

# **Planning, Design and Access Statement**

**Manor Hill Stables, Hackmans Gate  
Lane, Worcestershire, DY9 0EN**

**Demolition of existing buildings and  
erection of single storey residential  
dwelling (a bungalow)**

**January 2024**

## 1. Introduction and Site Background

This Planning Statement has been prepared by Eldnar Ltd on behalf of Victoria Hill ('the Applicant') in support of an application seeking full planning permission for the demolition of the existing buildings and erection of a bungalow at Manor Hill Stables, Hackmans Gate ('the application site'). It is shown, for ease of reference and general context, within the aerial image below – indicated by a red dot.



The application site is located on the eastern edge of the Wyre Forest District, close to the boundary of the District with the neighbouring authority of Bromsgrove. The site in terms of overall family ownership extends to approximately 8.95 acres (3.62 hectares) (outlined blue) and comprises of a number of existing low-level timber stable buildings which form the application site itself. It lies to the south of Hackmans Gate Lane (B4188) and is set back from the road frontage by approximately 40 metres. Directly to the east of the site is an equestrian riding area. The site is accessed from Hackmans Gate Lane via a single lane track, extending to approximately 150 metres in length.

Immediately to the west and north of the application site is the former Yieldingtrees Packers site, now a new residential development known as 'Manor Gardens' comprising of nine large family dwellinghouses, approved under ref. 17/0764/FUL in April 2018. The dwellinghouse to the north of the application site forms 'Plot 3' of the Manor Gardens development. Beyond the Manor Gardens Development to the west is the residential dwelling of Manor House Farm; this dwelling is a significantly larger replacement (granted May 2021 under ref. 21/0096/FUL) to one that existed previously albeit it is noted that that replaced a dwelling with use of fallback positions.

Immediately to the south of the application site is the former glasshouses of Yieldingtrees Nursery. In July 2020 the Council approved the demolition of the existing glasshouse and erection of 4no. detached bungalows with associated access and landscaping (ref. 20/0250/FUL). Both of these neighbouring permissions are discussed further within this Statement, below. It is evidenced, therefore, that the site context has undergone significant change within the last few years and the site is now adjoined by significant residential development.

Hackmans Gate Lane connects the hamlet of Hackmans Gate (formed of a crossroad consisting of the A450 (Worcester Road) / B4188 (Belbroughton Road) and B4188 (Hackmans Gate Lane) with the village of Belbroughton. The village of Blakedown, approximately 1.5 km beyond Hackmans Gate to the west, benefits from a railway station with train line connections to

Kidderminster, Stratford upon Avon and Worcester. Both Belbroughton and Blakedown offer a number of services such as primary schools, churches, sports clubs, cafés and public houses.

A larger village, Hagley, is located approximately 2.4 km to the north of the application site and offers another rail station, and further services and facilities including two secondary schools.

## **2. Proposed Development**

This application proposes the demolition of the existing stable buildings and the development of a single wheelchair-accessible, three-bedroomed bungalow for occupancy by the applicant. The building will be arranged in a 'C' shape configuration around an area of private amenity shape in the form of a landscaped central courtyard. A car port, adjoining the building's south-eastern corner, will provide parking for two cars with a covered entrance.

The submitted plans, including the proposed site layout plan, demonstrate the size and location of the bungalow within the application site, and the proposed elevations indicate its appearance including proposed materiality. The building has been designed to bear a similar resemblance to the existing low-level stables, with its current timber cladding and onduline roof design.

The existing access will be utilised to provide vehicular access into the site from Hackmans Gate Lane. Visibility splays have been demonstrated and the proposal will not result in intensification of this access, however, the plans show that extensive and sufficient splays are either within the ownership and control of the overall site ownership of Mr and Mrs Hill (who have been notified of this application) or are within the confines of the public highway.

Additionally, boundary landscaping is proposed along the site's northern and eastern boundaries, where views into the site are currently still limited but more open providing glimpsed views, as well as within the site's southern corner. This is intended to be secured by condition as part of the overall, final, landscaping proposals.

## **3. Planning Policy Context and Key Issues**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this instance comprises of the Wyre Forest District Local Plan (2016 – 2036) ('the Local Plan'), adopted 2022. The relevant policies of the Local Plan and the relevant material considerations to this proposal, including the National Planning Policy Framework (December 2023) (the Framework) are considered in full within this Statement at Section 4.

The adopted policies map identifies that the application site is located outside of a defined settlement boundary (the closest defined settlement is that of Blakedown) and that the site and hamlet of Hackmans Gate is washed over by Green Belt designation.

In respect of other considerations, the application site is not located within an area identified to be at risk of flooding nor are there any statutory ecological designations affecting the site. It is noted that the application site is not located within a designated Conservation Area, nor does it contain, or is considered to be within the setting of, any listed buildings or designated Scheduled Ancient Monuments.

Additionally, Worcestershire County Council's online resources identify that there are no Public Rights of Way that run through, or near to, the site.

In light of the above, the main issues to be considered within this Planning Statement are:

- Whether the proposal is not inappropriate development within the Green Belt and the general principle of development
- Whether there would be any impact upon the character of the area
- The sustainability of the location for residential development
- Highways, Access and Parking
- Residential Amenity
- Ecology and Biodiversity

#### **4.Planning Assessment**

##### *The Principle of Development*

The Council's Local Plan sets a target of 5,520 new dwellings to be delivered across the plan period, of which 108 new dwellings will be in rural areas. Policy SP.1 (Spatial Development Strategy) sets out the spatial development strategy for the District, which confirms that new growth will 'largely' be directed towards the larger settlements. However, it also notes that expected growth delivery are minimum requirements and states that 'further development within the District's settlement areas will not be refused if, over the plan period, growth expectations have been exceeded for any settlement and provided development proposals are in accordance with other policies in the plan.'

Local Plan Policy SP.2 (Locating New Development) provides the framework for directing new development and sets out a number of fundamental principles of which this is based, including, inter alia, to:

- Provide for and facilitate the delivery of sufficient accessible housing to meet, as a minimum, the objectively assessed needs to 2036;
- Encourage the effective use and re-use of accessible, available and environmentally acceptable brownfield land;
- Safeguard and (wherever possible) enhance the open countryside; and
- Maintain the openness of the Green Belt.

The policy goes on to note that development of land beyond settlement boundaries (i.e. open countryside) will be strictly controlled and will be limited to that of dwellings for rural workers, replacement dwellings and rural exception sites, as well as certain forms of rural employment development, and buildings for agriculture and forestry and renewable Energy Projects.

In respect of the site's Green Belt location, Policy SP.2 confirms that the Green Belt (as identified on the Policies Map) will be maintained and development proposed within the Green Belt will be considered in accordance with National Policy as set out in the Framework and within policies set out in the Local Plan, noting in particular, Local Plan Policies SP.7, SP.8 (not relevant as it relates to designated 'reserved housing sites'), DM.2 (residential infill development), DM.22 and SA.PDL.

Local Plan Policy SP.7 whilst relating predominantly to strategic reviews of the Green Belt, reiterates that there is a general presumption against inappropriate development within the Green Belt, and such development will not be permitted unless very special circumstances exist, and that development proposals, including those involving previously developed land and buildings in the Green Belt, will be assessed in relation to the relevant national planning policy.

Policy DM.22 (Safeguarding the Green Belt) confirms that development will not be permitted, except in very special circumstances, or unless one of the listed exceptions apply.

The fifth listed exception, (e), includes where: *“the proposals involve the limited infilling or redevelopment of an identified Previously Developed Site in the Green Belt, in accordance with the site-specific policies contained in Policy SA.PDL.”* Policy SA.PDL (‘Previously Developed Sites in the Green Belt’) identifies a number of sites within the green belt that are considered to be ‘previously developed sites’, but notes that for windfall development proposals on other previously developed sites in the Green Belt, in order to protect the openness of the green belt, proposals should:

- Contribute to the achievement of the objectives for the use of land in the Green Belt;
- Not exceed the height of the existing buildings and other structures and trees; and
- Not give rise to off-site infrastructure problems.

Additionally, Policy SA.PDL requires the use of sensitive materials and colours, and use of landscaping and tree planting to screen boundaries where appropriate, to minimise the impact on the Green Belt.

National planning policy related to Green Belt proposals is set out in Chapter 13 (paragraphs 142-156) of the Framework. Particularly, the Framework provides<sup>1</sup> that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt being their openness and their permanence. Inappropriate development is noted<sup>2</sup> as being, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and the construction of new buildings should be regarded as being inappropriate in the Green Belt<sup>3</sup>, unless it falls into one of the listed exceptions. One of the exceptions noted at Paragraph 154 is the:

*“(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

*– not have a greater impact on the openness of the Green Belt than the existing development; or*

*– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*

The definition of ‘previously developed land’ is set out in Annex 2 of the Framework. It is considered that the stable buildings, which are permanent structures, clearly fall within this definition, and therefore the proposals would, in principle, be considered appropriate development within the Green Belt under Paragraph 154(g) as set out above.

In order to fully comply with Paragraph 154(g), the proposal must also demonstrate that it would not have a greater impact on the openness of the Green Belt than the existing development. It is understood that there is no statutory definition of ‘openness’, nor any further guidance of what is meant by this term within the Framework, and the recent Supreme Court decision in R.(oao

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<sup>1</sup> National Planning Policy Framework: Paragraph 142

<sup>2</sup> National Planning Policy Framework: Paragraph 152

<sup>3</sup> National Planning Policy Framework: Paragraph 154

Samuel Smith Old Brewery) v Yorkshire County Council [2020]<sup>4</sup> confirmed that “matters relevant to openness in any particular case are a matter of planning judgement, not law” (para 39).

The judgment reinforces guidance set out in Planning Practice Guidance<sup>5</sup> on the factors to be taken into account when considering the potential impact of development on the openness of the Green Belt, namely; “*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*”. Additionally, other matters that may need to be taken into account include the duration of the development, and its remediability, and the degree of activity likely to be generated, such as traffic generation.

Whether any change would cause harm to the openness can also depend on factors such as locational context, its spatial or visual implications, as well as scale. Consideration of scale, or a volumetric approach, alone is not sufficient to support that the development would cause harm to Green Belt openness. There is an increase in volume in spatial terms but, the case of Goodman Logistics Developments (UK) Ltd v Secretary of State for Communities and Local Government and another [2017] EWHC 947 (Goodman Logistics Case) concluded that it is relevant to take into account visual perception as a factor which may reduce the spatial harm from the effect of a development on the openness of the Green Belt.

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 perceived effect upon openness could be less than might be expected because, for example, the development would have a limited effect upon people’s perception of openness from beyond the boundary of the site.

The character of the site and immediate surroundings is not one of traditional ‘open’ countryside. As described above, the application site adjoins extensive residential development in the Green Belt, as a result of the Manor Gardens development and the redevelopment of the existing glasshouses of the former Yieldingtree Nursery site also for residential use, and the application proposals will be read against the backdrop of this development. Additionally, whilst there are open fields to the northeast, the site is separated from these, and enclosed by, the riding arena.

As such, there is limited visibility beyond the boundary of the application site, and whilst glimpsed views exist from gaps between the vegetation along Hackmans Gate Lane, the buildings on site are currently read against the context of the adjacent equestrian riding area and against the background development and this will continue to be the case in the proposed situation. Further landscaping can also be provided, along the roadside boundary, to further limit views and perception of the proposal beyond the site boundary.

An extract of the approved site plan of permission 20/0250/FUL is provided below for ease, demonstrating the context of the surrounding approved development (noting that the riding arena was not included on this plan). The application site is indicated by the red dot.

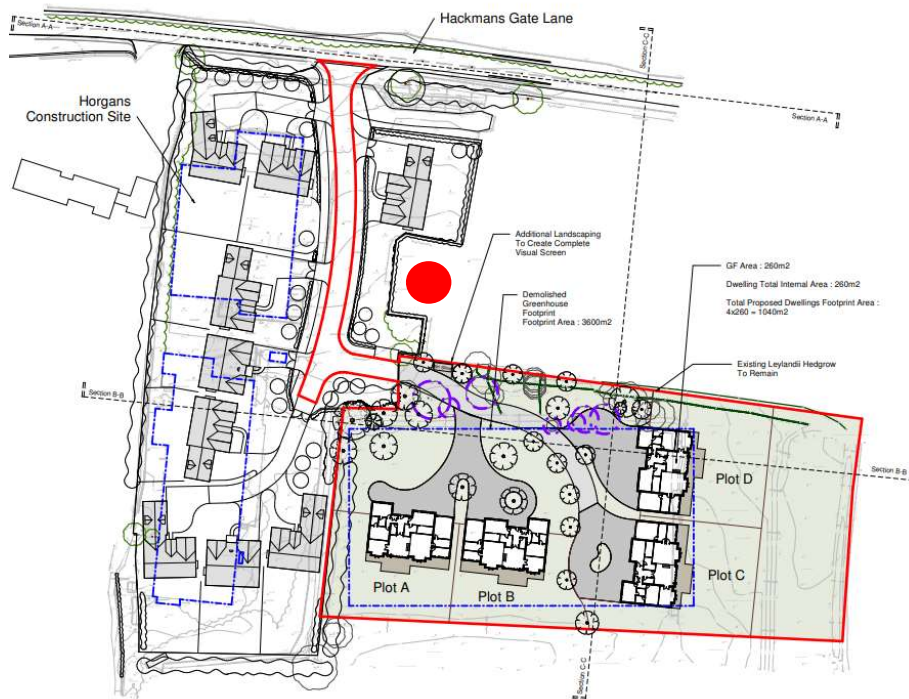
The application proposals will result in the consolidation of built form on the site through the demolition of the existing stable buildings and replacement with a single dwelling, which is reflective of the orientation, siting and footprint of existing buildings. Additionally, the bungalow, being of single storey in height, will be of a similar height to the existing stable buildings. It is

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<sup>4</sup> R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire County Council (Appellant)

<sup>5</sup> Paragraph: 001 Reference ID: 64-001-20190722

considered, therefore, that the development would have a negligible effect upon the perception of openness from beyond the boundary of the site, and in fact with additional proposed boundary landscaping, particularly on the site's north and eastern boundaries, the visual impact of the development would actually represent an improvement to that which exists currently.



The same conclusions, as a result of the proposed siting, layout and design of the building, can be reached in respect of the perception of openness from within the site itself. Furthermore, given the nature of this small-scale development of a single dwelling, the proposals are not anticipated to generate a level of activity that will be harmful to the openness of the green belt when compared to the site's current use.

As such, it is considered that this proposed redevelopment of previously developed land will not result in a greater impact on the openness of the Green Belt than the existing development and therefore fully accords with the tests set out in Paragraph 154(g) of the Framework, meaning that the proposals should be considered appropriate ('not inappropriate') development within the Green Belt.

It is also clear that the proposed development, which proposes the redevelopment of a previously developed site, does not conflict with the objectives of green belt land (noting the Government's five purposes<sup>6</sup>: to check the unrestricted sprawl of large-built up areas; to prevent neighbouring towns merging into one another; to assist in the safeguarding of the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration by encouraging the recycling of derelict and other urban land), which is the first requirement of the Council's Local Plan policy SA.PDL.

Whilst the existing and proposed building heights remain broadly similar – both as single storey developments) it is acknowledged that it is necessary that a bungalow for living purposes would have to exceed the height of the existing stables to some extent. However, the proposed bungalow

<sup>6</sup> National Planning Policy Framework: Paragraph 143

does not exceed the height of other structures immediately adjacent, nor any trees, and thereby also meets the second requirement of Policy SA.PDL in terms of assessment of proposals of this nature.

In respect of the third requirement of the policy, the proposed small-scale development of a single dwelling is not anticipated to give rise to off-site infrastructure problems.

It is noted, within assessments of adjoining sites which were approved for residential development on the basis of redevelopment of previously developed land, that within the assessment of 17/0764/FUL (in relation to openness) the case officer acknowledged that the dwellings, as proposed, were marginally higher than the existing buildings (which had been demolished at the point of that application). It was stated that the height of the proposed dwellings was acceptable given that they would not be higher than the trees which were then on the application site nor higher than the trees to woodland to the rear of the site.

Applying a consistent approach, in line with now Policy SA.PDL, the proposal would not exceed the notable height of the adjoining dwellings (which was then stated to be 8m with outline consent originally restricting height to no more than 10m) nor trees around the site as noted above.

Overall, and in conclusion, the above demonstrates that the proposal for the redevelopment of this previously developed site, that does not cause any greater impact on the openness of the Green Belt, is not inappropriate development when considered against the requirements of the Framework, and meets the requirements of relevant Local Plan Policy SA.PDL (and therefore DM.22) and therefore should be considered acceptable in principle, subject to compliance with other relevant Local Plan policies as appropriate.

#### *Impact upon the character of the area*

As noted above the character of the immediate area has changed over recent years as a result of the surrounding residential development and is therefore semi-rural in nature rather than that of rural open countryside. Nevertheless, as demonstrated, the proposals will take on a similar form, siting and appearance to that of the existing stables, and the use of the site for a residential dwelling is appropriate and in keeping with the new surroundings. Therefore, it is considered that the overall impact of the proposed development upon the character of the area would not be harmful.

#### *The Sustainability of the Location*

Local facilities are available within the two nearest villages of Belbroughton and Blakedown, as well as Hagley to the north. It is noted that in the consideration of the Manor Gardens development adjacent to this site, Officers were of the view<sup>7</sup> that:

*“The application site is located near the crossroad junction of Hackmans Gate, which provides connections to Blakedown village to the west, Hagley to the north, Kidderminster to the south and Belbroughton village to the east. The site lies approximately 1 mile from Blakedown railway station which provides frequent trains in both directions to Birmingham, Kidderminster and Worcester during peak morning and evening times and there are also local shops, community facilities and bus services in Blakedown. Although,*

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<sup>7</sup> Application ref. 17/0764/FULL – Officer’s Report Paragraph 4.13



*I anticipate future residents to be reliant on the private car, it is considered that the site would be a reasonable sustainable location for housing.”*

In the more recent Hackmans Gate application, whilst officers also concluded<sup>8</sup> that the majority of journeys would be made by private car, they also noted that the Framework<sup>9</sup> recognises that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas. In light of this, and the conclusions drawn in each of the neighbouring applications in so far as development was approved at this location, a consistent and pragmatic approach should also be taken to residential development at Manor Hill Stables.

There are also opportunities to provide facilities such as Electric Vehicle Charging points as part of the new build dwelling. The Framework’s definition of sustainable transport is specific in its inclusion of ultra-low and zero emission vehicles.

#### *Highways, Access and Parking*

Paragraph 115 of the Framework indicates 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 would be severe.

An existing track, providing access to/from Hackmans Gate Lane will be utilised for the proposed residential dwelling. The B4188 Hackmans Gate Lane at the point of the application site access is straight, and the existing bell-mouth access point benefits from a grass-verge with set-back vegetation, therefore there is no reason to believe that suitable levels of visibility will not be achieved from the site access. Additionally, the access gate into the site is set back approximately 7 metres from the road edge, providing sufficient space for vehicles to stop off the road whilst the gates are opened or closed. It is considered that traffic movements from the use of the site as a single bungalow would be similar to those of the existing use as stables, given that it is widely understood that horses require daily care at least twice a day.

Therefore, it is not considered that the proposals would result in an unacceptable impact on highway safety or the road network, in accordance with the Framework.

In respect of parking provision, Worcestershire County Council’s Interim Parking Standards (2016) requires that 2/3-bedroom houses should provide for 2 car parking spaces, and 4 cycle parking spaces. The application proposals demonstrate that the proposed car port will provide sufficient parking space for two vehicles and bicycles where necessary. As such, the proposals fully comply with the County standards. The car port is also proposed to be fitted with an Electric Vehicle Charging Point, encouraging and facilitating the use of electric vehicles as touched upon above.

#### *Residential Amenity*

The closest neighbouring property to the proposed dwelling is immediately to the north of the application site (Plot 3 of the Manor Gardens development). The proposed bungalow, as it stands largely upon the footprint of the existing buildings, would retain a perpendicular relationship with the neighbouring property, and the proposed western elevation of the bungalow would align broadly with the rear elevation of this property.

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<sup>8</sup> Application Ref. 20/0250/FUL, Officer Report, page 11

<sup>9</sup> National Planning Policy Framework: Paragraph 109 (previously Paragraph 103)

Whilst three windows are proposed on the bungalow's northern elevation, the submitted proposed plans demonstrate that the two properties will be separated (and views between the two screened) by an existing boundary fence and trees on the neighbouring property side, and an established hedgerow located within the application site. Furthermore, due to the nature of the proposed dwelling as a bungalow, there are no proposed windows at first floor level, and there is no risk of overlooking or overshadowing of the neighbouring property. It must also be highlighted that the Applicant's intended amenity space is proposed by way of an internal courtyard, maintaining privacy of the proposed occupiers.

As such, due to the nature of the proposals and the characteristics of the site, it is not anticipated that there will be any adverse impacts upon the residential amenity of existing and proposed occupiers.

#### *Ecology and Biodiversity*

The submitted Block Plan identifies how existing vegetation on the site will be retained, thereby retaining any ecological habitats that currently exist, as well as indicating the extent of proposed additional landscaping (predominantly tree planting) which will provide a significant ecological and biodiversity enhancement through the creation of new habitats.

The protection of existing trees during construction, and proposed tree planting and landscaping can both be secured by a condition attached to the grant of planning permission.

#### **4. Conclusions**

This Statement is submitted in support of an application to Wyre Forest District Council for full planning permission for the demolition of existing stable buildings and erection of a single bungalow, at Manor Hill Stables.

It has been demonstrated through the assessment above, that this proposed redevelopment of previously developed land will not result in a greater impact on the openness of the Green Belt than the existing development and therefore fully accords with the tests set out in Paragraph 154(g) of the Framework, meaning that the proposals should be considered appropriate ('not inappropriate') development within the Green Belt. Additionally, the proposals accord with the requirements of relevant Local Plan Green Belt Policy SA.PDL (and therefore Policy DM.22).

The proposals are also considered to be acceptable in all other regards, particularly by not having an adverse impact upon the character of the area, nor have any adverse impacts upon residential amenity or highway safety. Furthermore, the proposals will deliver visual improvements through the provision of additional boundary landscaping, which also enhance the site's biodiversity value.

Despite Wyre Forest District Council currently being able to demonstrate a sufficient supply of housing, it is noted that the Council consider its housing supply requirements to be a 'minimum'. Significant weight should be given to the contribution of this proposal to local housing supply and to the supply of housing nationally, noting that this is one of the key objectives of the National Planning Policy Framework and that small sites such as this can be built out relatively quickly<sup>10</sup>.

Overall, the proposals are considered to accord with the development plan and should be approved without delay.

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<sup>10</sup> National Planning Policy Framework: Paragraph 70