

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH JULY 2010

PART A

Application Reference:	09/0602/S106	Date Received:	24/08/2009
Ord Sheet:	383425 276305	Expiry Date:	19/10/2009
Case Officer:	John Baggott	Ward:	Greenhill

Proposal: Variation of Section 106 Agreement to enable a change to the maximum stay and the introduction of a pay and display system on the store car park

Site Address: WM MORRISON SUPERMARKETS PLC, GREEN STREET, KIDDERMINSTER, DY101AZ

Applicant: Wm Morrison Supermarkets PLC

Summary of Policy	D.1, D.3, D.4, D.7, D.9, D.10, D.11, D.12, D.13, D.15, LA.6, NR.2, NR.5, NR.6, NR.9-NR.12, LB.1, LB.2, LB.5, CA.6, AR.3, NC.2-NC.8, TR.1, TR.6, TR.7, TR.8, TR.9, TR.17, TR.19, LR.1, RT.1, RT.3, RT.4, RT.13, KTC.4, IMP.1 (AWFDP) SD.2 SD.3 SD.4 SD.7 SD.9 CTC.5 CTC.6 CTC.8 CTC.9, CTC.11, CTC.12, CTC.14, CTC.19, CTC.21, D.31, D.32, T.1, T.4, T.5, T.10 IMP.1 (WCSP) UR.2, PA.11, QE.1-QE.8 (WMRSS) PPS1, PPS6, PPS9, PPG13, PPG15, PPS25 Design Quality SPG Planning Obligations SPD
Reason for Referral to Committee	Application involving proposed Section 106 obligation
Recommendation	DELEGATED APPROVAL

THIS APPLICATION WAS DEFERRED FROM THE 13 OCTOBER 2009 PLANNING COMMITTEE MEETING FOR MORE INFORMATION

1.0 Site Location and Description

1.1 The application site is located on the south eastern side of Green Street in Kidderminster backing onto the Ring Road, which is located at an elevated level beyond a wooded escarpment.

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- 1.2 The site, including listed buildings, was developed as a new Morrison's store following the granting of planning permission in 2006, as detailed below. The new store has now been trading in excess of 18 months.

2.0 Planning History

- 2.1 06/0590/FULL - Part demolition of existing buildings; construction of supermarket (use class A1) with car park & works to highway; extension to Woodward Grosvenor building fronting Green Street & change of use to museum (use class D1) : Approved.
- 2.2 06/0591/LIST - Renovation & extension of Woodward Grosvenor Building fronting Green Street : Approved.

3.0 Consultations and Representations

- 3.1 Parking Services Manager – No objection. Nearby Council car park is not used to its capacity due to free parking at Morrison's. It is proposed that they (Morrison's) charge the same fee as the Council car parks, but with a 2 hour maximum stay as the pricing structure will be the equivalent of the Council's (which took effect from 1st October 2009). The Council car parks offer all day parking local to Morrison's. This may encourage visitors to use Council car parks as they are closer to the town centre.
- 3.2 Policy and Regeneration Manager – At the time of the original application for the Morrison's store the improved link to the town centre was an important factor in the decision making process in determining the store's position as edge-of-centre. Our consultants had some concerns and the link was improved and the 2 hr 40 mins reflects the distance to ensure linked trips can genuinely be made with the town centre. I am fairly sure that their older store which is closer to the town centre had a 2hr 30min max stay. Also taking into account the improved offer of their new store which includes more extensive product lines across convenience and comparison sectors and a restaurant (which didn't exist in their previous store) and the potential is clearly there for customers to spend more time in the store. If you take 20mins off for the return walk to Vicar Street...? The chances are people will not risk it... jump in their car and drive to another town centre car park or worse still leave without visiting the town centre. Furthermore, as far as I am aware, all other supermarkets including Tesco have up to 2hr 30 min maximum stay.

(Officer Comment: To clarify, both the existing Tesco and Sainsbury's supermarkets actually operate a 2hr maximum stay regime).

- 3.3 Highway Authority - No objections
- 3.4 Neighbour/Site Notice – No representations received.

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4.0 Officer Comments

4.1 Section 106A of the Town and Country Planning Act 1990 (as amended) gives developers the ability to amend or modify a Section 106 agreement. Under the terms of this Section such an application can only be considered after a five year period, with any adverse decision being made open to an appeal under S.106B.

4.2 As this application has been submitted within 5 years, the Local Planning Authority has the ability to consider whether a deed of variation can be approved, without any reprisals under S.106B in respect of appeals.

4.3 Clause 10.1.5 of the Section 106 obligation which accompanied the approval for the Morrison's store stated that:

"The Owners and the Developer will control and manage the Morrison's Car Park as a short stay car park for a maximum use for two hours and forty minutes at no charge and thereafter subject to appropriate charges or penalties as the Owners and The Developer may consider reasonably necessary from time to time provided that such charges or penalties shall not be less than those imposed by the District Council on car parks managed by the District Council in Kidderminster Town Centre (or in accordance with such other car parking scheme as maybe agreed with the District Council (acting reasonably))."

4.4 The applicants, Morrison's, have stated that they have experienced problems with availability of car parking spaces for their customers due to non-customers taking advantage of up to 2hr and 40 mins of free parking and opting to use the Morrison's car park as opposed to other Town Centre pay and display car parks. In submitting this application to vary Clause 10.1.5 of the Section 106, as detailed above, the applicants have sought approval for the introduction of a parking fee and the reduction in the maximum stay on their car park.

4.5 Members may recall that when this proposal was considered by the Planning Committee in October 2009 there were concerns expressed that Morrison's had provided little evidence to substantiate the claims made regarding the occupancy levels of their car park. Members also requested more clarification as to the proposed scheme of reimbursing customers of the store as well as future visitors of the proposed carpet museum.

4.6 In response to Members' requests, Morrison's undertook a car parking occupancy survey in February of this year. The survey took the form of an hourly count of occupied spaces throughout the Morrison's car park, from 09.00 to 18.00 providing percentage figures in terms of occupancy of the car park.

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- 4.7 Morrison’s took the decision to undertake the survey during February, which is traditionally a quiet month in the retail calendar following the peak Christmas and New Year sales periods, to demonstrate the levels of car park occupancy at an “off peak” time. Three days were surveyed; Tuesday 16 February; Friday 19 February and Saturday 20 February 2010.
- 4.8 The survey split the car park into four areas, A, B, C and D. It is no particular surprise to learn that areas B and C were consistently the most occupied given their more immediate location to the store entrance. Again, it is of little surprise to learn that the peak periods of occupation were generally speaking during the middle part of the day (i.e. 11.00 to 15.00), although the occupation figures for Saturday 20 February 2010, indicate increased levels commencing earlier, as visitors to the town centre and/or Morrison’s undertook their “weekly shop”.
- 4.9 The following tables provide a summary of the evidence provided by Morrison’s in respect of car park occupancy levels, concentrating on the peak period between 11.00 and 15.00.

Table A: Tuesday 16 February 2010

Time	Percentage Occupancy Levels				
Period Starting	Area A (202 spaces)	Area B (95 spaces)	Area C (80 spaces)	Area D (61 spaces)	Total (438 spaces)
11:00	29%	95%	96%	84%	63%
12:00	49%	88%	96%	70%	69%
13:00	36%	89%	91%	77%	63%
14:00	23%	84%	81%	82%	55%
15:00	17%	79%	88%	69%	51%

Table B: Friday 19 February 2010

Time	Percentage Occupancy Levels				
Period Starting	Area A (202 spaces)	Area B (95 spaces)	Area C (80 spaces)	Area D (61 spaces)	Total (438 spaces)
11:00	68%	100%	95%	67%	80%
12:00	90%	99%	95%	69%	90%
13:00	95%	91%	95%	66%	90%
14:00	67%	100%	100%	62%	79%
15:00	62%	95%	94%	48%	73%

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Table C: Saturday 20 February 2010

Time Period Starting	Percentage Occupancy Levels				
	Area A (202 spaces)	Area B (95 spaces)	Area C (80 spaces)	Area D (61 spaces)	Total (438 spaces)
11:00	64%	97%	100%	75%	79%
12:00	98%	100%	100%	93%	98%
13:00	91%	100%	100%	85%	94%
14:00	97%	100%	100%	64%	94%
15:00	97%	98%	98%	69%	93%

4.10 Whilst acknowledging the high levels of the car park occupancy demonstrated and that in all probability given the “free parking” that Morrison’s currently provides a good proportion of those cars parked may not have belonged to customers of Morrison’s. No details have been provided regarding the foot fall levels at the store during the corresponding times. In the absence of such information, officers are not in a position to corroborate Morrison’s claims regarding the significant levels of non-customers using their car park.

4.11 With regard to the issue of the proposal for reimbursing genuine store customers, and visitors to the carpet museum, Morrison’s have provided the following comments:

“The spend in store will be minimum spend in store of £5.00 to achieve a refund of the car park fee. Morrison’s have spoken to the carpet museum, who are happy to support the application and have agreed that customers of the museum would get their parking fee back at Morrison’s Café (of any other service in the store), subject to a minimum spend of £5.00”.

4.12 Turning now to the proposals themselves in more detail, there are two elements to the proposal, which are addressed in more detail below.

INTRODUCTION OF A PARKING FEE

4.13 The existing Clause 10.1.5 of the Section 106 obligation clearly gives some scope for considering the introduction of parking charges, provided that they shall not be less than those charges imposed upon Council operated pay and display car parks. In this regard, Members are advised that as of 1st October 2009, the Council’s own car parking price structure for short stay car parks in Kidderminster Town Centre was increased to:

70p for up to 1 hour; £1.00 for up to 2 hours; and, £1.80 for up to 3 hours; as confirmed by the Council’s Parking Services Manager.

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- 4.14 In submitting the application to vary the Section 106, the applicants have suggested the introduction of a charge of £1.00 for up to 2 hours (maximum) stay, with this fee being refundable to Morrison's customers subject to a minimum spend in the store of £5.00, as detailed under paragraph 4.11 above. Such a charge would be consistent with the Council's own parking charges.

REDUCTION IN MAXIMUM STAY

- 4.15 The existing Clause 10.1.5 of the Section 106 obligation stipulates a maximum stay of 2 hours and 40 minutes. As already identified under paragraph 4.14 of this report, the applicants have applied for this maximum stay to be reduced to 2 hours.
- 4.16 At the time of the consideration of the original application's for the Morrison's Store, despite the Morrison's store's location at the "edge of town centre", it was recognised that there was an opportunity for customers of the store to make "linked trips" to other stores in the Town Centre. At that time it was acknowledged that only the Tesco store offered such an opportunity for linked trips. The Tesco store operates a 2 hour maximum stay for its car park. However, in light of the Morrison's store location it was considered appropriate to make allowance for pedestrian walking time between the store and other shops and facilities within the Town Centre, resulting in the suggested 2 hour 40 minute figure.
- 4.17 Members are advised that whilst the applicants would prefer to seek a variation to allow the maximum stay to be reduced to 2 hours as originally sought, through negotiation they have now accepted the suggestion that the maximum stay be reduced only fractionally to 2 hours and 30 minutes, with a fee charge of £1.50, which again would be refunded to customers of the store and visitors to the museum as set out in paragraph 4.11. Members will note that the suggestion of £1.50 for 2 hours and 30 minutes would actually make the Morrison's car park slightly more expensive when compared to the Council's charge of £1.80 for 3 hours, which may in itself make it a less attractive proposition for non-customers of the store.

- 4.18 In accepting this compromise, the applicants have commented as follows:

"As you are aware the reason for proposing the amendment to the parking hours are due to the large volume of spaces being filled in the car park making it difficult for shoppers to the store to find a place to park. It is our belief that the current conditions make Morrison's car park a uniquely attractive proposition to town centre shoppers and providing an opportunity to avoid the Council's town centre car parks where possible. We believe our car park is attractive, in particular, when measured against the local Tesco who operate a 2 hour maximum stay control.

By introducing the pay & display we believe it will bring the car park in line with other car parks in the area managed by the Council and hopefully reduce

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its attractiveness as a place to park for free, whilst visiting the town centre when not shopping at the store.

We note that the reasoning for your request of 2.30hrs over 2hrs is to maximise the opportunity for shoppers to link their trips to Morrison's and the town centre. We believe that 2 hrs is sufficient to allow linked trips to take place but, as a gesture of cooperation, we are willing to accept the amendment to the application to 2.30hrs with a charge of £1.50 (refunded in store for WmM shoppers) as you have suggested; however, if these controls do not prove successful in improving the availability of parking space for Customers of our Superstore we do foresee a need to review the agreement and seek a further variation as originally discussed".

- 4.19 The applicants have not provided corroborating evidence in terms of corresponding footfall levels to the occupancy times/levels of the Morrison's car park. Even so, it is reasonable to assume that a good proportion of those drivers using their car park are not customers of the store. It is human nature to seek a cheaper, in this case free, alternative to paying parking charges and therefore entirely reasonable to assume that occupancy levels would not reflect store foot fall, despite the lack of evidence.
- 4.20 Officers are of the opinion that the adoption of a 2 hour and 30 minute maximum stay, with a £1.50 charge (which would be refunded to customers of the store) is a reasonable and acceptable proposal. At the same time, and being mindful of the applicant's comments regarding a potential further variation as set out above, it would give both the applicants and the Council the opportunity to gather evidence regarding the use of the car park once the new charges have been imposed, to assess their effectiveness.
- 4.21 The revised proposals emanating from negotiations, and the scope for monitoring their effectiveness, have been welcomed by the Policy and Regeneration Manager.

5.0 Conclusions and Recommendations

- 5.1 Officers consider that the revised proposals, which would introduce a flat parking charge of £1.50 for up to 2 hours and 30 minutes (which would be refunded to store customers) are acceptable. Such a charge would not undercut the Council's own parking charges, and in that respect the proposal would be consistent with the requirements of the original Clause 10.1.5 of the Section 106 obligation which accompanied planning permission 06/0590/FULL.
- 5.2 It is therefore recommended that **delegated authority** be given to the Director of Legal and Corporate Services, in consultation with the Director of Planning and Regulatory Services, **to vary the Section 106 agreement.**

PLANNING COMMITTEE

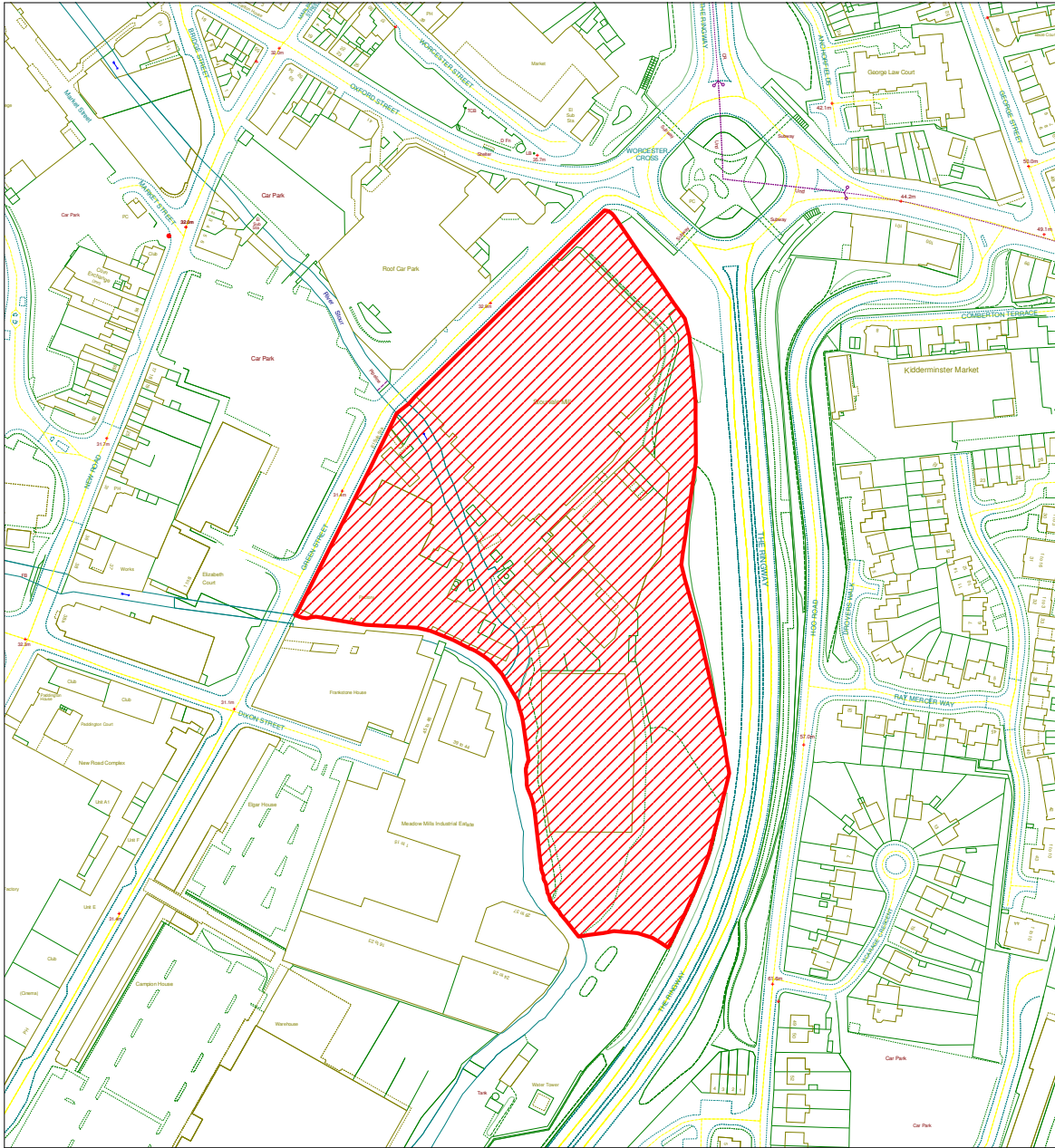
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PLANNING AND REGULATORY SERVICES DIRECTORATE
Wm. Morrison Supermarkets Plc
Green Street
Kidderminster
DY10 1AZ

Duke House, Clensmore Street, Kidderminster, Worcs, DY10 2JX. Telephone: 01562 732928. Fax: 01562 732556



Application Reference: 10/0262/FULL	Date Received: 07/05/2010
Ord Sheet: 382787 276447	Expiry Date: 02/07/2010
Case Officer: Emma Anning	Ward: Sutton Park

Proposal: Change of use from Licensed Premises to Flats (1 x 2 bed and 3 x 1 bed flats in addition to existing licensee's flat)

Site Address: UNITY INN, 142 PARK STREET, KIDDERMINSTER, DY116TR

Applicant: Mr Surrinder Kalirai

Summary of Policy	H.2 D.1 D.3 D.10 D.11 D.13 TR.9 TR.17 CY.2 (AWFDLP) CTC.21 D.16 (WCSP) PPS 3
Reason for Referral to Committee	Third party has registered to speak at Committee
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site is a former public house which sits on the corner of Park Street and Plimsoll Street in Kidderminster. The site is allocated as being suitable for residential development in the Adopted Wyre Forest District Local Plan.
- 1.2 It is proposed to convert the existing property into a building totalling five self contained flats.

2.0 Planning History

- 2.1 None relevant

3.0 Consultations and Representations

- 3.1 Highway Authority – No objection subject to conditions
- 3.2 British Waterways – No comments to make
- 3.3 Environmental Health – No adverse comments to make
- 3.4 Severn Trent Water Ltd. – No objection subject to inclusion of a drainage condition on any approval.

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- 3.5 Neighbour/Site Notice : one letter of objection and a petition containing fifteen signatories have been received.

The main points raised are summarised below:

- The proposal would make the ongoing problem of antisocial behaviour worse. Existing problems with drugs, drinking, fighting and vandalism, we strongly agree are due to the majority of houses being privately rented and there seems to be no-one who wants to be responsible for these people. If the houses were rented by a housing association there are people you can complain to, who will try to sort out these situations.
- These residents are given private rented flats as no housing association will have them. Park Street is already overpopulated by these people who are making decent hard working peoples' lives a misery. The long standing residents should have a right to carry on their lives without all of this hassle.
- Parking is a major issue. Due to the Odell Centre being in use during the week there are always disabled people being dropped off or picked up, with the addition of more residential cars this would make it even more hazardous. Also what type of resident would be in situ, we have recently had lead being stolen off property which has been reported to the police. This street is reasonably quiet and I wish it to stay that way. I would also like to know why the owner of the property is not securing the gates as I have caught several people entering the property when it is clearly empty.

4.0 Officer Comments

- 4.1 Permission is sought to convert this former public house to provide one two-bed flat and three one-bed flats in addition to the existing three-bed licensees flat. The majority of the alterations proposed are internal only, with the exception of the insertion of two first floor windows and one small ground floor window. Parking for three cars (one to be suitable for a wheelchair user) is proposed in an area to the side/rear of the property fronting Plimsoll Street which currently houses a storage building which would be demolished.
- 4.2 The site is identified in the Adopted Wyre Forest District Local Plan as being suitable for residential development. In addition, despite being a former community facility it is acknowledged that the viability of the premises as a public house has limited potential. As detailed in the accompanying Design and Access Statement, the building, in this location, would lend itself well to conversion to residential use. Having not received any objections from local residents based on the loss of the community facility and in considering the viability argument put forward by the agent I am satisfied that there is no clear need for the retention of the public house and that its loss is acceptable and in accordance with Policy CY.2 of the Adopted Wyre Forest District Local Plan. The principle of the development proposed is therefore acceptable, what remains to be considered are matters of design, impact on amenity and highway safety.

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- 4.3 As detailed above the vast majority of alterations proposed are internal and would not affect the external appearance of the building, with the exception of three windows to be inserted, two at the first and one at the ground floor. The style of the windows to be inserted would match those of the existing building and therefore would harmonise with the characteristics of the host property in accordance with the requirement of Policy D.1. The alterations would not result in the creation of an incongruous feature on this building which could be considered harmful to the existing streetscene.
- 4.4 The property has no private amenity space as such, save the space identified as the proposed parking area mentioned above. The building is built hard against the boundary with the neighbouring property, a terraced dwelling with a modest size private garden to the rear. Despite the insertion of the two new first floor windows I am satisfied that there would be no undue increase in the extent to which the immediate neighbour or other neighbours are overlooked by this property. Considering that the upper floors of the public house are currently habitable rooms and a concert room I consider there to be no greater opportunity for the extent of overlooking to be increased through the conversion of this property to separate residential units and the insertion of two new bedroom windows.
- 4.5 Based on the parking standards as set out in the Adopted Wyre Forest District Local Plan the required parking provision on this site would be six car parking spaces. The proposed plan shows only three, a shortfall of three spaces. An objection letter has raised concern that the proposal may lead to parking problems. Lengthy pre-application discussions between the applicant's agent and the Worcestershire County Council Highways Officer took place prior to this application being submitted and a detailed reasoned justification has been provided by the agent to justify the adequacy of the provision proposed. This has been considered by the Highways Officer as part of the consultation process who has commented as detailed above. Based on the consultation feedback given I am satisfied that no harm to highway safety would arise as a result of this proposal and that, due to the location of the development proposed within close proximity of the amenities of the town centre, the level of car parking provision identified is acceptable. Secure cycle parking would be provided under the existing low roof to the rear of the property which also provides cover for the access stair. The proposal would therefore comply with Policies TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.
- 4.6 Concern has been raised that the dwellings proposed are to be occupied by private renters and it is suggested that this may lead to an increase in antisocial behaviour. These matters cannot be treated as material planning considerations when determining this application as they relate to private business matters. Any concerns regarding potential or resulting problems should be dealt with through the appropriate channels, such as the police.

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- 4.7 No Section 106 contributions are required as part of this application due to the fact that the net increase in new units is 4 dwellings. As set out in the Planning Obligations SPD, S106 contributions are only sought where five or more new dwellings are proposed.

5.0 Conclusions and Recommendations

- 5.1 The proposal accords with the relevant policies of the Adopted Local Plan as listed and, as such, it is recommended that the application be **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B3 (Finishing materials to match)
 4. Existing entrance shall be set back 2 metres from the rear of the adjoining footway
 5. Construction of vehicular access
 6. Driveway and/or vehicular turning area shall be consolidated, surfaced and drained
 7. An area shall be laid out within the curtilage of the property for the parking of 3 cars
 8. Secure parking for 8 cycles to comply with the Council's standards shall be provided
 9. Means of drainage

Notes

- A Private apparatus within the highway
- B Alteration of highway to provide new or amend vehicle crossover
- C No drainage to discharge to highway
- D Temporary direction signs to housing developments

Reason for Approval

The proposed conversion of this former public house to flats is considered to be acceptable development in this locality which would harmonise with the residential nature of the area. The proposal would not cause harm to the amenity of neighbours nor give rise to a situation which would be detrimental to highway safety. The proposal therefore complies with the policies listed above.

PLANNING COMMITTEE

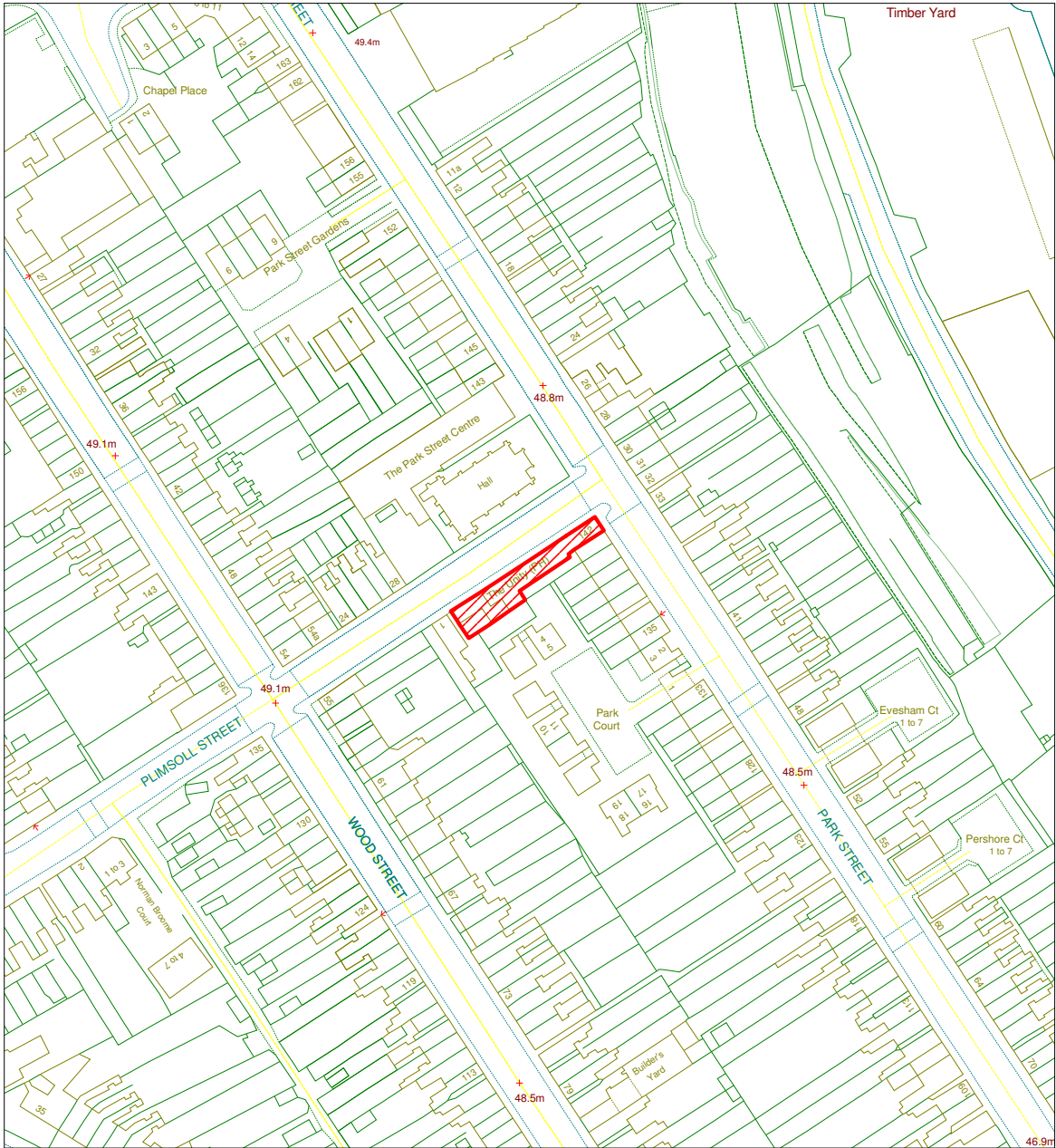
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PLANNING AND REGULATORY SERVICES DIRECTORATE

Unity Inn
142 Park Street
Kidderminster
DY11 6TR

Duke House, Clensmore Street, Kidderminster, Worcs, DY10 2JX. Telephone: 01562 732928. Fax: 01562 732556



Application Reference: 10/0274/FULL **Date Received:** 11/05/2010
Ord Sheet: 374281 273862 **Expiry Date:** 06/07/2010
Case Officer: James Houghton **Ward:** Rock

Proposal: Demolition of existing bungalow and replacement with 3No dwellings (amendment to schemes previously approved under applications 09/0505/FULL and 09/0506/FULL)

Site Address: OXBINE, CALLOW HILL, ROCK, KIDDERMINSTER, DY149XB

Applicant: Mr J Matthews

Summary of Policy	H.2, D.1, D.3, D.4, D.5, D.10, D.11, D.13, LA.2, NR.9, TR.9, TR.17 (AWFDLP) D.14 (WCSP) CF.2, QE.1, QE.3 (WMRSS) Design Quality SPG
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval Third party has registered to speak at Committee
Recommendation	APPROVAL

THIS APPLICATION WAS DEFERRED FROM THE 8 JUNE 2010 PLANNING COMMITTEE MEETING AT THE DEVELOPMENT MANAGER'S REQUEST

1.0 Site Location and Description

- 1.1 The application site is within the Callow Hill settlement boundary, the Landscape Protection Area and an Area of Great Landscape Value. The site currently contains a substantial bungalow set back from the road behind a hedge and parking area. A large detached garage/workshop is set back behind the bungalow and is close to the boundary shared with The Cherries.
- 1.2 Members may recall that planning permission was granted for the demolition of the existing bungalow and the erection of a total of three new dwellings across the site in October 2009, following a site visit by Committee Members.

2.0 Planning History

- 2.1 09/0505/FULL – Demolition of existing bungalow and replacement with two new dwellings : Approved 22/10/09.
- 2.2 09/0506/FULL – New dwelling sited in the garden of Oxbine : Approved 22/10/09.

10/0274/FULL

3.0 Consultations and Representations

- 3.1 Rock Parish Council – Objection and recommend refusal. It was resolved to object to this application “as it is overdevelopment and access of the A456 is extremely dangerous for the increased number of cars.”

“The Parish Council consider the design is out of keeping with the street scene. The Parish Council further wishes that if you are minded to recommend approval to this application a site visit will be called first so members of the Parish Council can show District Councillors their concerns.”

- 3.2 Highway Authority – No objections subject to the addition of conditions relating to visibility splays, vehicle access construction, driveway gradient, access turning and parking, cycle parking and parking for site operatives being attached to any permission issued.
- 3.3 Policy and Regeneration – The site lies within the settlement boundary of Callow Hill. Under Policy H.2 vi) of the Wyre Forest Adopted Local Plan housing development is allowed subject to it comprising infill development of one or two dwellings on previously developed land. Therefore this application would appear to be in accordance with policy H.2vi) of the Adopted Local Plan.
- 3.4 Arboricultural Officer – The application sites contain a number of trees and hedges that add to the amenity of the area. However other than a large mature, multi-stem Common Ash (*Fraxinus excelsior*) that is on the neighbouring land, there are no trees worthy of a Tree Preservation Order.

It would be a shame to see the fruit trees removed from the orchard area, however as stated in the Arboricultural Report by Midland Arboriculture and Woodland Services, the fruit trees are generally in poor health and replacing them would be good long term tree management.

The site has hedges, containing various species, around its perimeter. The condition of the hedges are mixed, however they are an important feature and will need to be retained and where necessary enhanced to improve screening and restrict the impact of the proposed dwellings from the nearby highway and neighbouring properties.

The mature Ash within the grounds of Mapps Barn is a multi stemmed tree with a poor crown structure. A trial pit has been dug close to this tree and no structural or feeder roots were discovered. The proposed dwelling close to the Ash, will not have a direct impact on the tree, however the proposed garage for this house will be located under its canopy and well within the Root Protection Area RPA).

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The only other reasonable quality tree affected by the proposals is Yew that is within the site on the boundary with Mapps Barn. A trial pit was also dug close to this tree and as with the Ash; no structural or feeder roots were discovered. This tree is directly affected by the construction of the dwelling close to Mapps Barn, as the property is well within its RPA.

Although no roots were found from the Ash or Yew in the locations that are to be built on, there are concerns that major roots could be damaged during the construction process.

The loss of the Yew tree raises no particular concerns, if the applicants are keen for it to be removed, however as the Ash is on private land every effort should be made not to damage the tree.

As such there are no overall objections to the proposed development of three houses; however the methods for constructing the garage close to the Ash in the grounds of Mapps Barn should be by means of a system of construction that does not need a deep, strip foundation. The hedges forming the perimeter of the site should be retained and a detailed landscaping scheme, including tree and hedge planting, submitted before works commence.

- 3.5 Countryside and Conservation Officer – No comments received.
- 3.6 Severn Trent Water Ltd – No objection subject to the addition of condition requiring details of surface and foul water drainage to be submitted prior to bringing the development into use.
- 3.7 Worcestershire Wildlife Trust – The contents of both the ecological and Arboricultural reports are noted and, subject to the addition of conditions recommended by those reports, there are no objections.
- 3.8 Neighbour/Site Notice – Three letters have been received from the occupants of properties within the immediate area. The objections are on the grounds that:
- The development may not comply with the relevant parking and highways standards, possible issues with parking for sufficient vehicles and manoeuvring spaces.
 - The proposed development is not characteristic for the area as no front gardens would be provided and the plots would be relatively small and cramped.
 - The proposed dwellings would be three stories high whereas surrounding properties are two storeys in height.
 - An objector states that conditions placed on the previous approval could not be implemented.
 - Possible overlooking and privacy issues to the west of site with side facing windows at first floor serving a bedroom.

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- The entrance to the site may cause a traffic hazard.
- The arboreal report may be out of date as the condition of trees on the site has changed.
- Possible issues with back land development as an access is to be provided to the existing garage.
- Impact of the development on the levels of light currently enjoyed at The Cherries as the proposed buildings project past the rear of The Cherries.
- Possible flooding at Bliss Gate due to the increase in hard surfaces.

4.0 Officer Comments

- 4.1 The principle of accommodating 3 properties on this site has previously been accepted by virtue of permission previously granted. The applicant now seeks approval for alterations to the approved development of three dwellings on the site of Oxbine. The proposed changes relate to the sizes of the plots, the form, and positions of the three dwellings and access to and from the public highway. A previously proposed double garage adjacent to the property known as Mapps Barn is no longer proposed.
- 4.2 The proposed plots differ slightly from those on the approved scheme. The plots would still be of a size comparable to those found in the immediate area and as such would offer no detriment to the rhythm and character of the street scene and immediate area. The rear amenity spaces are considered to be of an appropriate size relative to the dwellings. The proposed dwellings would, by virtue of their set back position and the retention of much of the existing hedge, along with the replication of similar plot size, frontage and ridge height to neighbouring properties, offer negligible detriment to the street scene.
- 4.3 The proposed new dwellings are considered acceptable in terms of both scale and design, all three dwellings would be pitch roofed, brick built and of a similar height to other properties along Callow Hill. Their appearance in the streetscene is considered to be appropriate. An objector points out that the proposed buildings would be three stories high at the rear; this is due to the levels found across the site with the land falling steeply to the rear, and would not effect the appearance of the proposed dwellings in the street scene.
- 4.4 The proposed dwellings would have a minimal impact on the privacy enjoyed by the occupants of neighbouring properties, no first floor side facing habitable room windows are to be provided. Revised plans have been submitted placing an obscure glazed bathroom window on the side elevation of Plot A instead of the bedroom window shown on the initial submission. A pair of side facing patio doors at ground floor would look onto the blank gable of The Cherries.

10/0274/FULL

- 4.5 The impact of the proposed structures on outlook or daylight has been carefully assessed it is not considered that any significant impact on amenity would occur, 45^o Code guidelines would not be breached. Whilst it is appreciated that the rear of Plot A extends past the rear of neighbouring properties the orientation of the properties in conjunction with a separation distance in excess of 7m would minimise any possible impact.
- 4.6 A letter of objection observes that the garage to the rear of the site is to be retained, as was the case with the previously approved scheme, and a driveway is to be created. This would not fit within the definition of back land development and would offer no significant detriment to the amenity enjoyed by the occupants of neighbouring properties given that the building already exists.
- 4.7 Members may recall that the previously approved development proposed two highway access points from the public highway (A456). The revised layout now proposes the use of a single access point to serve all 3 properties. The Highway Authority has no objections to this revised layout subject to the addition of conditions to any permission issued. Whilst the issues raised by objectors relating to parking provision and manoeuvring space are noted the Highways Authority has no objections to the proposed scheme (introduced with effect from 9 June 2010).
- 4.9 Recent changes to Planning Policy Statement 3: Housing, have altered the definition of previously developed land. Gardens are no longer considered previously developed land and as such would not normally be suitable for new residential development. In this case, however, the extant permissions for three dwellings on the site (09/0505/FULL and 09/0506/FULL), would constitute a material consideration in the determination of the application and as such this application is essentially a substitution of house types and the proposed development would be acceptable.

5.0 Conclusions and Recommendations

- 5.1 It is recommended that the application is **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B3 (Finishing materials to match)
 4. B15 (Owl/bat box)
 5. C6 (Landscaping – small scheme)
 6. Disposal of surface water and foul sewage
 7. Visibility splays

10/0274/FULL

8. Construction of the vehicular access
9. Driveway and/or vehicular turning area
10. Access, turning area and parking facilities
11. Secure parking for 4 cycles
12. Parking for site operatives

Notes

- A Mud on Highway
- B Private apparatus within the highway
- C Alteration to highway to provide new or amend vehicle crossover
- D Public sewer crosses the site – no construction within 3 metres either side of the sewer pipe.

Reason for Approval

The proposed dwellings would form an infill development within the settlement boundary, are considered to be well designed and will have an acceptable appearance in the street scene. The impact of the dwellings upon the occupants of neighbouring properties has been carefully assessed and it is considered that there will be no undue impact on amenity. The proposed development is considered to accord with the requirements of Policies H.2, D.1, D.3, D.4, D.5, D.10, D.11, D.13, LA.2, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan (2004)

PLANNING COMMITTEE

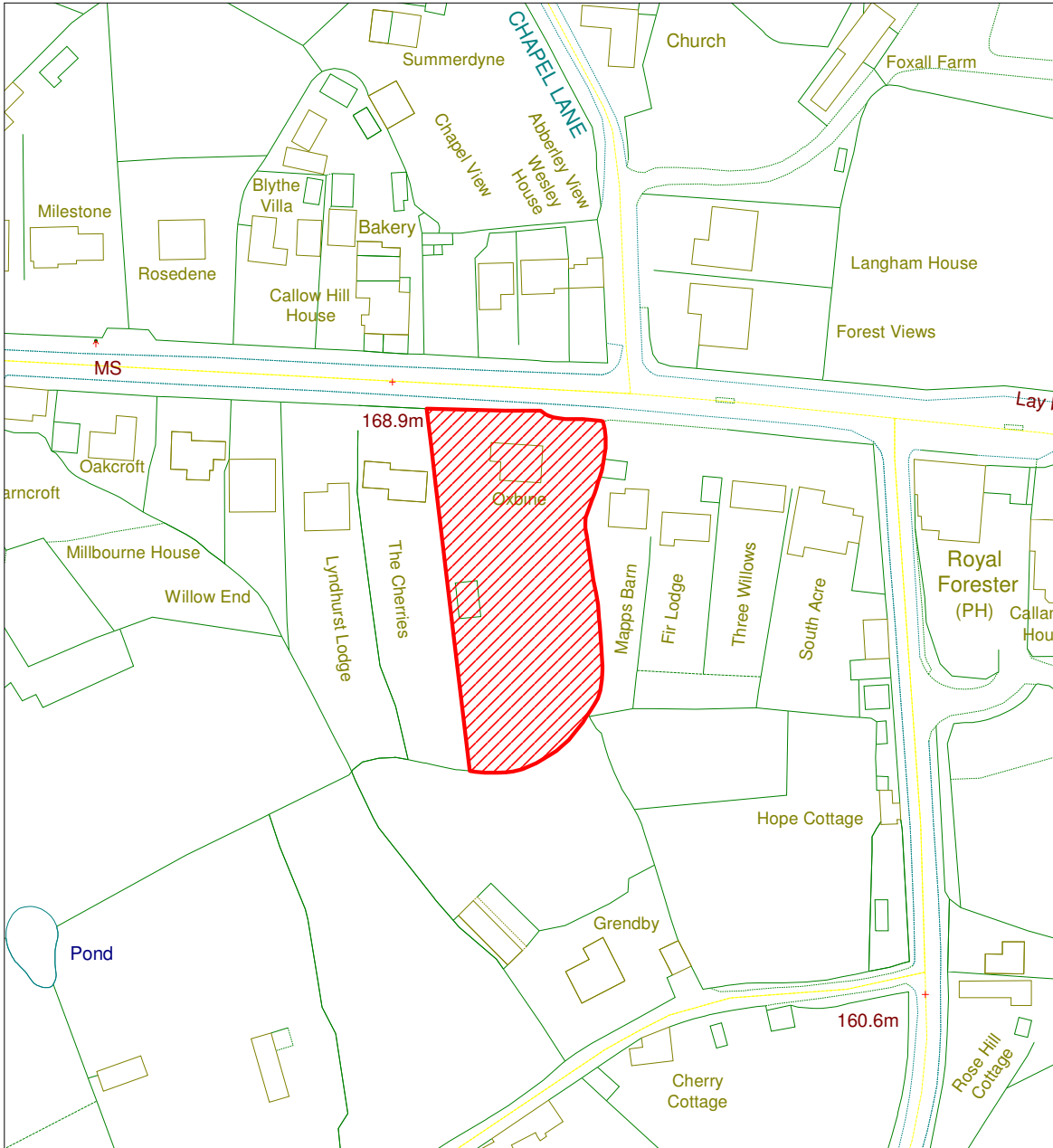
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PLANNING AND REGULATORY SERVICES DIRECTORATE

**Oxbine
Callow Hill
Rock
DY14 9XB**

Duke House, Clensmore Street, Kidderminster, Worcs, DY10 2JX. Telephone: 01562 732928. Fax: 01562 732556



WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH JULY 2010

PART B

Application Reference: 10/0259/FULL **Date Received:** 05/05/2010
Ord Sheet: 383294 276811 **Expiry Date:** 30/06/2010
Case Officer: Paul Wrigglesworth **Ward:** Greenhill

Proposal: Change of Use from Bank to Dental Surgery

Site Address: 15-17, COVENTRY STREET, KIDDERMINSTER, DY102BQ

Applicant: Mr Balbir Bhandal

Summary of Policy	RT.4, TC.2, CY2, E11, TR9 TR17 (AWFDLP) PPS1, PPS4
Reason for Referral to Committee	Planning application represents departure from the Development Plan
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site consists of the former Lloyds TSB Bank, which is located on the north side of Coventry Street adjacent to the Seven Stars public house, and is currently unoccupied.
- 1.2 The building enjoys no vehicular access or on-site car parking facilities and lies within a secondary shopping area, as defined by the adopted Local Plan.

2.0 Planning History

- 2.1 None relevant

3.0 Consultations and Representations

- 3.1 Highway Authority – No objection
- 3.2 Environment Agency – Views awaited
- 3.3 Severn Trent Water - No objection subject to condition
- 3.4 Environmental Health – No comments received

10/0259/FULL

- 3.5 Policy and Regeneration - This application seeks a Change of Use from vacant premises (formerly a bank) to a Dental Surgery (D1 use) within a secondary shopping area of Kidderminster Town Centre. Given the location and proposed use of the application, Policies RT.4 and CY.2 of the Adopted Local Plan are considered relevant.

Policy RT.4 identifies that a greater range of 'A' use classes are allowed within the Secondary Shopping Area as these areas are considered to be more peripheral to the main retailing function of the town and so greater flexibility is allowed. However, the proposed use class for this application does not fall within the permitted uses identified in RT.4.

However, in this instance, it is considered important that the more recent publication of PPS.4: Planning for Sustainable Economic Growth is also taken into account.

PPS.4 identifies that "Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably."

PPS.4 also identifies through Policy E11 a number of criteria to determine planning applications for economic development not in accordance with an up to date development plan. As PPS.4 is a more recent national publication, it is important that this is taken into account. Policy E.11 identifies that in determining planning applications for economic development which are not in accordance with an up-to-date development plan, local authorities should:

- a). Weigh market and other economic factors alongside environmental and social information.

In this instance, it is considered that the proposal would help to improve the economic environment through the creation of jobs and through re-establishing a use in a currently vacant unit.

Furthermore, the environmental aspects of this Secondary Shopping Area of the town could be improved by ensuring a use of a unit rather than leaving it in its current state (which is boarded up). The Secondary Shopping Area is considered more peripheral to the main retail function of the town and this is an important market consideration. In terms of social factors, the proposed use is for a Dentist, which is considered to be of benefit to the wider community.

- b). Taking full account of any longer term benefits, as well as the costs, of development, such as job creation or improved productivity including wider benefits to national, regional or local economies.

10/0259/FULL

The proposal is seeking to provide a total of six full time equivalent jobs. This will help to improve the local economy in the shorter term and if successful would continue to support the economy in the longer term. In the short term the proposal would bring back into use a vacant unit and while not considered a retailing use, the Dentists could help to bring vitality back to this area of the town, which is considered to be more peripheral to the main retailing function of the rest of the centre and has suffered decline in the recent years.

- c). Consider whether those proposals help to meet the wider objectives of the development plan.

The proposals seek to return a vacant unit located in a secondary shopping area back into a positive use and therefore support the economic aims of the development plan. If approved, the unit will bring footfall back into this area of the town and help to improve the vitality and viability of the area, which is considered peripheral to the main retailing function of the rest of the town. The location is also considered sustainable, located near to sustainable transport options and this meets the national objective of providing sustainable development.

In considering the above factors it is felt that the proposed use could be of benefit to the town, and specifically to this area, which is a secondary shopping area of the town centre.

Given that this is a secondary retailing area of the town; that the proposed function could bring sustainable economic benefits; and that the function mirrors the previous permitted use, it is considered that this application could be treated favourably, in line with the objectives of national policy in the shape of PPS.4.

These conditions are considered pertinent to this particular area of the town (a secondary shopping area) where it is considered a balance needs to be struck between local and national policy considerations. If the application is recommended for approval, a condition restricting the unit to this particular use would help to protect the vitality and future amenity of this area of the town.

With regard to Policy CY.2: Community Facilities, new facilities should meet a number of criteria as set out by the Policy. It is considered that, subject to the appropriate need being identified, the proposal meets the criteria laid out in Policy CY.2 in that the proposal would be compatible with the surrounding uses and is in an accessible location.

10/0259/FULL

Furthermore, it is in close proximity to other community facilities and the services provided by the town centre. It also is considered to be consistent with the town centre hierarchy by being located in the most sustainable urban location in the District’.

3.6 Neighbour/Site Notice – one objection received:

‘After receiving notification of the proposed Dental Surgery application for Lloyds TSB building we would like to register our opposition to said plans. It’s difficult enough for the businesses in Coventry Street to get deliveries from their suppliers as it is due to the fact that no part of the parking bays have been allocated as such and the wrongly placed crossing. How on earth is the situation going to be when patients of said dental surgery are taking every spare space that becomes available. The street is chaotic enough as it is without heaping coals onto the fire. Please have some consideration for existing businesses in the street.’

4.0 Officer Comments

4.1 The applicant has stated that the Primary Care Trust has identified a need for a dental surgery within the centre of Kidderminster and is offering funding towards one being set up in such a location. Against this background the application seeks permission for the change of use of a vacant bank in Coventry Street into a dental practice.

4.2 Policy TC.2 states that non-shopping uses should not normally be allowed in town centre locations such as this. The reasoned justification for this policy however does state that within secondary shopping areas there is some leeway where the current use of the site does not include retail and the proposed use will not adversely fragment the retail frontage.

While there is technically a retail use established at this address (an A2 use is a type of retail use) there has been no current occupier of the premises for some time and the fragmentation that will arise by introducing a non-retail use will not be significant. This is evidenced by the fact that all of the three main properties on one side fall within a retail class as do two out of three on the other side. After taking this into account, together with the factors arising from PPS4 in the detailed analysis and positive advice from the Council’s Policy and Regeneration Section, there appears to be justification to now approve a dental practice as an exception in this secondary shopping area. To approve the application in these circumstances should not set a serious precedent for other types of non-retail uses within the areas of the town centre identified for principal shopping.

4.3 The Highway Authority has considered the objection raised against the proposal together with other highway related issues but finds the proposal to be acceptable. In addition, the property is served by a level access from pavement level and the property should be accessible by disabled users.

10/0259/FULL

4.4 It is considered that no serious adverse impacts are likely to arise with regard to the co-existence of the proposed use with adjacent properties.

5.0 Conclusions and Recommendations

5.1 That the use proposed in the circumstances described and within a secondary shopping area of the town centre can be justified.

5.2 The application is recommended for **APPROVAL** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Severn Trent sustainable drainage condition

Reason for Approval

The application has been carefully considered in terms of the principle of allowing the development against existing planning policies and particularly Policies TC.4 and RT.2 of the Adopted Wyre Forest District Local Plan, together with the more recent advice contained within PPS4 and the proposed change of use in a secondary shopping area, is judged to be acceptable. In addition, the application has been considered in terms of highway and access related issues together with the effect on neighbouring properties. For these reasons, the proposal is judged to be compliant with the aims and principles of the policies listed above.

Application Reference: 10/0287/FULL	Date Received: 18/05/2010
Ord Sheet: 382206 277984	Expiry Date: 13/07/2010
Case Officer: Paul Round	Ward: Franche

Proposal: Construction of a pair of bungalows with detached garages
(Renewal of Planning Permission 07/0489/Full)

Site Address: LAND BETWEEN, 71 & 77 BEECHFIELD DRIVE,
KIDDERMINSTER, DY115HQ

Applicant: Billingham & Kite Ltd

Summary of Policy	H2, D1, D3, D4, D10, D13, NR1, NR8, NR9, TR9, TR17 (AWFDLP) QE.3 (WMRSS) Design Quality SPG PPS1. PPS3 (2010)
Reason for Referral to Committee	Development Manager considers that application should be considered by Committee
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The site forms an unkempt piece of land between 71 and 77 Beechfield Drive. This is located on the eastern edge of the Marlpool Estate, backing onto properties in Marlpool Lane and accessed from Willowfield Drive. The site is allocated for residential purposes.

2.0 Planning History

2.1 07/0489/FULL – Two bungalows : Approved 27 June 2007

3.0 Consultations and Representations

3.1 Highway Authority - No objections subject to conditions

3.2 Severn Trent Water Ltd - No objections subject to condition

3.3 Neighbour/Site Notice : one letter of support received - I shall be pleased to see this plot developed appropriately with a pair of bungalows to be built in keeping with the cul-de-sac of Beechfield Drive.

4.0 Officer Comments

4.1 The application is a renewal for an extant planning permission given in 2007. The application has not altered in any way and still reflects the character of pattern of the surrounding development.

10/0287/FULL

- 4.2 Planning policy has altered since the approval in respect of the revision to PPS3, which results in the totality of the land being regarded as not being previously developed land. It should be noted that the previous approval took account of the non-previously developed nature of the part of the site balancing the policy with the positive contribution the development would make within the streetscene. These arguments are still relevant and whilst the non previously developed land status relates to the totality of the site, the arguments remain the same and carry sufficient weight as a material circumstance to clearly outweigh any policy harm.
- 4.3 No adverse comments have been received from neighbours or consultees. However the Highway Authority has noted that since the approval of the previous application Worcestershire County Council has revised its design documents so that the requirements for driveways have altered. The consequence is that the required parking provision must be in front of the property; this is at odds with the current design. However, a recommended condition as suggested by the Highway Authority requests that further details be provided prior to commencement of development and it is considered that this would be an acceptable means of addressing this issue.

5.0 Conclusions and Recommendations

- 5.1 Notwithstanding the non previously developed nature of the land, it is considered that the design and layout of the dwellings would positively contribute to the character of the streetscene to a degree that outweighs the harm that would be caused by lack of conformity to Policy H.2(i). Neighbouring properties and highway safety will be unaffected by this proposal
- 5.2 The application is recommended for **APPROVAL** subject to the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B1 Samples/details of materials)
 4. B11 (Details of enclosure)
 5. B13 (Levels details)

 6. E2 (Foul and surface water)
 7. Single access - new - footway
 8. Vehicle access construction
 9. Driveway gradient
 10. Parking - single house 2 spaces

Notes

- A SN12 (Neighbours' rights)
B Private apparatus within the highway
C Alteration of highway to provide new or amend vehicle crossover

10/0287/FULL

Reason for Approval

Notwithstanding the non previously developed nature of the land it is considered that the design and layout of the dwellings would positively contribute to the character of the streetscene to a degree that outweighs the harm that would be caused by lack of conformity to Policy H.2(i). Neighbouring properties and highway safety will be unaffected by this proposal. In light of this the proposal is considered to be in compliance with Policies D.1, D.3, TR.9 and TR.17 of the Adopted Wyre Forest District Local Plan.

Application Reference: 10/0301/FULL	Date Received: 24/05/2010
Ord Sheet: 373620 273024	Expiry Date: 19/07/2010
Case Officer: Stuart Allum	Ward: Rock

Proposal: Change of use of agricultural land to use for caravan storage on 340 m² of redundant land adjacent to farm buildings. This allows the expansion of existing storage facility (WF/0946/91 & WF/0964/01) from 25 to 38 caravans

Site Address: GORST HILL FARM, ROCK, KIDDERMINSTER, DY149YJ

Applicant: Mr David Nott

Summary of Policy	AG.8, LR.8, LA.1, LA.2, D.1, D.3, D.5, D.10, D.11, TR.9 (AWFDLP) CTC.1, CTC.2, D.30, RST.3 (WCSP) QE.6 (WMRSS)
Reason for Referral to Committee	Councillor request for application to be considered by Committee
Recommendation	REFUSAL

1.0 Site Location and Description

- 1.1 Gorst Hill Farm is located in elevated open countryside, within the landscape protection area to the north of the village of Rock. The proposed caravan storage sites lie adjacent to the complex of buildings and structures at the farm, which already accommodates some caravan storage following previous approvals.
- 1.2 A public footpath bisects the site, which is also close to a neighbouring detached dwelling and Treatus Farm.
- 1.3 The vehicular access is adjacent to a 90° bend in the lane between Pound Bank and Callow Hill.
- 1.4 The proposal is to create three additional areas for caravan storage within the environs of the farmyard. These areas are of 156m² (6 caravans) – Area A; 133 m² (5 caravans) – Area B; and, and 50 m² (2 caravans) – Area C. This would increase the total capacity from 25 to 38 caravans.

2.0 Planning History

- 2.1 WF/0884/95 - Change of use of agricultural building for caravan storage : Approved
- 2.2 WF/094/01 - Change of use of part of farmyard to external storage of caravans : Approved

10/0301/FULL

2.3 WF/1339/04 - Change of use of part of farmyard to area for outside storage of caravans : Withdrawn 1/2/05

2.4 09/0870/FULL - Change of use of agricultural land to use for external caravan storage : Refused 23/3/10

3.0 Consultations and Representations

3.1 Rock Parish Council - Views awaited.

3.2 Highway Authority - Recommends refusal in the interests of highway safety. The nature of the application will see an increase in slow manoeuvring vehicles turning onto and off the A456. The additional movements will compromise highway safety on a route which experiences high speeds.

3.3 Worcestershire County Council Public Path Orders Officer – No objections subject to note.

3.4 Ramblers Association - Rock Footpath 669 runs between areas A and B that are proposed for caravan storage. We note Mr Nott's comments regarding FP 69 (re-numbered 669 in the last Definitive Map revision) but would point out that level of usage of a footpath is not relevant to the application. It is a Public Highway and thus should be available for use at any time.

We wish however to be as reasonable as possible given that this a working farm and Mr Nott has a living to make; we note also that he has stated that there will be no new gates or fences built to obstruct the footpath. We would like this to be a condition of planning permission should it be granted.

Further, we would also ask that FP 669 be adequately way-marked through the property as condition of planning permission being granted

Because the footpath runs through the centre of the site the applicant should also be advised that he may not obstruct the footpath, either during construction or afterwards, or divert the footpath and that the granting of planning permission does not give him any such authorisation. This would include the possible creation of new gates or fences.

Should the above conditions be acceptable to the Planning Committee or yourself then we would have no objection to the application.

3.5 Neighbour/Site Notice – one 'observation' response received:

"It would appear that the proposal is similar to that of the previous application, 09/0870/FULL, and as such my comments are the same. Please take into consideration my previous comments when determining this current application.

10/0301/FULL

I would like to suggest that the imposition of access constraints, along public highways, might be at odds to the criteria of Circular 11/95 (especially the ability to enforce – through detection of a contravention).

Original comments repeated thus:-

No objection in principle to the proposal and support farm diversification in line with PPS7, though any further intensification could result in a scale of activity detrimental to the rural setting. However, there appear to be discrepancies in the submission regarding the number of additional caravans. The supporting statement indicates between 13 and 15 yet the drawing only shows 13. This needs clarification and potentially an upper limit of numbers controlled by a planning condition.

- Clarification also needed on where the displaced farm machinery storage will be located as I would be concerned if it were closer to any adjoining dwellinghouse.
- The supporting statement assumes no significant impact upon local highway traffic, as the existing caravan storage facility only has a few caravan movements each week. This is obviously very ambiguous and unless controlled by a planning condition, could alter without due consideration by the Local Planning Authority.
- The site plan indicates access to the farmyard via a designated route. I would request that consideration is given to controlling the access route via a planning condition.

4.0 Officer Comments

- 4.1 Proposals involving aspects of farm diversification can be feasible provided that they do not have a detrimental effect on the environment, re-use existing buildings wherever possible (in appropriate cases) and do not conflict with other policies in the Local Plan.
- 4.2 This current application is essentially identical to the scheme refused under planning application reference 09/0870/FULL in March 2010. The only change is a slight reduction in the size of the storage areas being applied for. However, the increase in numbers remains the same, from the present 25 caravans to 38. This recent application was refused for two reasons, firstly the harm to the landscape and secondly, highway safety.
- 4.3 This proposal also has a close association with previous applications on this site for caravan storage, particularly the original consent for external storage, granted in 2001. That planning permission allowed a maximum of 25 caravans to be stored either internally in an existing agricultural building, or externally on a patch of land adjacent to the sites being considered in this latest application.

10/0301/FULL

- 4.4 The approval was granted on condition that the total number of caravans on the site did not exceed 25, the reason given being:

'To ensure proper control of the storage facility in the interests of the visual amenity of the Landscape Protection Area and the safe use of the highway network.'

- 4.5 This approval was followed up in 2004 by an application for caravan storage (total site increase from 25 to 45 on the same areas of land as those being currently considered), but this was withdrawn on officer advice following concern about the visibility of this new site in the context of the local landscape.

- 4.6 The applicant has now submitted a supplementary statement in support of this application, as follows:

"The proposal is for only a small expansion of an existing business using existing but redundant storage areas within the farmyard area. The refusal of permission dated 23 March 2010 refers to the proposal as 'harmful to the landscape' but the proposal does not involve any landscape changes and is out of sight.

Also, I feel that the second reason for refusal, concerning road traffic, is over cautious considering the very small changes to traffic flows involved. Implementing such a strict limit on traffic at the Royal Forester will prevent any future development of rural businesses in the area of Bliss Gate, Gorst Hill, Rock and Heightington.

Farm profits from food production are currently very low and are likely to get worse when the EU reduces subsidies to farming as part of the CAP Reform 2013. The caravan storage enterprise helps to ensure viability of Gorst Hill Farm without the need for government funding. Caravan storage provides a service to caravan owners, encouraging them to holiday in the UK rather than going abroad, thus supporting the UK tourist industry. All committee members are welcome to visit the site and see the visual screening and access route for themselves."

These comments are noted, but the imperative to ensure that any rural economic development is in scale with, and environmentally appropriate to its surroundings, is considered to take precedence. This principle is expressed both in Adopted policies and the recent update of PPS4 (2009).

- 4.7 There is photographic evidence on the 2004 file which shows the extent and density of planting around the areas now proposed for caravan storage. This is particularly evident in views from the highway access facing south, towards the ridge, where the conifer screen of Leylandii trees has both thickened and increased in height in the past six years or so.

10/0301/FULL

- 4.8 The aforementioned growth of the trees is noted, but the original concern about landscape impact, which was instrumental in the use of the planning condition in 2001, retains a significant currency, even allowing for the growth of conifer trees in the intervening years. These trees may have been capable of offering some screening of the caravans in 2004, but the planning officer at that time was clearly sufficiently concerned about this aspect of the submission to recommend that the application be withdrawn. Again, the growth of the trees has not significantly changed the situation to such an extent that the original numbers limit of 25 could be recommended for revision upwards, as is now being proposed.
- 4.9 Such a view is reinforced by the inappropriateness of retaining 'screening trees' by planning conditions. Circular 11/95 'Use of Conditions in Planning Permissions' makes it clear at paragraph 51 that the long term protection of trees should be secured by Tree Preservation Orders rather than by condition, a situation which would be unlikely in this case given the tree species involved (i.e. Leylandii trees). The long-term retention of these trees in reasonable condition would therefore be untenable and any deterioration in their condition and screening effectiveness would be impossible to control. The principle of this stance is also supported by the comments of an appeal inspector in a similar, recent case at Captains, when he stated that:
'The fact that the caravans might be hidden from view in the future provides little justification to store additional caravans in this location'. Such concerns are considered to outweigh the perceived economic benefits of the proposal.
- 4.10 With regard to issues of amenity and privacy, the rights enjoyed by the neighbouring property under the provisions of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998 have been balanced against the scope of the development in that context. No potential breach has been identified.
- 4.11 Regarding highway matters, Worcestershire County Council, as Highway Authority, has made its position clear with a repeat of the previous recommendation for refusal. This recommendation is made in the knowledge that the route taken by vehicles towing caravans to and from the site would be impossible to enforce, even though the applicant issues his own instructions on this matter (Forester's access).

5.0 Conclusions and Recommendations

- 5.1 This proposal fails to meet the requirements of the appropriate policies and other guidance.
- 5.2 It is therefore recommended that this application be **REFUSED** for the following reasons.
1. As a facility for the expansion of an existing farm diversification enterprise (caravan storage) the proposal, despite the provision of Leylandii tree screening, would be incompatible with, and harmful to, the

10/0301/FULL

undulating landscape quality of the local area, which is designated as a Landscape Protection Area in the Local Plan. Such concerns are considered to outweigh the perceived economic benefits of the proposal, which is contrary to Policies AG.8, D.3, D.5, LA.1 and LA.2 of the Adopted Wyre Forest District Local Plan, Policies CTC1, CTC2 and D.30 of the Worcestershire County Structure Plan, Policy QE.6 of the West Midlands Regional Spatial Strategy and guidance in PPS4 and PPS7.

2. The nature of the proposal, if approved, would create an increase in the number of slow manoeuvring vehicles turning onto and off the A456; these additional movements would compromise highway safety on a route that experiences high speeds and is contrary to Policy TR.9 of the Adopted Wyre Forest District Local Plan.

Application Reference:	10/0303/FULL	Date Received:	28/05/2010
Ord Sheet:	388785 279798	Expiry Date:	23/07/2010
Case Officer:	Stuart Allum	Ward:	Blakedown and Chaddesley

Proposal: Erection of 3 stables and change of use of land to the keeping of horses together with car parking area and driveway (Renewal of planning consent 06/1233/FULL approved 28th August 2007)

Site Address: FIELD OFF STAKENBRIDGE LANE, CHURCHILL,

Applicant: Mr M Lea

Summary of Policy	GB.1, GB.2, GB.3, GB.6, EQ.2, EQ.3, CA.1, TR.9 (AWFDLP) SD.2, D.38, D.39, CTC.20 (WCSP) QE.1, QE.3, QE.5, (RPG11) PPS7
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 The land in question, of 10 acres in total, is located to the east of Churchill Village, and lies adjacent to, but not within, the Churchill Conservation Area. The site is within the Green Belt. The existing field rises from its lowest point adjacent to Stakenbridge Lane upwards towards Fir Lodge, a dwelling which is also in the ownership of the applicant.
- 1.2 The proposal to change the use of the land to the keeping of horses involves the subdivision of the land into three paddocks; one of approximately 5 acres and the other two, closest to the highway, of approximately 6 and 4 acres.
- 1.3 The site is accessed via an existing field gate, set back 14 metres from the highway boundary. The visibility splay each side of this access has been cleared of vegetation. An area of hardstanding for parking is to be formed adjacent to the access point, of approximately 600 square metres.
- 1.4 In addition, a timber stable block, of 11 metres long x 3.5 metres deep x 3.5 metres high to the ridge, is shown for each of the 3 paddocks, with a 3 metre wide concrete apron frontage.
- 1.5 The submitted scheme was originally approved by the Council on 28 August 2007, meaning that this re-submission is a renewal. The proposal is presented in identical form to that of the approved and extant scheme.

10/0303/FULL

2.0 Planning History

- 2.1 WF/0670/84 - Stables (Fir Lodge) : Approved
- 2.2 WF/0728/01 - Duck/Fish Pond (Fir Lodge) : Approved
- 2.3 06/1233/FULL – Erection of 3 stables and change of use of land to the keeping of horses together with car parking area and driveway : Approved

3.0 Consultations and Representations

- 3.1 Churchill and Blakedown Parish Council – Object to the proposal for the following reasons:-

1. The use of the access for the proposed purpose is considered to be dangerous because it is located close to the infamous bend under the, railway bridge; it is near the brow of the hill; visibility in both directions is poor; the use would introduce slow moving vehicles (e.g. horse boxes) and horse riders on a narrow, busy road which is used as a rat run; and where the average speed of vehicles exceeds 40 mph in this 30 mph area. (This figure is from the County Council survey done during one week in January 2005 and it has not improved since that date). There are frequent accidents along this stretch of Stakenbridge Lane and additional slow moving traffic would be likely to be a cause of further-and, possibly, more serious - accidents. (It is noted that the applicant lives adjacent to this site, with his access from the north. The PC sees no reason why this site cannot be accessed from the north).

2. The construction of stables in three separate locations represents a scatter of buildings in this otherwise open area of Green Belt. These stable blocks, the formation of a car park with turning facility, laying out of a new road between paddocks 1 and 2 to serve paddock 3, and the inevitable substantial alterations to the verge and boundary hedge along Stakenbridge Lane will cumulatively alter detrimentally the character and appearance of this presently unspoilt Green Belt location.

3. There are already amenity and highway problems in Churchill caused by the number of horse riders, which would be exacerbated if this scheme is allowed.

- 3.2 Environmental Health – No adverse comments.
- 3.3 Oil Pipeline Authority – No objections subject to notes
- 3.4 Conservation Officer – No comments to make
- 3.5 Countryside and Conservation Officer – ‘PPS9 requires that we obtain an up to date ecological assessment’.

10/0303/FULL

- 3.6 Highway Authority – Views awaited
- 3.7 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

- 4.1 As the circumstances and policy framework for this application are largely unchanged since the 2007 approval, the contents of the original officer committee report are still applicable and are repeated, thus:
- 4.2 The use of land in the Green Belt for outdoor recreational purposes can be appropriate development. New buildings, however, must be directly related to the needs of the use of the land and be restricted to the minimum size necessary. Guidance in Local Plan Policy EQ.2 indicates that the maximum size for stables for leisure use should be 11 metres x 3.5 metres x 3.5 metres.
- 4.3 The buildings shown in the application conform exactly to this requirement, and those in the two roadside paddocks are shown to be located in the least visually obtrusive positions available. In the case of the larger, more elevated paddock, the stable is shown to be located in a more open position, but the visual impact could be mitigated through additional landscaping. In these circumstances the view is taken that this represents appropriate development in the Green Belt and that the proposal does not harm the visual amenity or openness of the Green Belt and that the proposal does not harm the visual amenity or openness of the Green Belt. The degree of subdivision is reasonable and, as such, each paddock could justify a stable of the maximum permitted dimensions. Any further subdivision, would, however create an adverse impact.
- 4.4 Regarding the access arrangements, the formal comments of the Highways Authority had not been received at the time of preparing this report, but will be provided subsequently as an update. However, the previous response, at the time of the original submission, of ‘no objections subject to condition and note’ is expected to be repeated.
- 4.5 With regard to issue of privacy and amenity, the rights enjoyed by the nearby residential properties under the provisions of Article 1 of protocol 1 and Article 8 of the Human Rights Act 1998 have been balanced against the scope of the development in that context. No potential breach has been identified.
- 4.6 The comments made by the Parish Council have been carefully considered, but it is felt that the professional advice outweighs these concerns on this occasion.

5.0 Conclusions and Recommendations

- 5.1 Taking into account all the materials consideration, it would be unreasonable to withhold planning permission for this renewal as the policy background has

10/0303/FULL

not changed. Since the approval of the existing extant permission in 2007. that permission could still be implemented. The only exception to this is the introduction of a more stringent biodiversity test through PPS9. Taking into account that this report was anticipated at the time of writing, it is requested that Members grant **delegated** authority to **APPROVE** the application, subject to the receipt of the report and its satisfactory conclusions in terms of biodiversity interests, and the following conditions:-

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. B1 (Samples/Details of Materials)
4. Fencing details
5. J11 (Stables – No Commercial Use)
6. C6 (Landscaping – Small Scheme)
7. C7 (Landscaping – Implementation)
8. No further subdivision of paddocks
9. Highway Condition
10. Highway Condition

Note
Highways

Reason for Approval

The proposal is considered to be appropriate development in the Green Belt and the ancillary stable buildings and hardstanding would not adversely affect the openness or visual amenity of the Green Belt. The character/appearance of the adjacent Conservation Area would be preserved; and no adverse impact would be created in relation to nearby dwellings. Following advice from the Highway Authority, the development is not considered to be detrimental to highway safety. The proposed development is therefore considered to be in accordance with the above listed policies.

Application Reference:	10/0330/FULL	Date Received:	08/06/2010
Ord Sheet:	377768 275171	Expiry Date:	03/08/2010
Case Officer:	James Houghton	Ward:	Bewdley and Arley

Proposal: Outside Decking: raised decking in garden to the rear of the house, with stairs, hand rail and spindles.

Site Address: 6 MORELLA CLOSE, BEWDLEY, DY122HS

Applicant: MISS CHARLOTTE BESWICK

Summary of Policy	D.1, D.3, D.17 (AWFDLP) QE.3 (WMRSS)
Reason for Referral to Committee	The applicant is a serving Wyre Forest District Local Officer or is an immediate family member
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application site accommodates a two-storey, semi-detached pitched roof, brick built dwelling set back from the cul-de-sac behind a front drive and garden. The property benefits from a detached concrete sectional garage to the side.
- 1.2 The application site is approximately 0.5 metres lower than the gardens of neighbouring properties, to the rear fronting Grosvenor Wood.

2.0 Planning History

- 2.1 None relevant.

3.0 Consultations and Representations

- 3.1 Bewdley Town Council – No comments received
- 3.2 Neighbour/Site Notice – No representations received

4.0 Officer Comments

- 4.1 The applicant seeks approval for the erection of an area of decking within the rear garden close to the boundaries shared with No.5 and No.6 Grosvenor Wood.
- 4.2 The proposed decking would be set 860 mm above the existing ground level and would be finished with steps, a handrail and spindles. The decking would

10/0330/FULL

not be visible from the street and as such would have no impact on the character of the area, the appearance of the property or the street scene.

- 4.3 The boundaries shared with neighbouring properties are formed by 2.0 metre fences at the higher ground level of the gardens of the neighbouring properties, and a substantial hedge. The decking would be set 1.6 metres below the top of the fence and 2.3 metres below the top of the hedge. As such the impact of the proposed development on the amenity enjoyed by the occupants of neighbouring properties would be negligible.

5.0 Conclusions and Recommendations

- 5.1 The application is recommended for **APPROVAL** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved Plans)

Reason for Approval

The proposed development is considered acceptable. It would have a negligible impact on the visual amenity and character of the immediate area, the impact of the proposed decking upon neighbouring properties has been carefully assessed and it is considered that there will be no undue loss of amenity. As such it is considered that the proposed development accords with the requirements of Policies D.1, D.3 and D.17 of the Adopted Wyre Forest District Local Plan.

Application Reference: 10/0333/TREE	Date Received: 09/06/2010
Ord Sheet: 379636 276005	Expiry Date: 04/08/2010
Case Officer: Alvan Kingston	Ward: Wribbenhall

Proposal: Fell two horse chestnuts

Site Address: 12 THRELFALL DRIVE, BEWDLEY, DY121HU

Applicant: Mr Turner

Summary of Policy	D.3, D.4 (AWFDLP)
Reason for Referral to Committee	Development Manager considers that application should be considered by Committee
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The two Horse Chestnut trees within this application are situated in the rear garden of 12 Threlfall Drive, Bewdley, which is part of a residential estate on the outskirts of Bewdley. The trees within this application were once part of the grounds of Warstone House.

2.0 Planning History

2.1 None

3.0 Consultations and Representations

3.1 Bewdley Town Council – Awaiting response

3.2 Ward Members – Awaiting response

3.3 Neighbour/Site Notice : one letter of objection received - A few months ago there was a row of six mature horse chestnut trees in the gardens of the houses of Threlfall Drive which were a magnificent feature of the local landscape. Now, three have been felled, one lopped, and two are under threat of felling with this application.

I believe that the local scene will be impoverished if these trees are felled. I do not think that a tree which has taken decades to reach maturity should be felled just because the person on whose ground it stands feels like it; there are far wider implications: aesthetic, environmental and sociological.

I understand that the trees are not in the peak of health but they are not in imminent danger of collapse. I suggest a compromise of lopping the said trees so that there are at least three lopped trees remaining.

10/0333/TREE

4.0 Officer Comments

- 4.1 I carried out a brief inspection of the trees on the 21st June 2010.
- 4.2 The proposed work is to fell two Horse Chestnuts (*Aesculus hippocastanum*) which are located within the rear garden of 12 Threlfall Drive, Bewdley.
- 4.3 Both of the Chestnut trees are poor specimens, one of which has a tight included bark union and the other has a patch of bacterial ooze that would point to internal decay within the stem.
- 4.4 Neither of the trees have good shaped crowns or a good relationship with the dwelling. I therefore feel that allowing the applicant to remove these two trees and replacing them with 2 suitable replacements would be the best course of action for the long term management of the local tree population.

5.0 Conclusions and Recommendations

- 5.1 I have sympathy for the reasons for the objection to these proposed works. However during the recent Tree Preservation Order (TPO) re-survey of the site, a number of trees were found to be of poor quality or amenity and therefore not worthy of a TPO. These two trees, along with the other trees noted within the objection, were assessed not to be worthy of being included within the new TPO, which has yet to be confirmed, and were therefore left out.
- 5.2 As a consequence of the decision not to include a number of trees within the new TPO, there will obviously be trees removed. Although this is a regrettable outcome of the survey, as a Local Planning Authority is required to work within the guidance as set out within the Town and Country Planning Act 1990.
- 5.3 The Local Planning Authority has to ensure that all trees covered by a TPO have significant amenity value, be in good health and be appropriate for their location. These two trees along with a small number of other trees on the estate were deemed not to be in adherence to one or more of these criteria and were therefore proposed to be left out of the new TPO.
- 5.4 Once the decision has been made not to include a tree or trees into a new TPO, I do not feel it would be reasonable to then refuse permission for the works even if this means complete removal or inappropriate pruning.
- 5.5 As the new TPO has yet to be confirmed and the original TPO is still extant, the Local Planning Authority can still require replacement tree planting.
- 5.6 I therefore recommend that the works are **APPROVED** subject to the following conditions:

10/0333/TREE

1. Non-standard Condition '2 year restriction of Consent Notice'.
2. C17 (TPO Schedule of Works)
3. C16 (TPO Replacement trees)

Schedule of Works

Only the following works shall take place:

Fell 2 x Horse chestnuts (*Aesculus hippocastanum*)

Application Reference: 10/0335/FULL	Date Received: 10/06/2010
Ord Sheet: 377504 271603	Expiry Date: 05/08/2010
Case Officer: Paul Round	Ward: Rock

Proposal: Demolish existing part completed dwelling, erect ancillary building with garage, home office and guest suite

Site Address: HOPPERS PIECE, HEIGHTINGTON, BEWDLEY, DY122YP

Applicant: C BOWN

Summary of Policy	D.1, D.5, D.17, RB.5, LA.1, LA.2 (AWFDLP) CTC1 (WCSP) QE3, QE6 (WMRSS) PPS7
Reason for Referral to Committee	Development Manager considers that application should be considered by Committee
Recommendation	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 Hoppers Piece is located on the Deasland Road that runs between Bewdley and Heightington. The main dwelling is occupied and has a further smaller barn building that has received permission for conversion in 1991 and has a certificate confirming implementation in 1996. The site is located within the Landscape Protection Area and is sited adjacent to Lower Hay Oak Farm its nearest neighbour.
- 1.2 The application seeks for the removal of an existing barn, which has been lawfully implemented as a separate dwelling, and the construction of a detached ancillary outbuilding.

2.0 Planning History (of relevance)

- 2.1 WF.1003/91 – Barn Conversion : Refused; Appeal Allowed
- 2.2 06/0403/CERTP – Certificate of Lawfulness : Implementation of WF.1003/91 Approved
- 2.3 10/0190/FULL – Modification of existing barn to create ancillary accommodation : Withdrawn

3.0 Consultations and Representations

- 3.1 Rock Parish Council – Views awaited

10/0335/FULL

3.2 Highway Authority – No objection

3.3 Ramblers Association – No objections subject to note

3.4 Neighbour/Site Notice – (Expires 5th July 2010) No representations received at the time of writing

4.0 **Officer Comments**

4.1 It is accepted that under normal circumstances that the provision of domestic outbuildings for barn conversions is not considered acceptable on the grounds of domestication of the countryside and the impact on the character of the barn. Such proposals are ruled out via policy RB.5 of the Adopted Wyre Forest District Local Plan. There are, however, in this case a set of unusual circumstances that dictate that favourable consideration would be warranted.

4.2 The proposal would replace a existing barn structure that is a poor state of repair, but has been granted a certificate of lawfulness to re-build and convert to a separate dwelling. The position of this dwelling in the countryside and the relationship with the main barn (Hopper's Piece) is not ideal. Indeed due to the small size of the barn it is likely that extreme pressure would be applied to allow domestic outbuildings and defined curtilages, which would be likely to have a damaging impact upon the countryside. As such the opportunity to remove the building and in turn the extant permission for the dwelling provides significant benefit to the locality.

4.3 The replacement building would provide garaging and ancillary accommodation to Hopper's Piece and would be of the same proportions as the building it replaces albeit, being constructed a little further to the north. The stone from the existing barn will be reused in the new construction as much as possible, resulting in a status-quo in respect of the physical impact on the landscape.

4.4 Neighbouring properties will remain unaffected as a result of this proposal. It is considered that the proposal raises no specific highway issues, although the formal views of the Highway Authority are awaited.

5.0 **Conclusions and Recommendations**

5.1 Whilst there is a policy presumption against the proposed development it is considered that material circumstances are significant in this case and are sufficient to outweigh any potential harm in policy terms. The proposal will not adversely affect the character of the landscape, highway safety or neighbouring properties amenity.

5.2 The recommendation is one of **delegated APPROVAL** subject to No Objection response from the Highway Authority and the following conditions:

10/0335/FULL

1. A6 (Full with No Reserved Matters)
2. A11 (Approved Plans)
3. Use of existing stone in construction and supplement with matching materials
4. J1 (Removal of Permitted Development – Residential)
5. J3 (Restriction of Separate Use)
6. J5 (Domestic Garages: Restriction of Residential Use)

Note

The developer is advised to note that a Public Right of Way crosses near to the site. The developer is therefore advised of the following obligations:

- No disturbance of, or change to, the surface of the path or part thereof without written consent [this includes laying of concrete, tarmac or similar]
- No diminution in the width of the right of way for use by the public.
- Building materials must not be stored on the right of way.
- Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.
- No additional barriers are placed across the right of way
- The safety of the public using the right of way is be ensured at all times.

Reason for Approval

Whilst there is a policy presumption against the proposed development it is considered that material circumstances are significant in this case and are sufficient to outweigh any potential policy harm. The proposal will not adversely affect the character of the landscape, highway safety or neighbouring properties amenity. For these reasons the proposal, whilst being contrary to Policy RB.5, is in accordance with Policies D.1, D.5, LA.2, and D.17 of the Adopted Wyre Forest District Local Plan.

Application Reference: 10/0336/FULL	Date Received: 07/06/2010
Ord Sheet: 381849 273356	Expiry Date: 02/08/2010
Case Officer: Paul Round	Ward: Lickhill

Proposal: Provision of overspill car park to recently granted new cemetery and crematorium

Site Address: LAND ADJ TO, MINSTER ROAD & FIRS INDUSTRIAL ESTATE, KIDDERMINSTER, DY117QN

Applicant: DIGNITY FUNERALS LIMITED

Summary of Policy	D1, D3, D5, D11, NR1, NR6, NR8, NR9, LA1, GB1, GB2, GB6, CA1, NC2, NC3, NC6, TR9, TR17, CY6, AG1 (AWFDLP) CTC1, CTC7, CTC12, CTC20, D39, T1, T16 (WCSP) UR4, QE3, QE6, QE7, T1 (WMRSS)
Reason for Referral to Committee	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council
Recommendation	APPROVAL

1.0 Site Location and Description

1.1 The site forms a 10.465 hectare (25.9 acre) area of agricultural land which lies on the Minster Road between the Firs Industrial Estate and Stourport on Severn Pistol and Rifle Club. To the east of the site runs the Staffordshire and Worcestershire Canal and beyond the River Stour. The site is fairly level falling away at the extreme south west corner and sharply on the east down to the Staffordshire and Worcestershire Canal.

1.2 The site has the following allocations within the Local Plan:

- Green Belt (Policy GB1, GB2 & GB6)
- Proposed Cemetery Site (Policy CY6)
- Part of the Site falls with a Special Wildlife Site (Policy NC2)
- Part of the Site falls with the Canal Conservation Area (Policy CA1)

1.3 Approval was given in July 2008 for the use of land for a cemetery, along with a chapel/crematorium building and maintenance building.

1.4 The application seeks for the provision of an overflow car park within the approved site boundaries.

2.0 Planning History

2.1 08/0097/REGS 3 - Change of use of land to create new cemetery site with associated chapel & crematorium building, maintenance building, landscaping works & highway alterations : Approved 28.7.08

10/0336/FULL

- 2.2 10/9005/NMA – Non-Material Amendment to Building and Landscaping :
Approved 28.5.10

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – Views awaited

- 3.2 Highway Authority – Views awaited

- 3.3 Arboricultural Officer – Views awaited

- 3.4 Community and Partnership Services – Views awaited

- 3.5 Neighbour/Site Notice – 1 letter of objection received. The view from 2 of my office windows is currently of a pile of earth (from the works now underway) and I am concerned regarding the 'mounding' and planting along the northern edge of the development as to the potential loss of natural light within these 2 offices.

4.0 Officer Comments

- 4.1 The proposal follows a number of reviews of the originally approved scheme subsequent to the award of the operators contract to Dignity Funerals who operate a large number of cemetery sites around the country. It is apparent when considering the operational practices of such a facility that adequate parking is an essential requirement, as such it is proposed to introduce a overflow car park.
- 4.2 The car park will be located to the north of the site, close to the boundary (6.6m at the closed point) with the Firs Industrial Estate accessed from the approved internal roadway with the main access being from the Minster Road. Although being located within the Green Belt, as the car park will not result in additional loss of openness, due to its position within the approved landscaping and mounded part of the site, it falls to be determined as appropriate development in the Green Belt. This positioning also minimises any impact on the visual amenities of the Green Belt, and coupled with the proposed planting the car parking will be discreetly located and would not result in harm to the open countryside.
- 4.3 The overflow car parking will provide an additional 50 spaces on top of the originally proposed and approved 70 spaces, which have been justified through provision of statistics from the other facilities the operator manages. Essentially the justification centres on the need to provide sufficient car parking to accommodate the overlap from services and the normal visitors to the cemetery. I have a degree of sympathy for this plight, especially in view of the need to ensure that facilities are provided in a realistic way for those visiting the facility, particularly during times when visitors are emotionally distressed. Whilst under normal circumstances there is a requirement to

10/0336/FULL

restrict car parking to a minimum, these are not considered to be normal circumstances and in this case I agree with the operator. In addition as the car parking is discreetly located and no harm will ensue, it is not considered that the addition of this car park is refuseable in these circumstances.

- 4.4 The car park will be treated in a bound and set gravel finish being different to the treatment of the main car park with a minimal entrance drive, ensuring that the overflow car park is the secondary choice for visitors arriving at the facility and is achieved without compromising the appearance of the site or causing difficulties for customers in formal wear. In this way the car parking, although seen as an addition to that previously proposed, will it is felt, merge with the quality of the landscaping scheme.
- 4.5 Officers are satisfied with the justification and the design approach to the scheme which should result in the provision of a high quality facility within the District.

5.0 Conclusions and Recommendations

- 5.1 The proposed overflow car park constitutes appropriate development in the Green Belt and will be positioned in a discreet manor resulting in little harm to the Green Belt or the open countryside. The design and finish proposed will complement the proposed landscaping scheme and will provide a secondary option for visitors without compromising the quality of the facility as a whole.
- 5.2 I therefore recommend **APPROVAL** subject to the following conditions:
1. A6 (Full with No Reserved Matters)
 2. A11 (Approved Plans)
 3. B6 (Materials)
 4. C8 (Landscape Implementation)

Reason for Approval

The proposed overflow car park constitutes appropriate development in the Green Belt and will be positioned in a discreet manor resulting in little harm to the Green Belt or the open countryside. The design and finish proposed will complement the proposed landscaping scheme and will provide a secondary option for visitors without compromising the quality of the facility as a whole. The proposal is thus in compliance with Policies D.1, D.5, GB.1, GB2, GB.6 and TR.17 of the Adopted Wyre Forest District Local Plan.