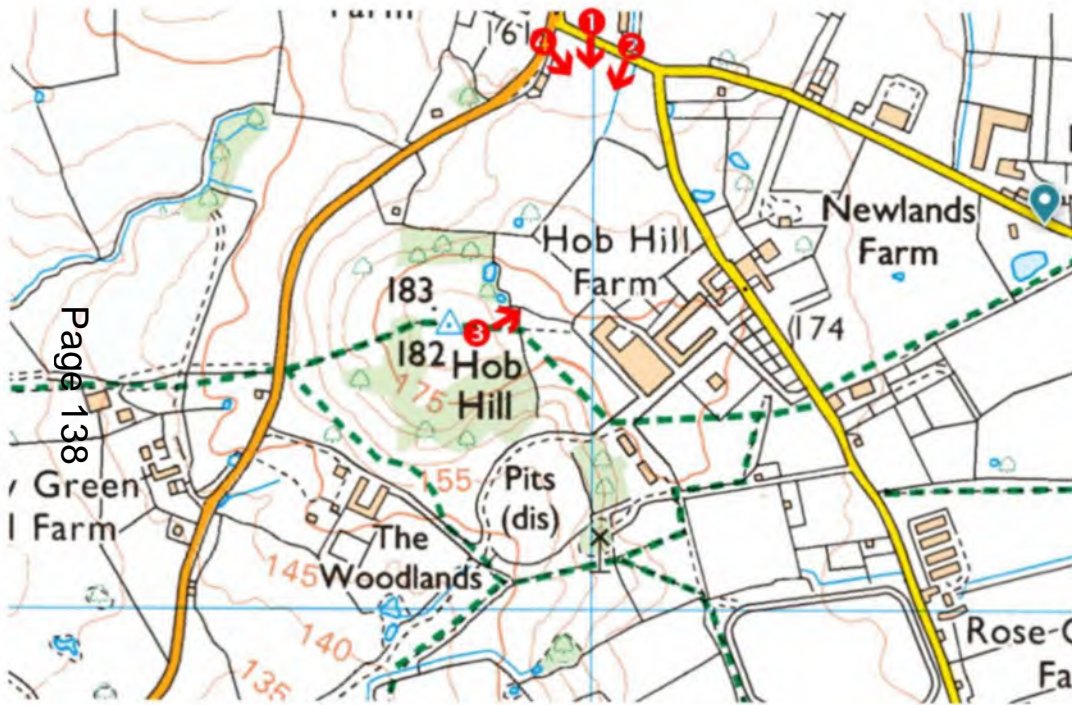
# Site Photos



View 2: from Billesley Lane viewing towards the site and route of the proposed access road.



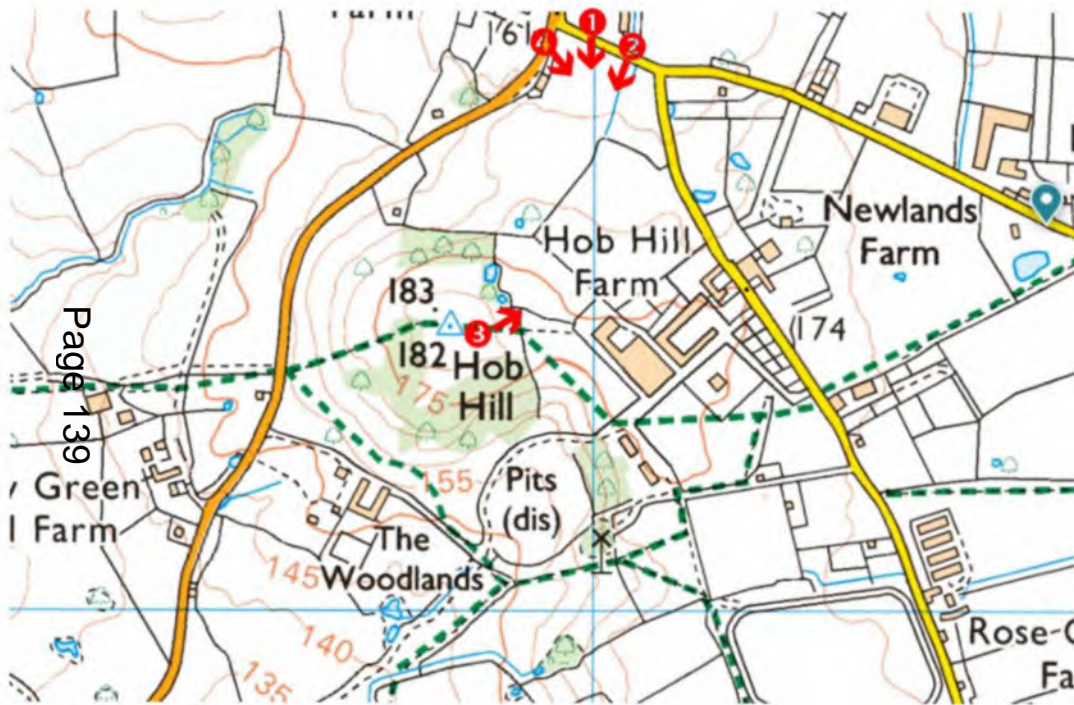
# Site Photos



View 3: from PRow back to the site and stables.



# Site Photos



View 4: from Lilley Green Road, across the site towards the proposed access road.



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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Elmsvyne Ltd.	<p>Proposed demolition of existing buildings on site and development of 3 new dwellinghouses</p> <p>7 Churchfields Road, Bromsgrove, Worcestershire, B61 8EB</p>		25/00803/FUL

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

**This application was deferred at the request of Members at the meeting of Planning Committee on 12 February 2026 to clarify highway-related matters. In response, the Committee Report has been updated with additional comments received from Worcestershire Highways – Bromsgrove.**

### Consultations

#### **Worcestershire Highways – Bromsgrove Response dated 20 February 2026**

- I have undertaken an independent review in capacity as the Highways Development Management & Control, on behalf of Worcestershire County Council in its capacity as Local Highway Authority (LHA) and a statutory consultee as set out in the Town and Country Planning Act 1990 and Highways Act 1980.
- The review has been undertaken with consideration to the National Planning Policy Framework (December 2024) and Worcestershire Streetscape Design Guide.
- Based on this I have concluded that the LHA response of ‘no objection subject to planning conditions’ and this position remains. The justification for this decision is provided below.
- Analysis: The LHA has considered the concerns of the Planning Committee which took place on 12<sup>th</sup> February 2026. These concerns were focused on the suitability of the parking provision notably the visibility splays, tracking movements and parking space dimensions.
- Visibility Splays: The LHA notes that the plan demonstrates a visibility splay from the centre of the site, which in practice is not would happen on a typical day based on the parking arrangements submitted. However, having considered the visibility splay which conforms to standard for each bay and considering the street scene and the fact that the highway is a cul-de-sac and not highly trafficked, and due to the dimensions of the existing highway being narrow, the level of visibility is acceptable and not a reason for refusal.
- Vehicle Tracking: It is noted that the existing carriageway is narrow and this may result in vehicles taking numerous movement and manoeuvres to exit the driveway, but as the levels of visibility are suitable this would be acceptable and considering neighbouring properties, they have similar requirements to exit their driveways or parking areas. The LHA concludes this would not be a reason on which a recommendation for refusal could be made upon and therefore has no reason for refusal on this matter.
- Parking Provision and Dimensions: The LHA has considered the proposed parking arrangements and notes that the frontage of the property measures approximately

16.5 metres. The provision of 6 parking spaces with a width of 2.4 metres is 14.4 metres. Therefore, there would be sufficient width to accommodate the spaces as shown in the submitted plan.

- The LHA therefore considers the provision achievable and in accordance with the requirements of the Worcestershire Streetscape Design Guide and therefore not a reason for refusal.
- Summary and Conclusion: Having considered all the information submitted it is concluded that the LHA response, dated 15 December 2025 of no objection subject to the identified planning conditions is the acceptable response.

## **View received 15 December 2025**

- No objection subject to conditions relating to:
  - Visibility splays
  - Vehicular access
  - Cycle parking
  - Access and parking facilities in conformity with submitted details
  - Residential Travel Welcome Pack
- The site is in a highly sustainable location off a unclassified road, the site has an existing vehicular access. Churchfields Road is a shared surface road used by pedestrians, vehicles and cyclists. It is closed off with bollards where it connects Churchfields (accesses for cyclists and pedestrians only). There is no street lighting, and no parking restrictions in force in the vicinity. The site is located within walking distance of all amenities and facilities, bus route and bus stops are also located within acceptable walking distance.
- WCCHA have not requested a speed survey in this instance to determine 85<sup>th</sup>tile speeds due to the location of the proposed access and since the site already has an existing vehicular access. The proposed accesses are located off a narrow-shared surface, speeds of vehicles passing the proposed vehicular accesses would be below 20mph. Therefore, the visibility splays provided on the site plan are deemed to be acceptable.
- The applicant has included a Construction Management Plan which is deemed to be acceptable. It is noted there would be some disruption; however this is normal with these type builds.
- Based on the analysis of the information submitted, WCCHA concludes that there would not be an unacceptable impact and therefore there are no justifiable grounds on which an objection could be maintained

## **Conservation Officer**

- Note Historic England's report regarding the application to list the property, and note HE refusal of the request;
- It is not considered that the building would meet the criteria for inclusion on the local heritage list, on the basis of the following:
  - Age, authenticity and rarity: the building dates from the post war period but would not appear to be one of the 'prefabs' constructed post war.
  - Architectural interest: it is of little architectural interest and is not associated with a nationally or locally important architect.
  - Historic interest: it is not associated with a locally important, family, group or event, or a phase of local history.

- Townscape value: it is not a distinctive feature in the streetscape or make a positive contribution to the distinctive character of the area.

## **Arboricultural Officer**

- No objection
- Having consider the documentation provided with this application and having carried out a site inspection I do not envisage this application creating any detrimental impact or long-term sustainability issues with any trees.

## **WRS - Noise**

- No objection

## **WRS - Contaminated Land**

- No relevant concerns have been identified from records held. The site appears to have been an underdeveloped parcel of land until development of the residential property in the 1950s / 60s. Given the existing residential use, risks from contamination are considered unlikely and therefore have no adverse recommendations in this regard.

## **North Worcestershire Water Management**

- No objection subject to condition relating to a scheme for surface water drainage submitted to the Local Planning Authority.

## **Publicity**

15 letters sent 19.08.2025 (expired 12.09.2025)

1 letter of support has been received raising the following principal issues:

- The new dwellings will have a positive impact on the road
- Have their own parking spaces, and will not add to the problems on the road
- The loss of the two undesignated parking spaces will make the road more safe

13 objections received raising the following principal issues:

## **Highways**

- Highway safety into Churchfields Road
- Lack of parking
- Increase in traffic and effect on pedestrians
- No turning space for vehicles
- Concerns over street furniture and the need for a Grampian condition
- Access into the site during works
- Visibility splays

## **Residential Amenity**

- Impact of the proposal on residents health and quality of life
- Dust and debris
- Noise impacts

## **Design**

- Minor amendments make zero difference to ongoing and substantial concerns

- Design of the proposal
- Out of character and lacks architectural merit
- Impact on the streetscene
- Concerns over loss of light, overlooking, overshadowing and overbearance
- Impact on a historic and constrained location

## **Ecology and Trees**

- A full ecological survey to address bat numbers in the locality should be undertaken.

Other matters have been raised but are not material planning considerations and therefore have not been published in this report.

## **The Bromsgrove Society**

- Dimensions for the off-street parking have not been provided
- Concerns over incorrectly drawn visibility splays crossing third-party land
- Construction Environmental Management Plan should be submitted prior to the application determination
- Functional residential space
- Lack of a street scene drawing
- Possible breach of the 45-degree code
- Possibility of stud partition wall erection resulting in dwelling 3 no longer compliant with Nationally Described Space Standard.

## **Councillor Marshall**

- Further to residents' comments on the proposed development, I would like to add my own objection as Ward Councillor to the application for demolishing the existing property at 7 Churchfields Road, Bromsgrove and constructing three new dwellings with additional parking spaces. I am especially concerned about overdevelopment in this constrained space and negative impacts on the local character and residents' quality of life.
- Incompatibility with local building character: The proposed new dwellings building line and design are out of character with the existing Victorian terraces and Nailer's Cottage, lacking architectural merit.
- Concerns about overdevelopment: The proposed scheme is poor quality and overdeveloped, threatening the character of the street and the quality of life for existing residents.
- Parking limitations and antisocial behaviour: Parking is already severely limited. The development would eliminate a crucial parking area used by residents and workmen, increasing traffic and making it difficult for pedestrians, including children and elderly residents using mobility aids, to safely navigate the road. This would add to existing incidence of antisocial behaviour such as inappropriate parking and blocked driveways, with residents facing verbal abuse and threats when requesting vehicles to move.
- Road narrowing and safety hazards: Churchfields Road narrows to a single track with limited passing points, and the only passing point outside number 7 would be removed, creating dangerous conditions. The road is heavily used by pedestrians, including school children, and suffers from speeding motorbikes. Increased vehicle movements from new homes would exacerbate safety risks. Emergency vehicle

access has been compromised, prompting intervention from the Fire and Rescue Service. Additional cars and road narrowing would worsen these issues.

- Land use and visibility splay concerns: The proposed pedestrian visibility splay appears to cross private property without consent, and there seems to have been no communication from the applicants regarding this or the development.
- Loss of a unique bungalow: The existing 1950s/1960s cedar bungalow is valued for its charm and character and is considered an irreplaceable asset that should be preserved.
- Housing needs for older persons: The proposed terraces do not address the demand for bungalows sought by older or accessibility-needing residents, especially in this highly sustainable location adjoining the town centre, as highlighted in the Local Plan.
- Ecological considerations: There is a significant presence of bats in the area, particularly in the rear garden of the site at No.7, warranting a full ecological survey before development.
- Failure to meet Local Plan objectives: The development contradicts Bromsgrove Local Plan objectives emphasizing balanced, sustainable development, quality of life and high-quality design.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP7 Housing Mix and Density  
BDP12 Sustainable Communities  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment  
BDP21 Natural Environment

### **Others**

Bromsgrove High Quality Design SPD  
National Planning Policy Framework  
National Planning Practice Guidance

## **Relevant Planning History**

BU/641/1960	Proposed timber bungalow.	Granted 1960
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## **Assessment of Proposal**

### **The Site**

The site is located at 7 Churchfields Road and measures approximately 0.053 hectares. The surrounding properties are residential. The site is bound by No.5 and No.9 Churchfields Road to the either side of the existing dwelling, residential properties opposite the site, and residential properties on Spire View and Churchfields Close to the rear of the site.

The site is currently a pitched roof bungalow. There is a hardstanding driveway in the form of bricked paving, as well as a front garden and rear garden. There is a variety in

architectural styles and material in the streetscene, varying from terraced properties, to detached properties and semi-detached properties. Built form in the vicinity of the site is predominantly of a two-storey form.

The site is located within the residential area of Sidemoor, immediately adjacent to the west of Bromsgrove Town Centre. The site has good access to a small area of local shops along Broad Street (5-minute walk to the west), and Bromsgrove Town Centre is a 10-minute walk to the south-east of the site. Parkside Middle School and Churchfields Day Nursery are approximately 10-minute walk and 3-minute walk respectively.

## **Proposal**

This planning application is for the demolition of the existing bungalow at No.7 Churchfields Road and erection of 3 dwellings (3 x 2 bedroom), with associated external works and car parking.

The three dwellings would form a terraced block.

The proposal consists of 3 x 2 bedroom dwellings, and the measurements are below as follows:

- Dwelling 1 (2-bed): Height – 7.72 metres, width – 4.5 metres, amenity space – 60 metres;
- Dwelling 2 (2-bed): Height – 7,72 metres, width – 4.2 metres, amenity space – 60 metres;
- Dwelling 3 (2-bed): height – 7.72 metres, width – 5.4 metres, amenity space – 109 metres.

## **Principle of Development**

Policy BDP2 of the Bromsgrove District Plan supports development on previously developed land/buildings within existing settlements. The application site lies within the residential area and is previously developed land in a sustainable location. The principle of redeveloping the site for residential development has been accepted previously onsite and remains acceptable.

The residential properties that are proposed would provide 3 2-bedroom dwellings, all of which would meet the national spacing standards for dwellings.

As of April 2025, the Council can demonstrate a housing land supply of 2.24 years. Therefore, despite progress which has been made in identifying sites and granting planning permissions, the Council considers that it cannot demonstrate a five-year housing land supply.

Paragraph 11(d) of the National Planning Policy Framework (NPPF) states that where policies that are most important for determining the application are out-of-date, planning permission for new housing 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;

- (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.

Point (i) does not apply to this site.

With regard to Point (ii), the proposal would result in two additional dwellings to the housing supply, which would provide a limited contribution. There would be limited economic benefits during the construction phase and further limited economic and social benefits arising from the future occupiers using the local facilities. There is policy support for 2 bed dwellings and the re-development of previously developed land in a sustainable, residential area.

Paragraph 8 of the NPPF defines sustainable development as having three dimensions: economic, social and environmental. In terms of social benefits, the proposal would make a contribution to the Council's supply of housing. It is also acknowledged that there would be some economic benefits associated with the proposal during the construction phase and from occupants supporting local shops and services. The proposal would also fulfil the environmental and social dimensions of sustainable development because the site is in a sustainable location, therefore reducing the requirement to travel by private vehicle. The proposals would also contribute to supporting a sustainable community.

The proposed location of the proposal is located within the residential area of Sidemoor, Bromsgrove. Bus stops are located approximately 300 metres to the northwest of the site and Bromsgrove Bus Station located approximately 384 metres south of the site, the nearest footpaths are located approximately 77 metres east and 118 metres north, nearest shops located approximately 307 metres to the north, or a variety of day to day services in Bromsgrove Town Centre (420 metres to the south), and the nearest schools are located approximately 200 metres east.

Overall, it is considered that the principle of the demolition of the bungalow and erection of three dwellings is acceptable.

## **Character, Design, and Appearance**

Policy BDP7 of the BDP requires the density of new housing make the most efficient use of land whilst maintaining character and local distinctiveness. The proposal is for 3 x 2-bedroom dwellings, which is supported by Policy BDP7. Policy BDP19 of the Bromsgrove Local Plan sets out the importance of high-quality design. This local adopted policy reflect the requirement for high quality design set out in the National Planning Policy Framework (NPPF) and the Council's High Quality Design SPD which requires new development to respect and enhance the local character through the use of appropriate materials, siting, scale and mass.

The dwellings would be located on the site of the existing bungalow. The height of the dwellings would be approximately 7.72 metres in height and 10 metres in length (plot 3) and 8.8 metres (plots 1 and 2). There are 2 proposed parking spaces for each dwelling.

Materials have been submitted via the plans submitted, as shown on drawing no: 25-10-12A (Amended Elevations 1). This has been controlled via condition. For the avoidance of doubt, they include:

- Facing brickwork: Tuscan red multi bricks
- Rooftiles: Grey

The streetscene along Churchfields Road is varied in terms of age, design, size and materials. There is also a variation in terms of the proximity to the road. The proposed dwellings would be positioned adjacent to number 9. Furthermore, as the new dwellings would largely reflect the size of properties along the road, it would integrate within the varied streetscene.

The proposal would continue the varied layout of the road and the design would be acceptable in the residential area and provide a local enhancement to character in accordance with policy BDP19.

## **Residential Amenity**

Policy BDP1(e) of the District Plan states that regard should be had to residential amenity and paragraph 135(f) of the National Planning Policy Framework (NPPF) states that planning decisions should seek a high standard of amenity for existing and future occupants. Further to this, the Council's High Quality Design SPD outlines a number of standards for new development, including separation distances between dwellings. Paragraph 4.2.49 states that a minimum separation distance of 21 metres is required between opposing faces of two storey dwellings, in order to achieve privacy.

Having regard to the above, the front elevation of the proposed dwelling which include habitable windows would be approximately 30 metres from the front elevation of number 14 Churchfields Road. The rear elevation of the new dwellings, also containing habitable windows would be approximately 33 metres from the rear elevation of 12 Churchfields Close to the south of the application site. Whilst the west side elevation would only be approximately 2.5 metres from the side elevation of number 9 Churchfields Road, there are no windows proposed. Furthermore, there is one window proposed to the east side elevation towards the existing wall of number 9 Churchfields Road, which is a first-floor non-habitable bathroom window. Overall, given the relationship of the proposed dwellings to existing dwellings and the location of existing and proposed habitable windows, the development would provide adequate light, outlook and privacy for the occupiers of the proposed development as well as existing neighbouring properties.

With regards to the proposed garden area for the future occupiers of the development the Council's High Quality Design SPD recommends a minimum garden area of 70 square metres for all dwellings and a minimum garden length of 10.5 metres for two storey dwellings.

The length of the proposed garden area for each plot would be approximately:

- Plot 1: 13.28 metres
- Plot 2: 13.86 metres
- Plot 3: 17 metres

The garden spaces for Plot 1 and 2 would measure approximately 60 sqm. The garden space for Plot 3 would be approximately 109 sqm. Plot 1 and 2 would fall slightly short of the 70 square metre standard set out in the SPD. Notwithstanding this, the SPD also states that the private amenity spaces should be suitably sited and should be in scale with the plot and existing local density. Having regard to these additional matters, the rear garden area would be appropriately sited and would be in proportion to the proposed modest, two bedroom dwellings. Whilst density does vary within the local area, overall, the proposed garden areas would be acceptable based on the specifics of the site. The dwellings are also in close proximity to Bromsgrove recreation ground.

A representation has been made in relation to separation distances. The agent has provided an updated Site Plan drawing, demonstrating the proposal is approximately 12.9m away from the existing approximate location of windows on both levels when a 45-degree line is drawn from the closest edge of the nearest window. This is acceptable as it is longer than an acceptable flank wall distance is considered to be (12.5m).

A representation has been made in relation to air pollution, noise and dust during the works. This is noted; however, works would be temporary in nature during the construction period, and other legislative processes are available should a statutory nuisance occur. To assist with the construction period given the site-specific, a CEMP is proposed and thus has been suitably conditioned.

Subject to the imposition of suitable conditions, the impact of the development on the amenity of residential properties is considered acceptable and in accordance with Policy BDP19 of the Bromsgrove District Plan.

## **Highways Matters**

Information submitted within the application form and submitted documents have been supplemented by additional information submitted by the applicant in response to local concerns and Highway Authority comments.

Objections have been raised regarding Highways, including traffic, parking and general concerns on highway safety, as well as concerns over street furniture, the requirement for a Grampian condition.

The access arrangements, traffic generation, manoeuvring, parking provision, visibility splays and the matters of highway and pedestrian safety are all considered to be acceptable and suitable. All three dwellings would each have 2 designated parking spaces, as well as cycle storage and electric vehicle charging points, as required by the Streetscape Design Guide. The electric vehicle charging points would be secured through the Building Regulations process.

The application was deferred at the 12 February 2026 meeting of Planning Committee to clarify highway related matters. The updated comments from WCCHA are included in italics below.

*Comments raised by objectors include visibility splays, parking provision and vehicle tracking. WCCHA note that the Block Plan shows a visibility splay from the centre of the site, which in practice is not what would happen on a typical day based on the parking*

*arrangements submitted. However, having considered the visibility splay which conforms to standard for each bay and considering the street scene and the fact the highway is a cul-de-sac and not highly trafficked, and due to the dimensions of the existing highway being narrow the level of visibility is acceptable and not a reason for refusal.*

*WCCHA note the objections in regard to vehicle tracking and note the existing carriageway is narrow and may result in vehicles taking numerous movement and manoeuvres to exit the driveway, but as the levels of visibility are suitable this would be acceptable and considering neighbouring properties, they have similar requirements to exit their driveways or parking areas. WCCHA conclude this would not be a reason on which a recommendation for refusal could be made upon.*

*In relation to objections raised in regard to parking provision and dimensions, WCCHA consider the proposed parking arrangements and note the frontage of the property measures approximately 16.5 metres. The provision of 6 parking spaces with a width of 2.4 metres is 14.4 metres. Therefore, there would be sufficient width to accommodate the spaces as shown on the submitted plan.*

In relation to the use of a Grampian condition, WCCHA comments conclude that the department have assessed the existing street furniture identified in the picture submitted and considers that it does not interfere with the proposed parking space. Consequently, a Grampian condition is not deemed necessary in this instance, and the site layout plan submitted by the applicant is considered acceptable.

The block plan indicates the location and detail of a cycle store within the site.

WCCHA have included a condition in regard to Travel Welcome Packs, in order to encourage sustainable modes of travel to and from the site to local facilities and everyday amenities.

Regarding objectors' comments in relation to construction traffic in the site, these works would be temporary in nature and any impact would be time limited. In this instance, and because of the layout of the site and the location of the development, the applicant has submitted a Construction Environmental Management Plan to ensure the implementation of the development minimises any local highways impact. WCCHA have deemed this Plan to be acceptable, and note there might be some disruption, however this is normal with development. The Plan has been conditioned.

In conclusion on highway matters, WCCHA has confirmed that the proposal is acceptable and there are no highway grounds to refuse the application. Suitable conditions have been requested. Officers agree with this conclusion and have no reasons to take a contrary view to the Highway Authority.

## **Drainage**

North Worcestershire Water Management (NWWM) have no objection, subject to a suitable surface water drainage condition. NWWM have confirmed the site is in an area of low risk of flooding from all sources.

## **Historic Environment**

Objections have been raised in regard to the historic environment of the site, and for the building to be included within the Local Heritage List and be a Listed Building (subject to an application to Historic England).

Historic England had been consulted and state based on the current information, there is no statutory need to inform or consult them on this application.

The Conservation Officer has been consulted and notes Historic England have refused a request for the dwelling to be a Listed Building. The Conservation Officer also notes that it is not considered that the building would meet the criteria for inclusion on the local heritage list, on the basis of:

Age, authenticity and rarity – the building dates from the post war period, but would not appear to be one of the ‘prefabs’ constructed post war.

Architectural interest – it is of little architectural interest and is not associated with a nationally or locally important architect. It does not illustrate distinctive artistic, craftsmanship, design, construction or landscaping qualities of interest.

Historic interest – it is not associated with a locally important, family, group or event, or a phase of local history.

Townscape value – it is not a distinctive feature in the streetscape or make a positive contribution to the distinctive character of the area.

The site is not located within a designated Conservation Area.

Taking the comments from Historic England and the Conservation Officer into account, I do not consider the existing dwelling to be of historic significance. I am therefore of the view that the demolition of the dwelling to be acceptable.

## **Ecology and Biodiversity Net Gain**

The submitted Daytime Bat Assessment raises no concerns in respect of bats in the area of the application site. A planning condition can be secured to ensure the applicant carries out the recommendations set out within the Assessment to be carried out, and a condition relating to the installation of bird or bat boxes has been imposed.

There are no known protected species or irreplaceable habitat on site and an enhancement can be secured by the inclusion of bat and bird boxes and the proposed landscaping.

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.

It has been found that the proposal triggers the need to provide a minimum 10% BNG. A BNG metric has been submitted which shows a net loss in habitat units and that post development BNG cannot be secured on site and a net loss is recorded. Off-site credits are therefore required to secure the uplift in BNG. It is considered reasonable that this is the only viable option and these credits can be secured via the market.

The development is therefore acceptable in this regard and the pre-commencement condition will be set out within the informatives section attached to any approval.

## **Trees**

The Council's Tree Officer has no objection to the proposed development.

## **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, 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 to this site.

Limb ii would result in three additional dwellings to the housing supply. The site is located within a sustainable location and is of a suitable land use and amount.

It has been demonstrated above that the scheme complies with the policies of the Bromsgrove District Plan, the Council's High Quality Design SPD and the NPPF. As such, the proposal would represent a sustainable form of development and contribute to the District's housing supply, and should be granted permission subject to conditions listed below.

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

## **Conditions**

- 1) The development must be begun no later than 3 years beginning with the date of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

- Drawing number: 25-10-00, titled: Location Map, dated July 2025;
- Drawing number: 25-10-01, Rev B, titled: Scheme Block Plan, dated July 2025;
- Drawing number: 25-10-12A, titled: Scheme Elevations (1), dated March 2025;
- Drawing number: 25-10-13A, titled: Scheme Elevations (2), dated March 2025;
- Drawing number: 25-10-11A, titled: Scheme First Floor Plans, dated March 2025;
- Drawing number: 25-10-10A, titled: Scheme Ground Floor Plan, dated March 2025.

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

3) The development hereby approved shall not be occupied until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the edge of carriageway shall be provided on both sides of the access. The splays shall thereafter be maintained free of obstruction exceeding a height of 0.6m above the adjacent ground level.

Reason: In the interests of highway safety.

4) The development hereby approved shall not be occupied until the first 5 metres of the access into the development, measured from the edge of the carriageway, has been surfaced in a bound material.

Reason: In the interests of highway safety.

5) The development hereby approved shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

6) The development hereby approved shall not be occupied until the access and parking facilities have been provided as shown on drawing 25-10-01.

Reason: To ensure conformity with submitted details.

7) The development hereby approved shall not be occupied until the visibility splays shown on drawing 25-10-01 have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent highway.

Reason: In the interests of highway safety.

- 8) The development hereby approved shall not be occupied until a residential 'Travel Welcome Pack' promoting and encouraging sustainable journeys to and from the development has been prepared and distributed to each resident at the point of site occupation. The content of the Travel Welcome Pack is to be approved in writing by the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: To ensure residents of the development site are offered a genuine choice of sustainable travel modes and to promote sustainable access to the development site.

- 9) No works in connection with site drainage shall commence until a scheme for surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall be indicated on a drainage plan. Infiltration techniques are to be used and the plan shall include the details and results of field percolation tests. If infiltration drainage is not possible on this site, an alternative method of surface water disposal should be submitted for approval. There shall be no increase in runoff from the site compared to the pre-development situation up to the 1 in 100 year event plus an allowance for climate change. The drainage scheme shall be implemented prior to the first use of the development and thereafter maintained.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 10) The development hereby approved shall be carried out in accordance with the document titled: Construction Environment Management Plan, WE/Churchfields/2025//V1.0, dated November 2025. The measures set out in the document shall be carried out and complied with in full during the construction of the development hereby approved.

Reason: To ensure the provision of on-site facilities and in the interests of highway safety and residential amenity.

- 11) Prior to first occupation a detailed scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be completed within the first available planting season from the date of occupation or completion of the development, whichever is the earlier.

For a period of five years after the completion of the approved landscaping scheme, the trees, hedges and shrubs shall be protected and maintained in a healthy condition. Any trees, hedges or shrubs that cease to grow or are felled, removed, uprooted, destroyed or die, or become in the opinion of the Local Planning Authority seriously damaged, diseased, or defective, shall be replaced by trees, hedges, or shrubs as may be approved in writing by the Local Planning Authority. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To safeguard and enhance the landscape character and visual amenity of the area; to help assimilate the development into its immediate surrounds; and to

provide ecological, environmental and biodiversity benefits, in the interests of a net biodiversity gain.

- 12) The recommendations and actions required stated on pages 1 – 2 of the document titled *7 Churchfields Road, Daytime Bat Assessment*, dated October 2025 shall be carried out in full.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to Policy BDP21 of the Bromsgrove District Plan and Section 15 of the National Planning Policy Framework.

- 13) Prior to first occupation, in order to provide a net gain in biodiversity for protected species, two schwegler bat and/or bird boxes or equivalent per dwelling shall be placed on site in suitable locations at least 3 metres above ground level facing to the south or east and kept thereafter in perpetuity.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to Policy BDP21 of the Bromsgrove District Plan and Paragraph 187 of the National Planning Policy Framework

**Case Officer:** Emily Cox Tel: 01527 881699 EXT 1699  
Email: [emily.cox@bromsgroveandredditch.gov.uk](mailto:emily.cox@bromsgroveandredditch.gov.uk)

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25/00803/FUL

7 Churchfields Road, Bromsgrove

Proposed demolition of existing buildings on site and  
development of 3 new dwellinghouses

Recommendation: That planning permission be  
**GRANTED**

# Site Location

## LOCATION MAP SCALE 1:1250

Based on Ordnance Survey 1:1250 scale mapping  
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<b>Steve Haskay Design Ltd.</b> Steve Haskay Design 10 Churchfields Road Bromsgrove B61 8EB Tel: 0121 858111 Email: info@shdesign.co.uk		
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<b>Sheet</b> Location Map		
<b>Project</b> Proposed Development 7 Churchfields Road BROMSGROVE B61 8EB		
<b>Client</b> Elmovans Ltd		
<b>Drawn by</b> GG Pugh	<b>Drawing Number</b> 25-10-00	<b>Sheet Size</b> A3
<b>Date</b> JULY 2025		

# Block Plan



## BLOCK PLAN SCALE 1:500

Based on Ordnance Survey 1:1250 scale mapping  
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- KEY**
- 2 2 BED 2 STOREY DWELLING
  - 1 2 BED 2 STOREY DWELLING
  - DEMOLITION OF EXISTING DWELLING
  - 5 CAR PARKING SPACES
  - PROPOSED CYCLE STORE
  - PROPOSED BIN STORE
  - PROPOSED ELECTRIC VEHICLE CHARGING POINT
  - PEDESTRIAN VISIBILITY SPLAY 2M X 2M
  - VISIBILITY SPLAY 2M X 20M
  - PROPOSED PLANTING
  - PROPOSED TIMBER FENCING

<p><b>Revisions:</b> A - Key amended to reflect the change from the 3 bed dwelling to 2 bed dwelling GGP 06/01/2024 B - Pedestrian Visibility splay location amended in line with Warrackborough County Council Streetcape Design Guide: 40'Pole distance line to No.5 GGP 06/01/2024</p>		
<p><b>Steve Haskey Design Ltd.</b> 18th Ave Road Warrackborough VIC 3281 Australia Tel: 08 8661 4881 Email: steve@sthaskey.com.au</p>		
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<p><b>Scheme:</b> Block Plan</p>		
<p><b>Project:</b> Proposed Development 7 Churchfields Road BROMSGROVE B61 8EB</p>		
<p><b>Client:</b> Elmavyns Ltd</p>		
<p><b>Drawn By:</b> GG Pugh</p>	<p><b>Drawing Number:</b> 25-10-01B</p>	<p><b>Sheet Size:</b> A3</p>
<p><b>Date:</b> JULY 2025</p>		

# Proposed Ground Floor Plans

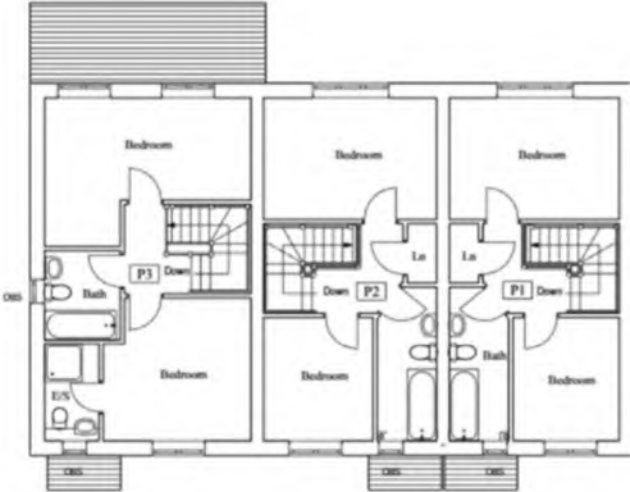
GROUND FLOOR PLAN  
SCALE 1:100




<p><b>REVISIONS:</b> A - Layout amended to ensure bedrooms comply with Nationally described space standards. Front elevation amended and improved to keep in with neighbouring properties. Details about proposed materials added to drawing.</p>		
GGP 16/09/2025		
<p><b>Steve Haskey Design Ltd.</b>  <small>Unit 10, 11 &amp; 12                  Bromsgrove                  Worcester                  B61 6EP</small> </p>		
<small>The copyright of this drawing and design is retained by Steve Haskey Design LTD                  It must not be copied or reproduced without consent in writing.</small>		
<p><b>Drawn:</b> SCHEME - Ground Floor Plan</p>		
<p><b>Project:</b> Proposed Development                  7 Churchfields                  BROMSGROVE                  B61 8EB</p>		
<p><b>Client:</b> ELMSVYNE LTD</p>		
<p><b>Drawn by:</b> G.G. Pugh</p>	<p><b>Drawing Number:</b> 25-10-10A</p>	<p><b>Sheet Size:</b> A3</p>
<p><b>Date:</b> MAR 2025</p>		

# Proposed First Floor Plans

FIRST FLOOR PLAN  
SCALE 1:100

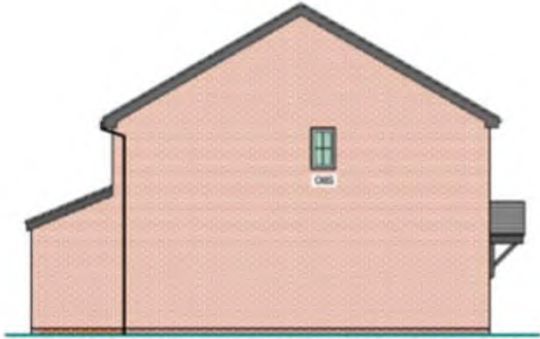
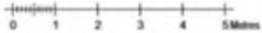


<b>REVISIONS:</b>		
A - Layout amended to ensure bedrooms comply with 'Nationally described space standards'. Front elevation amended and improved to keep in with neighbouring properties. Details about proposed materials added to drawing.		
GGP 16/09/2025		
<b>Steve Haskey Design Ltd.</b>		
<small>                 20 St. John Street                  Birmingham                  B2 4JH                  Tel: 0121 708 8888                  Email: info@shdesign.co.uk             </small>		
<small>The copyright of this drawing and design is retained by Steve Haskey Design LTD. Printed and Assembled in Birmingham without comment or editing.</small>		
<b>Sheet</b> SCHEME - First Floor Plan		
<b>Project</b> Proposed Development 7 Churchfields BROMSGROVE B61 8EB		
<b>Client</b> ELM SVYNE LTD		
<b>Drawn by</b> G.G. Pugh	<b>Drawing Number</b> 25-10-11A	<b>Sheet Size</b> A3
<b>Date</b> MAR 2025		

# Proposed Elevations



NORTH EAST ELEVATION  
SCALE 1:100



SOUTH EAST ELEVATION  
SCALE 1:100

**MATERIALS TO BE USED:**

Facing Brickwork :  
Wissenberger Tuscan Red  
Multi Bricks



Marley Ashmore Roof Tiles -  
Grey

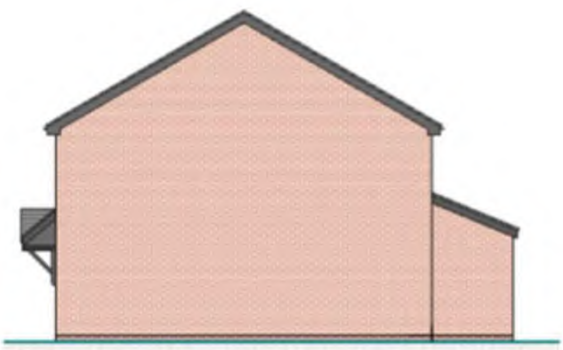
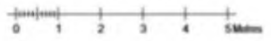


<b>REVISIONS:</b>		
A - Layout amended to ensure bedrooms comply with 'Nationally described space standards'. Front elevation amended and improved to keep in with neighbouring properties. Details about proposed materials added to drawing.		
GGP 16/09/2025		
<b>Steve Haskay Design Ltd.</b>		
<small>Unit 10, Jubilee Street, Bromsgrove, Warwickshire, B61 1JH, UK. Tel: 01827 833007. Email: info@shaskay.co.uk</small>		
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Sheet	SCHEME - Elevations (1)	
Project	Proposed Development 7 Churchfields BROMSGROVE B61 1EB	
Client	ELMSVYNE LTD	
Drawn By	G.G. Pugh	Drawing Number
Date	MAR 2025	25-10-12A
		Sheet Size
		A3

# Proposed Elevations



SOUTH WEST ELEVATION  
SCALE 1:100



NORTH WEST ELEVATION  
SCALE 1:100

<p><b>REVISIONS:</b> A - Layout amended to ensure bedrooms comply with Nationally described space standards. Front elevation amended and improved to keep in with neighbouring properties. Details about proposed materials added to drawing.</p> <p style="text-align: right;">GGP 16/09/2025</p>		
<p><b>Steve Haskey Design Ltd.</b> Architects 100-102 100-102 100-102</p>		
<p style="text-align: center;"><small>The copyright of this drawing and design is retained by Steve Haskey Design Ltd. It must not be copied or reproduced without consent in writing.</small></p>		
<p><b>Sheet</b> SCHEME - Elevations (2)</p>		
<p><b>Project</b> Proposed Development 7 Churchfields BROMSGROVE B61 8EB</p>		
<p><b>Client</b> ELMSVYNE LTD</p>		
<p><b>Drawn By</b> G.G. Pugh</p>	<p><b>Drawing Number</b> 25-10-13A</p>	<p><b>Sheet Size</b> A3</p>
<p><b>Date</b> MAR 2025</p>		

# Site Photographs

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Agenda Item 9

# Site Photographs



Page 165



Agenda Item 9

25/00803/FUL

7 Churchfields Road, Bromsgrove

Proposed demolition of existing buildings on site and development of 3 new dwellinghouses

Main Issues:

- Principle of Development
- Character, Design and Appearance
- Residential Amenity
- Highway Matters
- Drainage
- Historic Environment
- Ecology and Biodiversity Net Gain
- Trees

Recommendation: That planning permission be **GRANTED**