

STUDIO 27
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**PLANNING &
DESIGN & ACCESS STATEMENT**

**OUTLINE APPLICATION
FOR UP TO 10 DWELLINGS
ON
LAND OFF WITHYBED LANE
ALVECHURCH
BIRMINGHAM
GRID REF: E401996, N272597**

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Document Control

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1.00 Introduction

1.01 This statement has been prepared to support the submission of an application for outline permission with all matters reserved for future consideration except for access for the construction of up to 10 dwellings.

1.02 The site lies to the south of Withybed Lane and to the west of the Cross City railway line. The site is within the Green Belt.

1.03 The proposal seeks to provide a selection of high quality new building that would meet the needs of future generations.

1.04 The proposal results in a sustainable form of development which should be welcomed by the Local Planning Authority (LPA).

1.05 This statement should be read in conjunction with the supporting plans supplied by Studio 27 Architects which demonstrate the credentials of the scheme in more detail. It is anticipated that the LPA will adopt a proactive approach to this sustainable scheme.

1.06 This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the NPPF.

1.07 In particular, it will be demonstrated that the proposal would result in a sustainable form of development, would not harm highway safety or efficiency, would make a positive contribution to the character of the area and would sufficiently protect neighbouring living conditions.

1.08 Furthermore, the proposal would not result in an unacceptable impact on ecological assets. Importantly, it will also be demonstrated that the proposal would not harm the openness of the Green Belt (GB) or conflict with the purposes of the GB. Finally, the conclusion is reached that planning permission should be granted for the proposed development.

2.00 Site Context

2.01 The site is located on the periphery to the west of Alvechurch and to the south of Barnt Green as depicted below.



Fig 1 - Location

2.02 The application site is 0.53 hectares and has a limited planning history.

2.03 A classified road exists immediately to the north of the site providing vehicle access to The Crown Inn public house and dwellings all located at Withybed Green site a little further up the road.

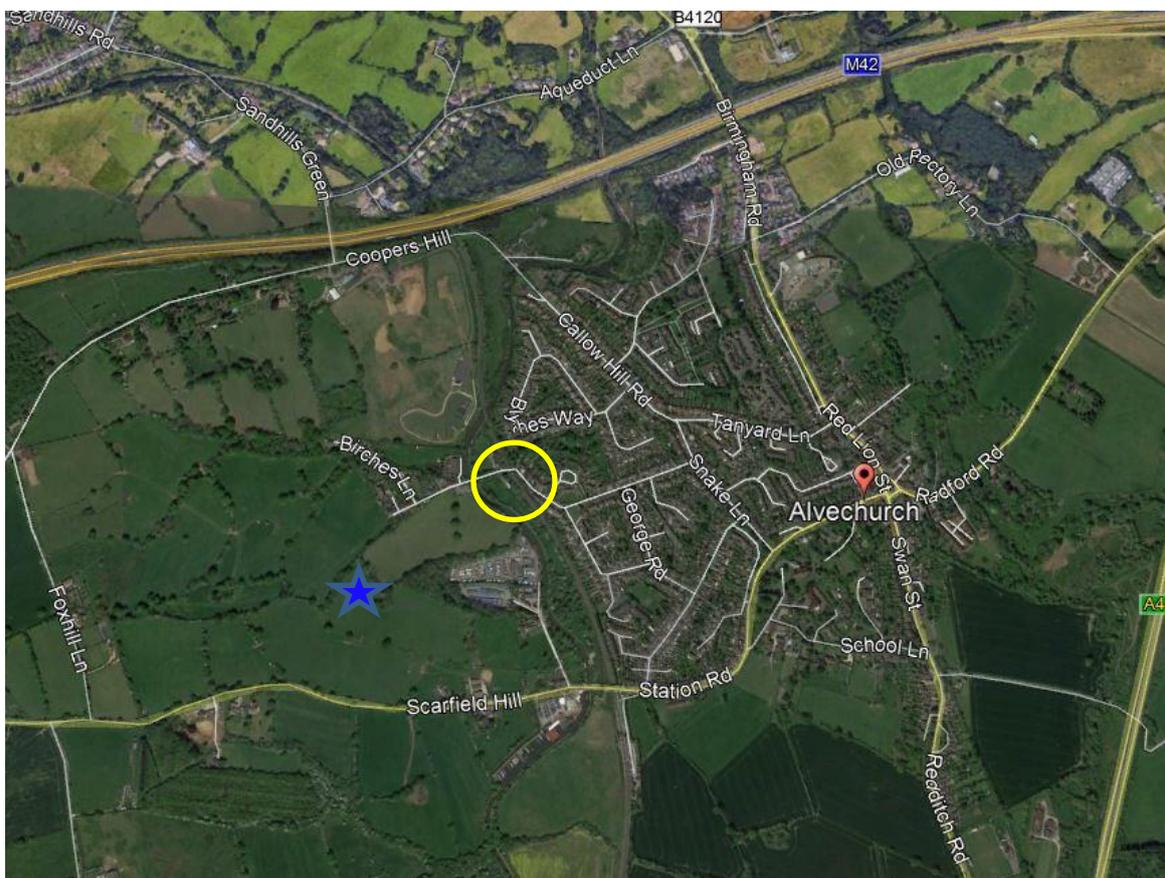


Fig 2 - site location

2.04 The wider application site comprises of a triangular shaped field that has been used for grazing horses.

2.05 The site boundaries are defined by mature trees and hedgerows.

2.06 The site is not within a Conservation Area and there are no Listed Buildings in immediate proximity to the site.

3.00 The Proposal

3.01 Outline planning permission is sought for the construction of up to 10 dwellings. Full design details are to be supplied at a later date.

3.02 However, at this stage the main details of the proposal are as follows:

- Indicative site layout plan
- Details of the proposed new access are provided for approval

4.00 Planning History

4.01 Prior to the submission of this application, the only previous application was B/1995/0234 which approved the retention of stables and sheds for equine uses.

5.00 Policies

- 5.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance the Development Plan consists of the Bromsgrove District Plan 2011-2030 adopted January 2017.
- 5.02 Further material considerations exist in the form of national policy and guidance contained within the revised National Planning Policy Framework (NPPF) which was published on 24 July 2018 (updated 19 March 2019) and the suite of documents comprising National Planning Practice Guidance (NPPG).
- 5.03 The absence of a 5 year housing land supply is also a material consideration along with the guidance contained within the Manual for Streets.
- 5.04 The site lies within the Green Belt under provision of the Bromsgrove District Plan 2011-2030 adopted January 2017 and is outside of the Alvechurch Village envelope
- 5.05 The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:
- 5.06 Paragraph 8 states that *“achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*
- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
 - c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to*

improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

5.07 Paragraph 10 states that *“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.”*

5.08 Paragraph 11 goes on to set out that *“Plans and decisions should apply a presumption in favour of sustainable development. For **decision-taking** this means:*

*c) **approving development proposals that accord with an up-to-date development plan without delay; or***

*d) where there are no relevant development plan policies, **or the policies which are most important for determining the application are out-of-date**, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Footnote 7 to the NPPF states that this includes (for applications involving the provision of housing) situations where the LPA cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer, as set out in paragraph 73. Footnote 6 states these policies include ‘irreplaceable habitats’ which paragraph 175 states includes Green Belts.

5.09 Paragraph 38 states that *“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”*

5.10 Paragraph 109 states *“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 would be severe.”*

- 5.11 Paragraph 127 states that *“decisions should ensure that developments:*
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

5.12 Chapter 13 of the NPPF is particularly relevant to the application as it discussed the protection of Green Belt Land.

5.13 Paragraph 143 states that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

5.14 The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

Local Development Plan

5.15 The main issues are considered to be: -

- Housing Land Supply
- Green Belt

- Sustainability of the location
- Heritage
- Residential Amenity
- Flooding and Drainage
- Ecology
- Highways

6.00 Assessment

Principle

- 6.01 The site appears as infill between existing development. Policies contained within the NPPF confirm that infill development within the GB can be appropriate whether or not the site is within a village or development boundary.
- 6.02 One of the considerations that must be weighed is whether the development of the site would create isolated dwellings. In this case it is advanced that the dwellings will not be isolated as it is immediately adjacent the linear development of dwellings along Withybed Lane and therefore closely connected to the established residential run of development that extends out from the Alvechurch Village envelope
- 6.03 Looking at it logically, the site is part of the built-up area within the GB. The site and surrounding area has a built-up character with good connections to services and is a sustainable location despite being within the GB.
- 6.04 Notwithstanding the need to comply with GB policy, the main emphasis of current national planning policy is to ensure proposals are compliant with the definition of sustainable development set out within the revised NPPF.
- 6.05 Sustainability is multi-faceted and is set out within the Framework taken as a whole. To achieve sustainable development, the Framework sets out that economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 6.06 The proposal would be wholly sustainable using the definition set out in the NPPF for the following reasons:
- Social: The proposed development would deliver an opportunity for a person with a strong local connection to retain their association with the area through residency.

- Economic: Some additional economic activity would be created during the construction phase. The local facilities such as the nearby public house, restaurant and petrol station would benefit in the short-term during construction and the long term during occupation along with the hot food takeaways and supermarket in Alvechurch a short distance away.
- Environmental: The proposal would have no detrimental impact on the character of the site or the surrounding area. The proposal would have no adverse ecological impacts.

Housing Land Supply

- 6.07 Paragraph 73 of the NPPF requires the Council to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. In addition, there must be an additional buffer of between 5% and 20%, depending on the particular circumstances of the LPA.
- 6.08 As of 1st April 2020 the Council cannot currently demonstrate a five year housing land supply, being able to demonstrate a 3.18 year supply of deliverable land for housing. The Council falls short of a 5 Year Supply of Land for Housing, this shortfall has increased since April 2018, where the Council was able to demonstrate a 4.02 year supply.
- 6.09 The Housing Delivery Test 2020 shows a significant decline in delivered homes with the quantity falling to 69% of the required target and therefore the presumption in favour for development is applied. For the plan period 2017-2020 a total of 1493 dwellings were required to be delivered while a total of 1025 were delivered, a deficit of 31%.
- 6.10 Where a Local Planning Authority cannot demonstrate a five year housing supply, Paragraph 11 (d) of the NPPF is engaged. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- “i. the application of policies in this Framework (listed in footnote 6) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;

- 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.”

Footnote 7 to the NPPF states that this includes (for applications involving the provision of housing) situations where the LPA cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer, as set out in paragraph 73. Footnote 6 states these policies include ‘irreplaceable habitats’ which paragraph 175 states includes Green Belts.

6.11 As the spatial strategy for the delivery of housing in District Plan (such as BDP2) and associated policies regarding the village envelope are relevant for the supply of housing, they are considered to be out-of-date. The key matters on which this decision turns are therefore considered to be: -

- Does NPPF Greenbelt policy indicate this development should be restricted;
- Ultimately, whether or not the proposal would represent a sustainable form of development, having regard to local planning policies and the NPPF, and particularly whether specific NPPF policies indicate this development should be restricted.

6.12 Therefore the relevant test is whether or not the proposal would represent a sustainable form of development, having regard to local planning policies and the NPPF, and particularly whether specific NPPF policies within paragraph 11 and Footnote 7 indicate this development should be restricted.

6.13 Paragraph 8 of the NPPF explains that there are three dimensions to sustainable development:

- “an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use

natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

6.14 It can be seen that sustainability is thus a multi-faceted and broad-based concept. It is often necessary to weigh certain attributes against each other in order to arrive at a balanced position

BDP4 - Green Belt

6.15 Principle of development in the GB.

6.16 The site appears as infill between existing development. Policies contained within the NPPF confirm that infill development within the GB can be appropriate whether or not the site is within a village or development boundary.

6.17 One of the considerations that must be weighed is whether the development of the site would create isolated dwellings. In this case it is advanced that the development will not be isolated as it is in close proximity to the established residential run of development that extends out from the Alvechurch Village boundary.

6.18 Looking at it logically, the site is part of the built-up area within the GB. The site and surrounding area has a built-up character with good connections to services and is a sustainable location despite being within the GB.

6.19 In determining whether the proposal complies with the guidance contained within the NPPF, and policy BDP4, it is considered that there are therefore two key issues which need to be addressed:

1) The impact on openness;

6.20 The concept of openness is usually defined as the lack of built form however this must be looked at in context. The site has strong defensible boundaries reinforced by permanent features including the roadway and adjoining development. The built-up character of the area indicates that the land is not “open” in the sense advocated by GB policy.

6.21 The application involves the construction of up to 10 new dwellings and clearly therefore an impact on the openness of the GB through the resultant introduction in built form however there will also be the removal of the existing building currently on site.

6.22 The indicative layout disperses the building into two blocks across the site so as to reduce the bulk and massing effect.

- 6.23 Introduction of additional built form within the application site will not harm the openness of the GB when considered in the whole and will not lead to the creation of an isolated dwellings that would compromise the openness of the GB.
- 6.24 The proposed development should be considered against the reasons for including land within the GB as set out in Para 134 of the NPPF.
- 6.25 The overall impact of the proposal on the openness of the GB and the purpose of including land within it will be negligible due to the site wide context and surrounding built environment.
- 6.26 It is considered therefore that the proposal would have no significant or demonstrable impact on the openness of the GB.

2) Whether the proposal would be in conflict with the purposes of including land within the Green Belt;

- 6.27 As set out above, the proposal would not result in towns merging, would not result in countryside encroachment, would not have any heritage impact and would not harm urban regeneration objectives.
- 6.28 The proposal would not therefore conflict with the purposes of including land within the GB. The development would have no harmful impact on openness and would not conflict with the purposes of including land within the GB.
- 6.29 The proposal would therefore comprise one of the types of development excluded from the definition of “inappropriate development” at paragraph 145 of the NPPF. Furthermore, the proposed development would meet all the tests of such developments set out in the relevant development plan policies. The proposal fully accords with relevant GB policy and guidance and should be considered acceptable in this regard.

Very Special Circumstances

- 6.30 Inappropriate development within the GB is by definition harmful unless Very Special Circumstances (VSC) indicate otherwise and limited or localised harm is not in itself justification to allow inappropriate development.
- 6.31 As is established in planning law, each planning application must be determined on its own merit and individual circumstances will vary between applications. Therefore, the extent of any harm caused by the inappropriateness must be outweighed by the benefits of the proposed

development. The character and setting of the surrounding area together with its proximity to the village and its services are major considerations in this case.

6.32 Consideration must also be given to the housing needs for Bromsgrove District Council and the absence of a 5yr housing land supply. The contribution that the development of small site make to achieving housing targets should not be underestimated and the size of the site should not discriminate against it being developed.

6.33 The benefits of developing the site to provide up to 10 dwellings in a sustainable location will contribute to the Bromsgrove District Council unmet housing need and will act as a VSC that is significant and will outweigh any harm.

Sustainability

6.34 Paragraph 78 and 79 of the NPPF seeks to avoid the creation of isolated homes in the countryside. For the purposes of this application, the site is outside the village boundary of Alvechurch which is defined as a small settlement within the District Plan.

6.35 Whilst BDP2 is a restraint on new housing development in itself it is not “up-to-date” with the NPPF (for the reasons set out above), the sub-text to Policy BDP2 in the District Plan (paragraph 8.6) sets out the policy on the future role of the District’s settlements and villages to enable allocation of appropriate levels and types of development to different settlements. The site is extremely closely related to the settlement of Alvechurch and is thus very close to the boundary of such an area.

6.36 There are 2 bus stops to the east located on Birmingham Road, on the either side of the carriageway, approximately 850m from the site entrance. Local amenities comprising The Crown Inn pub is located 120m from the site. A little further afield is the Hopwood House pub a 3.2km bicycle ride along the canal towpath. Manual for Streets advocates a walking distance of 800m to local services.

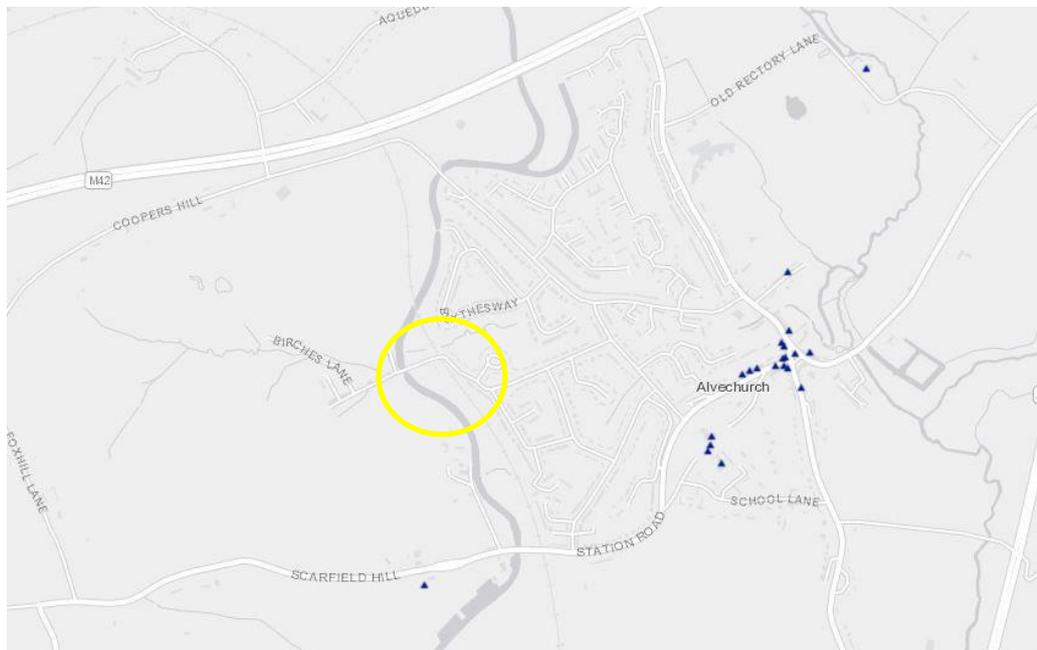
6.37 The site is located approximately 0.85km to the east of Alvechurch, where there are a number of shops and amenities. Barnt Green is located 2.0km to the north and also has a variety of local amenities. Both centres have schools, a variety of shops and convenience food outlets.

6.38 In conclusion, bearing in mind the issues as set out above, the location and accessibility of the site is considered to be highly sustainable in relation to its proximity to services and the

nature of the route to them. It is considered that future occupiers of the development would not be unduly reliant on private transport.

Heritage

6.39 The site is not within a Conservation Area and there are no Listed Buildings in close proximity to the site as shown below.



6.40 Given the spatial separation between the application site and the Listed buildings, it is considered that the proposal would not have any effect on the protected structures or their setting.

Amenity Impacts

6.41 The proposed dwellings are positioned in a low-density arrangement that would be compatible within the setting of the landscape and directly comparable to the previous development at the nearby Lock Keepers Reach.

6.42 Policy BDP1: Sustainable Development Principles requires that in considering new development, regard will be had to:

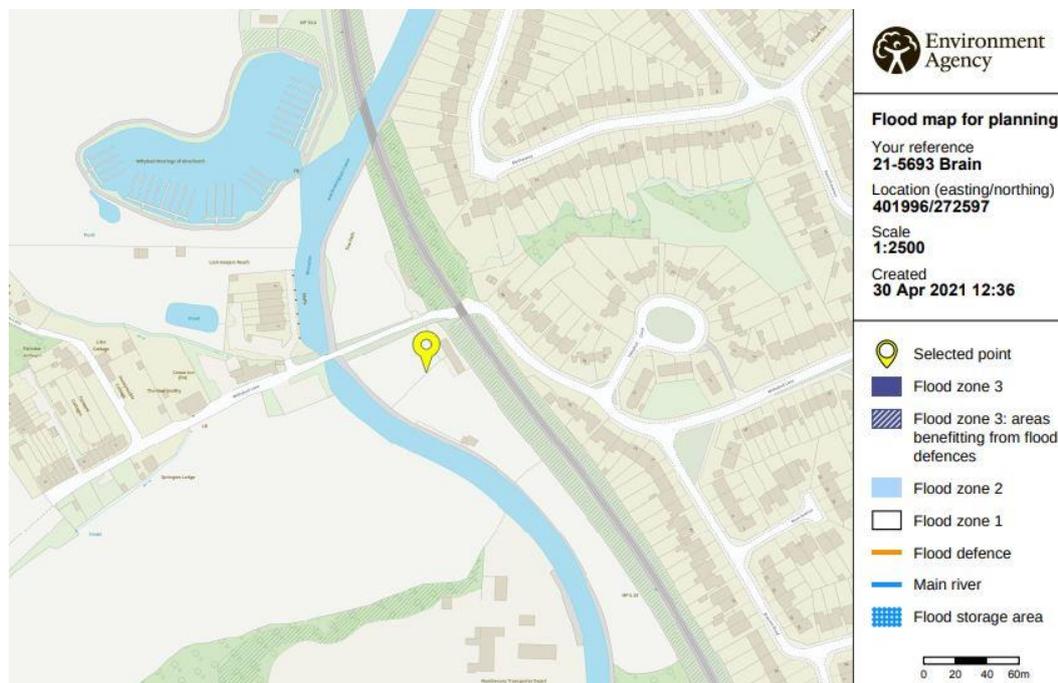
“e) Compatibility with adjoining uses and the impact on residential amenity”

6.43 The proposal is compatible with the adjoining uses, and the proposed location of the development on the site is considered to ensure that effects on residential amenity are minimised, taking into consideration separation distance between existing properties and the proposed housing.

6.44 The proposed development would not have an overbearing or visually intimidating impact upon nearby properties.

Drainage/ Flood Risk Assessment

6.45 The site falls within Flood Zone 1 according to the Environment Agency flood mapping (low risk of fluvial flooding; i.e. from a river or the sea).



6.46 Although there are no specific reasons to incorporate flood prevention measures, the floor level of the buildings will be set 150mm above external finished ground level.

Transport and Accessibility

6.47 Although it is in the Green Belt, the site is situated in a highly sustainable location, immediately adjacent to the edge of the established settlement.

6.48 Alvechurch train station is located approximately 650m from the site and the 2No bus stops in Alvechurch centre are approximately 850m distant.

6.49 The proposed new development will make use of a new vehicular access from Withybed Lane with the existing field access closed off.

6.50 It is therefore considered that the scheme can clearly be delivered without resulting in harm to highway safety.

Ground Stability

6.51 The scale of the proposed development would not give rise to any issues of ground stability.

Impact on Trees and Ecology

6.52 No trees would be affected by the proposed. The existing mature hedgerow to the north east and south west site boundary would be retained, and the proposed buildings are sufficiently distanced from the root protection zones to avoid any negative impacts.

- 6.53 Full details of the landscaping and planting proposals will be secured through approval of reserved matters and would secure enhancements to the landscape character and visual amenity of the site.
- 6.54 The land is regularly grazed and contains no ponds or other static bodies of water and it is therefore considered that a standard PEA is acceptable.
- 6.55 Furthermore, having consulted the National Biodiversity Network and interrogated the online database, it has been ascertained that as the site is grazing land, it is species poor.
- 6.56 A site search based on a 0.1km radius revealed a complete absence of any species recorded on or within the search area.

Showing records for: 58 Withybed Ln, Alvechurch, Birmingham B48 7PJ, UK

Display records in a 0.1 km radius [View selected records](#) [Download](#)

Group	Species	Species : Common Name	Records
All species	7	(No species found)	
Animals	1		
Amphibians	0		
Arthropods	0		
Crustaceans	0		
Insects	0		
Myriapods	0		
Spiders and Allies	0		
Birds	1		
Fishes	0		
Mammals	0		
Molluscs	0		
Reptiles	0		
Worms	0		
Bacteria	0		
Chromista	0		
Fungi	6		
Plants	0		
Algae	0		
Bryophytes	0		
Clubmosses and Fimosses	0		
Ferns and Allies	0		
Flowering Plants	0		
Gymnosperms and Ginkgo	0		
Horsetails	0		
Protozoa	0		



Tips: you can fine-tune the location of the area by dragging the red marker icon

- 6.57 Expanding the search range to 0.5km radius returned records of 4 mammals. These comprised of Hedgehog, Pipistrelle bat, Grey Squirrel and Red Fox.

Showing records for: 58 Withybed Ln, Alvechurch, Birmingham B48 7PJ, UK

Display records in a 0.5 km radius [View selected records](#) [Download](#)

Group	Species	Species : Common Name	Records
All species	45		
Animals	15		
Amphibians	0		
Arthropods	10		
Crustaceans	0		
Insects	10		
Myriapods	0		
Spiders and Allies	0		
Birds	1		
Fishes	0		
Mammals	4		
Molluscs	0		
Reptiles	0		
Worms	0		
Bacteria	0		
Chromista	0		
Fungi	30		
Plants	0		
Algae	0		
Bryophytes	0		
Clubmosses and Fimosses	0		
Ferns and Allies	0		
Flowering Plants	0		
Gymnosperms and Ginkgo	0		
Horsetails	0		
Protozoa	0		



Tips: you can fine-tune the location of the area by dragging the red marker icon

- 6.58 The field currently offers little or no opportunities for foraging by bats, and biodiversity net gain can be achieved through the planting of suitable species of shrubs and trees detailed as part of the reserved matters application.
- 6.59 The proposed building will have external lighting controlled by PIR detectors with timer function to reduce the amount of night glow. As such, it is considered that the proposed development

would not be harmful to protected species and will have no detrimental impact on the ecological value of the site.

Highways

6.60 Having considered the available data provided by the Department of Transport along with accidents recorded by the Police, it can be seen that in the preceding 22 years there has not been an accident in the immediate vicinity of the proposed new entrance.

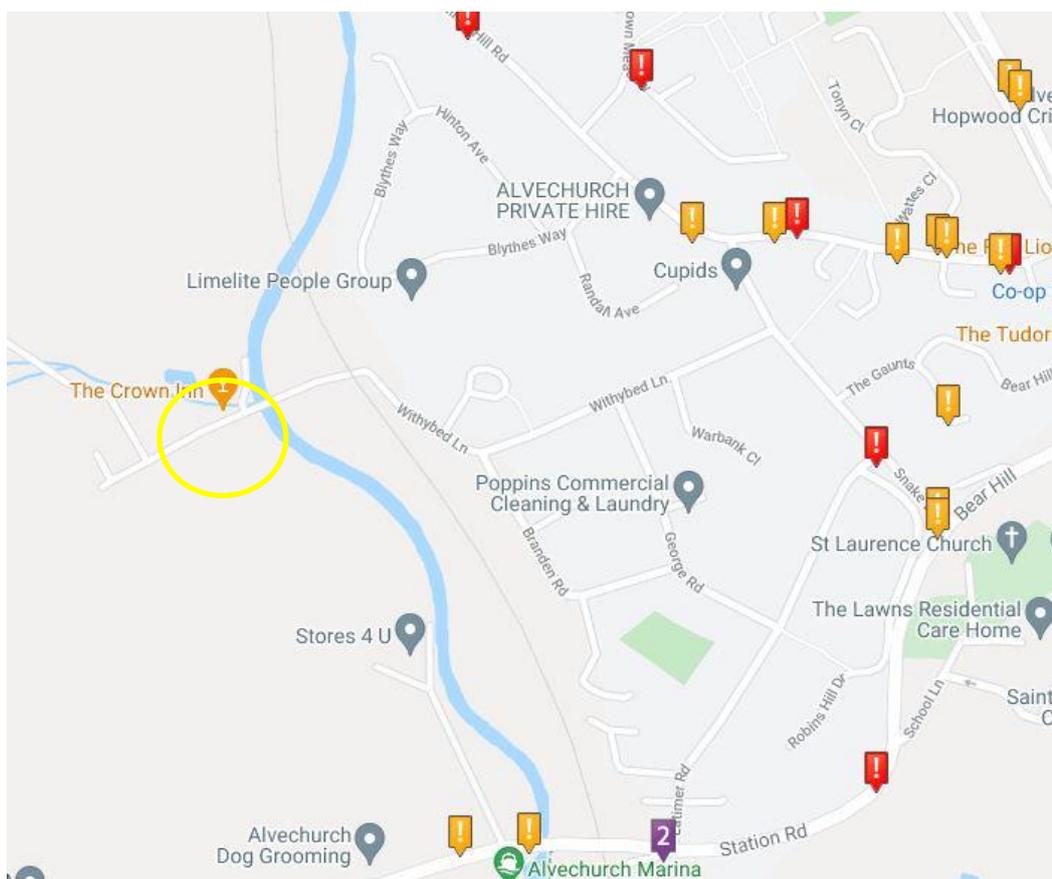


Image supplied by Crashmaps.co.uk

6.61 The existing field access will be closed up and a new access created centred to the application site so as to achieve the visibility splays.

7.00 Conclusion

7.01 Whilst the proposal is considered to cause a greater impact on the openness of the Green Belt, this impact would be less-than substantial in terms of harm.

7.02 It is considered that, in the absence of the Council being able to demonstrate a five-year housing supply, the policies within the Development Plan with regards to housing have to be seen as out of date.

7.03 In such circumstances the NPPF sets out that the issue to consider is whether the proposal represents sustainable development and if it does there is a presumption in favour of the scheme.

- 7.04 For the reasons as set out in this statement, it is considered that the proposal does satisfy the three dimensions of sustainable development. Given the view taken that the development is sustainable the question to be considered is whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF as a whole.
- 7.05 The impacts of the development have been considered and no adverse impacts would outweigh the benefits of the scheme. Overall, it is considered that the benefits of the proposed development significantly and demonstrably outweigh the impacts identified in this statement.
- 7.06 The application provides for limited infill development within a built-up area of GB. Whilst the proposed development may be considered inappropriate within the GB, when judged in context alongside the VSC's it can be clearly seen that the limited harm by the proposal is significantly and demonstrably outweighed by the benefits.
- 7.07 The proposed development represents a sustainable form of development that would not have any unacceptable impact for the reasons set out above.