
Appeal Decision

Site visit made on 17 March 2026 by T Morris BA (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 June 2026

Appeal Ref: APP/P1805/W/25/3376795

Land off Withybed Lane, Alvechurch, Easting: 401990 and Northing: 272600

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr C Brain against the decision of Bromsgrove District Council.
 - The application Ref is 25/01151/PIP.
 - The development proposed is permission in principle for up to 9 dwellings.
-

Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 1 and a maximum of 9 dwellings at Land off Withybed Lane, Alvechurch, Easting: 401990 and Northing: 272600, in accordance with the terms of the application, Ref 25/01151/PIP, dated 17 October 2025.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for Costs

3. An application for costs has been made by Mr C Brain. This is subject of a separate decision.

Preliminary Matters

4. Permission in principle is an alternative way of obtaining planning permission for housing-led development. The route has 2 stages: the first (permission in principle) stage establishes whether a site is suitable in-principle and the second (technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent application. I have made my recommendation on the appeal accordingly.

Main Issues

5. The main issues are whether the site is suitable for residential development having regard to its location, the proposed land use and the amount of development, with particular regard to a) whether the scheme would be inappropriate development in the Green Belt; and b) its effect on the character and appearance of the area.

Reasons for the Recommendation

Inappropriate Development

6. Policy BDP4 of the Bromsgrove District Plan 2011-2030 (BDP) (2017) sets out that the development of new buildings in the Green Belt is considered to be inappropriate, except in certain circumstances. These are broadly as they are set out by paragraph 154 of the National Planning Policy Framework (Framework), which also refers to additional exceptions in paragraph 155. The most recent iteration of the Framework came after the adoption of the BDP and is the most up to date expression of national Green Belt policy.
7. Paragraph 155 explains that the development of homes in the Green Belt should not be regarded as inappropriate where, in regard to minor development, it would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; there is a demonstrable unmet need for the type of development proposed and the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework.
8. The Framework defines grey belt land as comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of the Green Belt purposes a), b), or d) as set out in paragraph 143 of the Framework. In these respects, the appeal site adjoins the edge of Alvechurch. This is a built up area, but a village. Planning Practice Guidance suggests that a village is not a large built up area and neither a town in the historic sense or otherwise. The appeal site does not therefore strongly contribute to purposes a), b) and d) and can thus be identified as grey belt.
9. In appeal 3315385 and purpose c), the Inspector found that the proposal would inevitably result in some encroachment into the countryside. However, they also identified that the canal and the railway line provide strong visual boundaries to the site, features which provide barriers to any future encroachment. The appeal site is contextually very small and less than ten dwellings are proposed. There is a significant amount of open and undeveloped space between all edges of the settlement and the nearest other built up area. This would remain to be the case as a result of the proposals.
10. I am also conscious that the supporting text of Policy BDP4 states that approximately ninety percent of Bromsgrove District is designated as Green Belt. It indicates that some land will be released from the Green Belt around Redditch, but I have not been provided with the details of this, the Green Belt Review or the Local Plan Review to which the policy refers.
11. Even if there is a slight reduction as is referred to in BDP4, due to the site occupying a very small part of the Green Belt in the context of the significant amount in the overall plan area, together with its strong visual barriers which would naturally limit the extent of the development, encroachment on the countryside would be so limited that it would have a very limited effect on the remaining Green Belt across the plan area. The purpose to assist in safeguarding the countryside from encroachment would therefore be upheld. In addition, and given that the site is near to a village rather than a built-up area with a high proportion of urban land, the proposal would not conflict with purpose (e).

12. The Council is currently unable to demonstrate the supply of housing sites required by the Framework. There is thus a demonstrable unmet need for the development of up to nine dwellings. Furthermore, Alvechurch provides local services and public transport connections, including a train station. As part of their decision on the aforementioned appeal, the Inspector took the view that the appeal site was a sustainable location in terms of its accessibility. I see no compelling reasons to come to a different conclusion on this matter.
13. With this and the above in mind, the proposal would utilise land in the Green Belt which can be identified as grey belt and would not be inappropriate development in the Green Belt. Consequently, it is not necessary to consider effects on openness and whether very special circumstances exist. Accordingly, the proposal would not be harmful to the Green Belt. This would comply with the Green Belt protection aims of Policy BDP4 of the BDP and Policy H1 of the Alvechurch Neighbourhood Plan (2019) (NP).

Character and Appearance

14. The site comprises a field with a small number of modest buildings near to the entrance off Withybed Lane. It is bound by the railway line and associated embankment on the side adjacent the village and by the canal on the other side. There are trees and shrubs along the site boundary to Withybed Lane and to the canal. Overall, the open field together with the trees and shrubs contribute positively to a rural and verdant character at the edge of Alvechurch.
15. There are houses near to the site's entrance on Withybed Lane, as well as a public house and other buildings on the other side of the canal bridge further away from the village. There are also other buildings along this stretch of the canal including dwellings and some industrial style uses. Consequently, the site is not visually isolated from other developments in the area. Furthermore, in terms of its visibility, the trees and shrubs along the site's boundary particularly to the canal towpath provide some screening of the site when viewed from eye level, so much so that views into the site are mostly limited to glimpses from the canal.
16. The Bromsgrove District Landscape and Visual Sensitivity Study (LVSS) outlines the natural and cultural heritage and the landscape character of the study area. The site is within an area identified as parcel no. A04. The LVSS suggests that this area is sensitive to housing due to the restricted scale of the corridor and the associated pastures and grassland, its strong tree cover, its recreational use and its biodiversity value. It states that the visual susceptibility lies in views from the canal towpath, public right of way and adjacent rural dwellings.
17. Although the Council state that the LVSS has been used as an evidence base for the emerging Local Plan, there are limited details of the status of the emerging plan before me, including its stage of preparation, the extent to which there are unresolved objections, and the degree of consistency of its policies with the Framework. I am also conscious that the plan area is significantly constrained by Green Belt land as well as the Council's lack of a five-year housing land supply. With these factors in mind, there is insufficient certainty before me that the content of the LVSS will translate to a policy in the emerging plan.
18. If I were to give the LVSS significant weight, the site does not have a strong tree cover which would be compromised by the development. There is little to suggest that the trees and shrubs along the boundaries could not be incorporated into the

site layout at the technical details stage. Similarly, although the natural features of the site contribute to its biodiversity value, the effect of the development on such matters would need to be explored at the technical details stage. In terms of the site's recreational use, on my visit, the site did not appear to be publicly accessible to the extent that it provides a significant recreational use to the local community beyond its visual aspects.

19. Although the Inspector dismissed the aforementioned previous appeal at the site on Green Belt grounds, neither the Inspector, nor the Council, identified any harm to the character and appearance of the area. Whilst that proposal followed a different process as it sought outline permission, it is similar as the end result would have been a housing development of up to nine dwellings at the site, much like the appeal before me.
20. The Council's decision notice for the previous application is 8 August 2022. The LVSS is dated February 2022. Hence, I see no reason why it wasn't available to the Council in the previous decision, but there is no indication it was considered, at least from the evidence before me. I therefore find it difficult to see why the current proposal should be resisted on the basis of the LVSS when it didn't provide a reason to resist a similar housing development on the same site previously.
21. With all of the above factors in mind, the principle of houses on the site would not be harmful to the character and appearance of the area, including in terms of its cultural heritage, natural heritage and landscape character. Furthermore, matters such as layout, the design of the houses and the landscape character of the development would be considered at the technical details stage, where the Council and third parties would have the opportunity to consider such impacts.
22. I am therefore satisfied that insofar as the principle of the proposal is concerned, a development could be achieved that also respects the rural and verdant character of the site and surrounding area. The proposal would therefore comply with Policies BDP1.4 (d) and BDP19 (e) of the BDP, which require that development proposals have regard to the quality of the natural environment and enhance the character and distinctiveness of the local area.

Other Matters

23. Access to the site, matters of pedestrian and highway safety including risks to children and the elderly, parking and traffic generation, ecology, protected species and wildlife, trees and hedgerows, draining and flooding, as well as the impact on the canal, the historic environment and the historic landscape would be addressed at the technical details stage. As would the effect of any design on the living conditions of local residents by virtue of noise, disturbance, traffic, outlook, light, privacy and light pollution.
24. As the development would be of a minor scale and would only result in a maximum of nine dwellings at the site, any additional pressure on local services would be neither immediate, abrupt or significant to the extent that permission in principle should be withheld. In addition, there is no compelling evidence before me which indicates that the Council did not consult correctly on the application. In any case, the number of objections received as well as the breadth of planning matters which were raised by third parties indicates that the community has had sufficient opportunity to comment on the application and the appeal. Any further administrative concerns in this respect are for the Council.

25. Green spaces provide health and wellbeing benefits. From my own observations on site however, it does not appear to be publicly accessible to the extent that it provides a useable space for the community. There are other such places like the canal which provide space for recreational use alongside. In that regard, the way in which the proposal would be experienced from the canal would be considered at the technical details stage.
26. The prioritisation of brownfield or previously developed land does not mean that, following assessment, the development on previously undeveloped land should be resisted. I have considered the appeal on its own merits, having regard to its particular circumstances and site specifics and found it to be acceptable, in principle, for new housing. Any precedent value of such an outcome would not be beyond that.
27. The Council identify that the site is outside of the boundary of Alvechurch and thus does not comply with Policy H1 Part (a) of the NP. This policy states that new housing development should be located within the designated Alvechurch Village settlement boundary. This was not a matter on which the application was refused and, taking my earlier findings into account, see little reason why this should form a reason to resist permission in principle at this stage.

Conclusion and Recommendation

28. The proposed development would comply with the development plan overall and there are no other material considerations, including the provisions of the Framework, which would alter this finding. Therefore, I recommend that the appeal should be allowed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

29. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed. Permission in principle is therefore granted.

John Morrison

INSPECTOR