

Open

Planning Committee

Agenda

6.00 pm
Tuesday, 13th September 2011
The Earl Baldwin Suite
Duke House
Clensmore Street
Kidderminster



Planning Committee

Members of Committee:

Chairman: Councillor S J Williams	
Vice-Chairman: Councillor G C Yarranton	
Councillor J Aston	Councillor G W Ballinger
Councillor D R Godwin	Councillor I Hardiman
Councillor M J Hart	Councillor H J Martin
Councillor C D Nicholls	Councillor F M Oborski
Councillor M Price	Councillor M A Salter

Information for Members of the Public:-

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

An update report is circulated at the meeting. Where members of the public have registered to speak on applications, the running order will be changed so that those applications can be considered first on their respective parts of the agenda. The revised order will be included in the update.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Delegation - All items are presumed to be matters which the Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply an appropriate indication will be given at the meeting.

Public Speaking

Agenda items involving public speaking will have presentations made in the following order (subject to the discretion of the Chairman):

- Introduction of item by officers;
- Councillors' questions to officers to clarify detail;
- Representations by objector;
- Representations by supporter or applicant (or representative);
- Clarification of any points by officers, as necessary, after each speaker;
- Consideration of application by councillors, including questions to officers

All speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Susan Saunders, Committee/Scrutiny Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562 732733 or email susan.saunders@wyreforestdc.gov.uk

DECLARATIONS OF INTEREST - GUIDANCE NOTE

Code of Conduct

Members are reminded that under the Code of Conduct it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

Section 106 of the Local Government Finance Act 1992

If any Member is two months or more in arrears with a Council Tax payment, they may not vote on any matter which might affect the calculation of the Council Tax, any limitation of it, its administration or related penalties or enforcement.

NOTES

- Councillors, who are not Members of the Planning Committee, but who wish to attend and to make comments on any application on this list or accompanying Agenda, are required to give notice by informing the Chairman, Director of Legal and Corporate Services or Director of Planning & Regulatory Services before the meeting.
- Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officers to avoid unnecessary debate on such detail at the Meeting.
- Members should familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.
- Please note if Members wish to have further details of any application appearing on the Schedule or would specifically like a fiche or plans to be displayed to aid the debate, could they please inform the Development Control Section not less than 24 hours before the Meeting.
- Members are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to the Committee for determination where the matter cannot be resolved by the Director of Planning & Regulatory Services.
- Councillors and members of the public must be aware that in certain circumstances items may be taken out of order and, therefore, no certain advice can be provided about the time at which any item may be considered.
- Any members of the public wishing to make late additional representations should do so in writing or by contacting their Ward Councillor prior to the Meeting.
- For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 110D will always include the case Officer's written report and any letters or memoranda of representation received (including correspondence from the Highway Authority, Statutory Undertakers and all internal District Council Departments).
- Letters of representation referred to in these reports, together with any other background papers, may be inspected at any time prior to the Meeting, and these papers will be available at the Meeting.
- **Members of the public** should note that any application can be determined in any manner notwithstanding any or no recommendation being made.

Wyre Forest District Council

Planning Committee

Tuesday, 13th September 2011

The Earl Baldwin Suite, Duke House, Clensmore Street, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Director of Legal & Corporate Services, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interest In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered. Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992. (See guidance note on cover.)	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 9th August 2011.	6
5.	Applications to be Determined To consider the report of the Development Manager on planning and related applications to be determined.	12
6.	Applications Pending Decision To receive a schedule of planning and related applications which are pending.	144

7.	<p>Planning and Related Appeals</p> <p>To receive a schedule showing the position in relation to those planning and related appeals currently being processed and details of the results of appeals recently received.</p>	
8.	<p>Monthly Progress Report on performance against NI157 targets for determining planning applications</p> <p>To consider a report from the Director of Planning & Regulatory Services that provides Members with a monthly progress report on performance against National Indicators (NI 157, formerly BV109).</p>	
9.	<p>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
10.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

11.	<p>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,
KIDDERMINSTER

9TH AUGUST 2011 (6.00 PM)

Present:

Councillors: S J Williams (Chairman), G C Yarranton (Vice-Chairman), J Aston, G W Ballinger, D R Godwin, I Hardiman, M J Hart, H J Martin, C D Nicholls, F M Oborski, M Price and M A Salter.

Observers:

There were no members present as observers.

PL.34 Apologies for Absence

There were no apologies for absence.

PL.35 Appointment of Substitutes

No substitutes were appointed.

PL.36 Declaration of Interests

Councillor Godwin declared a prejudicial interest in agenda item 13 as he had a conflict of interest.

PL.37 Minutes

Decision: The minutes of the meeting held on 12th July 2011 be confirmed as a correct record and signed by the Chairman.

PL.38 Applications To Be Determined

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 488 attached).

Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 488 attached, subject to incorporation of any further conditions or reasons (or variations) thought to be necessary to give full effect to the Authority's wishes about any particular application.

PL.39 Applications Pending Decision

The Committee received a schedule of planning and related applications that were pending decision.

Decision: The schedule be noted.

PL.40 Planning and Related Appeals

The Committee received details of the position with regard to planning and related appeals, still being processed, together with particulars of appeals that had been determined since the date of the last meeting.

Decision: The details be noted.

PL.41 Monthly Progress Report on performance against NI157 targets for determining planning applications

The Committee considered a report from the Director of Planning and Regulatory Services that provided members with a monthly progress report on performance against National Indicators (NI 157, formerly BV109).

Decision: The details be noted.

PL.42 Department for Communities and Local Government (DCLG) – Planning Performance Statistics

The Committee considered a report from the Director of Planning and Regulatory Services which informed Members of the published performance statistics relating to Development Control.

Decision: The report be noted.

PL.43 Section 106 Obligation Monitoring

The Committee considered a report from the Director of Planning and Regulatory Services that gave details of the most current Section 106 Obligations which required monitoring.

Decision: The information be noted.

Councillor D Godwin left the meeting at this point, (7.20pm).

PL.44 Exclusion of the Press and Public

Decision: That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

PL.45 Planning Enforcement Matter

The Committee received a report from the Director of Planning and Regulatory Services regarding a new planning enforcement matter.

Members were informed of a breach of planning control for this matter and were advised that Officers had sought evidence to substantiate the case, but no evidence had been forthcoming.

Decision: No further enforcement action to be taken.

PL.46 Live Enforcement Cases

The Committee considered a report which listed live enforcement cases as of the 27th July 2011.

Decision: The report be noted.

The meeting ended at 7.38 p.m.

WYRE FOREST DISTRICT COUNCIL**PLANNING COMMITTEE**

Tuesday 9th August 2011– Schedule 488 Development Control

The schedule frequently refers to various standard conditions and notes for permission and standard reasons and refusals. Details of the full wording of these can be obtained from the Director of Planning and Regulatory Services, Duke House, Clensmore Street, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

PART A

Application Reference: 11/0298/FULL
Site Address: UNITY INN, 142 PARK STREET, KIDDERMINSTER, DY11 6TR
APPROVAL subject to the following conditions:-
<ol style="list-style-type: none"> 1. A6 (Full with no reserved matters) 2. A11 (Approved plans) 3. B3 (Finishing materials to match) 4. Obscure glazed windows 5. Retention of area shown as amenity space 6. Visibility splays 7. Vehicle access construction 8. Driveway gradient 9. Implementation of car parking prior to occupation 10. Cycle parking
<p>Notes:</p> <p>A Private apparatus within the highway</p> <p>B Alteration of highway to provide new or amend vehicle crossover</p> <p>C No drainage to discharge to highway</p> <p>D Temporary direction signs to housing developments</p> <p>E SN12 (Neighbours' rights)</p>
<p><u>Reason for Approval</u></p> <p>The application has been carefully considered in terms of the principle of allowing the development, the effect on the street scene, the impact on neighbouring properties and with regards to amenity space, car parking provision and highway safety. The proposal is on balance and subject to conditions judged to be acceptable and compliant with the policies contained in the Development Plan and Government advice. The application is considered to be in accordance with the relevant H.2, D.10, D.11, TR17 of the Adopted Wyre Forest District Local Plan, DS01, CP03, CP11 of the Adopted Wyre Forest Core Strategy, Design Quality Supplementary Planning Guidance and Planning Policy Strategy 1, Planning Policy Strategy 3 and Policy Planning Guidance 13</p>

Application Reference: 11/0109/FULL
Site Address: CONVEYOR UNITS LTD, SANDY LANE, TITTON, STOURPORT-ON-SEVERN, DY13 9PT
APPLICATION DEFERRED PENDING A SITE VISIT.

Application Reference: 11/0383/FULL
Site Address: DRIVING TEST CENTRE, 21 CASTLE ROAD, KIDDERMINSTER, DY11 6TS
REFUSED for the following reason:
<p>The proposed development to convert the existing building to a total of three 3 bedroom apartments would result in an over intensive use of the site on the basis that there would be inadequate parking to serve the development and for the residential occupiers of the proposed apartments in an area which is already highly dependent upon on-street car parking. The development as proposed makes no provision for off-street car parking to serve the apartments and as such will result in an increase in on-street parking in the vicinity which would be likely to have a detrimental impact upon highway safety. The application is therefore contrary to Policy TR.17 of the Adopted Wyre Forest District Local Plan.</p>

Application Reference: 11/0288/FULL
Site Address: BINE MILL, ROCK, KIDDERMINSTER, DY14 9YD
APPROVAL is recommended subject to the following conditions:
<ol style="list-style-type: none"> 1. A6 (Full with No Reserved Matters) 2. A11 (Approved Plans) 3. B3 (Materials)
<p>Note SN3 (Protection of species)</p>
<p><u>Reason for Approval</u> The proposal results in the replacement of an existing addition to a rural building and does not result in further additions. The proposed extension is considered to be appropriate to the character and form of the building and will achieve betterment over and above that which exists at present. Neighbouring properties and the character of the landscape will not be affected by the proposal. For these reasons the proposal is in accordance with the policies RB.1, RB.5 of the Adopted Wyre Forest District Local Plan and DS.04 and CP11, CP12 of the Adopted Wyre Forest Core Strategy.</p>

Application Reference: 11/0345/FULL

Site Address: SIX ACRES, CASTLE HILL LANE, WOLVERLEY, KIDDERMINSTER, DY11 5SF

APPROVED subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External details – approved plan)
4. No residential use
5. No works to take place during nesting season (April – September)

Reason for Approval

The provision of buildings for the purpose of agriculture within the Green Belt is appropriate; the replacement building would offer no significantly greater impact than the existing building. The building would be positioned on the footprint of the existing building and would be constructed of similar materials. The proposed building would be considered to accord with the requirements of Policies GB.1, GB.2, GB.3 and GB.6 of the Adopted Wyre Forest District Local Plan 2004 and Planning Policy Guidance Note 2: Green Belts.

**EXECUTIVE SUMMARY TO REPORT OF
DEVELOPMENT MANAGER**

Planning Committee

13/09/2011

PART A Reports

Ref.	Address of Site	Recommendation	Page No.
11/0109/FULL	CONVEYOR UNITS LTD SANDY LANE TITTON STOURPORT-ON-SEVERN	APPROVAL	13
11/0163/FULL 11/0533/CAC	CHURCHFIELDS BUSINESS PARK CLENMORE STREET KIDDERMINSTER	DELEGATED APPROVAL	24
11/0390/FULL	CORNER OF HURCOTT ROAD AND STOURBRIDGE ROAD KIDDERMINSTER	DELEGATED APPROVAL	93
11/0427/FULL	73 CASTLE ROAD COOKLEY KIDDERMINSTER	APPROVAL	114
11/0437/LIST	ELLIOT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER	DELEGATED APPROVAL	120
11/0483/FULL	KIDDERMINSTER GENERAL HOSPITAL BEWDLEY ROAD KIDDERMINSTER	APPROVAL	125

PART B

Reports

Ref.	Address of Site	Recommendation	Page No.
11/0398/FULL	7 LICKHILL MEADOW MOOR HALL LANE STOURPORT-ON-SEVERN	REFUSAL	131
11/0403/FULL	16 BROOKSIDE WAY BLAKEDOWN KIDDERMINSTER	APPROVAL	134
11/0404/FULL	SUNNYSIDE POUND GREEN ARLEY BEWDLEY	APPROVAL	137
11/0422/FULL	17-20 NEW ROAD KIDDERMINSTER	DELEGATED APPROVAL	140

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH SEPTEMBER 2011

PART A

Application Reference:	11/0109/FULL	Date Received:	28/02/2011
Ord Sheet:	381797 270184	Expiry Date:	30/05/2011
Case Officer:	Julia Mellor	Ward:	Mitton

Proposal: Proposed covered store for use in association with Conveyor Units (use Class B8)

Site Address: CONVEYOR UNITS LTD, SANDY LANE, TITTON, STOURPORT-ON-SEVERN, DY13 9PT

Applicant: CONVEYOR UNITS LTD

Summary of Policy	D.10, D.18, NR.2, NR.11, NR.12, NC.1, NC.2, NC.7, TR.17 (AWFDLP) DS01, CP01, CP02, CP08, CP11, CP13, CP14 (AWFCS) T4, D25, CTC8 (WCSP) T7, PA1, PA5, PA6, QE9 (WMRSS) PPG1, PPS4, PPS7, PPG24, PPS9
Reason for Referral to Committee	'Major' planning application
Recommendation	APPROVAL

THIS APPLICATION WAS DEFERRED FROM THE 9TH AUGUST 2011 PLANNING COMMITTEE MEETING FOR A MEMBERS' SITE VISIT

1.0 Site Location and Description

1.1 This application was originally reported to the Planning Committee meeting held on 14th June 2011 when Members granted delegated authority to approve subject to no objection being received with respect to the recently received amended plans indicating the diversion of an existing footpath (No. 573). In August 2011 the application was reported for a second time as the application had been amended to indicate the extinguishment of the said footpath for reasons explained later in this report. The application is now being reported to Members for a third time following a Members' site visit.

1.2 The application site encompasses 1.865 hectares in area and is sited on land between Sandy Lane to the south and Hartlebury Common to the north. The site is occupied by Conveyor Units who manufacture roller conveyors, belt conveyors and other conveyor systems.

11/0109/FULL

- 1.3 The current application seeks consent for an open fronted covered storage building. The building would be L shaped to align the north-west boundary with Sai Wen and the full extent of the application 'sites' north-east boundary to the Hartlebury Common and Hillditch Coppice Site of Special Scientific Interest (SSSI).
- 1.4 The building would measure approximately 6 metres to the eaves and 8.7 metres to the ridge. It would front almost the entire boundary with the adjacent property known as Sai Wen measuring approximately 57 metres along the north-west boundary and would encompass the site's entire boundary to Hartlebury Common which measures in excess of 120 metres. It would have a floorspace of approximately 2,009 square metres and it is proposed that the building be used for the storage of materials and equipment. The building would be open fronted for easy access and covered to protect the materials and equipment from the weather.

2.0 Planning History (Recent)

- 2.1 WF.183/99 – Erection of extension to form cupboard loading bay : Approved 20.4.99
- 2.2 WF.301/99 – Erection of single storey office and toilet extension : Approved 18.5.99
- 2.3 WF.907/99 – Erection of extensions to form additional workshop, storage and dispatch areas and new compression house : Approved 10.12.99
- 2.4 WF.321/01 – Erection of extension to existing workshops : Approved 19.6.01
- 2.5 WF.48/03 – Extension to existing workshop : Approved 11.3.03
- 2.6 WF.583/03 – Erection of office extension : Approved 11.8.03
- 2.7 07/0057/FULL - Extensions to side & rear of unit 1; provision of new car park; new access off Sandy Lane : Approved 19.3.07
- 2.8 08/0919/FULL - Proposed extension to form materials store : Approved 14.1.09

11/0109/FULL

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objections. The development proposal of Conveyor Units Limited was considered by the Town Council at its meeting held on the 5th April, 2011 and its recommendation to the District Council was that the application should be approved. The Town Council did not at that stage concern itself with the merits, or otherwise, of a Footpath Diversion Order; it being known by the members in any event that the route of the footpath now in question through the Company's premises had long since been obliterated by development.

In terms of the latest revision to WF.201 1/109, this time proposing a Footpath Extinguishment Order, the Town Council did not retract its former recommendation for approval of the development proposal and, in terms of the manner in which the Company now proposes to deal with the footpath, the Town Council preferred to consider that particular aspect of the application when a formal application for an Extinguishment Order has been lodged with the County Council and the Town Council becomes a Statutory Consultee under the Footpath Extinguishment Order procedure. At risk of repeating myself, the Town Council's view is without prejudice to its former recommendation for the development proposed by the planning application to be approved.

- 3.2 Highway Authority – No objection subject to conditions to ensure that the development is restricted solely for Use Class B8 and to require that the access, turning area and parking facilities are properly consolidated, surfaced and drained in accordance with details to be submitted.
- 3.3 Environment Agency – Flood Risk standing advice to Local Planning Authorities is applicable which indicates that a Flood Risk Assessment with minimum requirements should accompany the application to the Local Planning Authority for their consideration. To be acceptable the Flood Risk Assessment by the applicant should confirm as a minimum (1) a level survey to Ordnance Datum/GPS showing the known or modelled 1% (1 in 100 chance each year) river flood level including climate change; (2) an assessment of the risks posed to the site including that based on 1% modelled flooding (including climate change), on any documented historical flooding and risks associated with the surface water run-off from the site (including climate change); (3) proposed mitigation measures to control those risks for the life-time of the development; (4) residual risks after mitigation including risk during an extreme 1:1000 year event incorporating climate change.

11/0109/FULL

- 3.4 Natural England - We have no objection to this proposal, subject to it being carried out in strict accordance with the information submitted. We would like to thank the Council for taking the time to visit the site and evaluate the potential for impacts on Hartlebury Common & Hillditch Coppice SSSI and the need for protected species surveys. We are satisfied that these potential risks have been given due consideration and that no further investigation is needed.

Based on the information provided in your letter dated 13th May 2011, we do not consider Hartlebury Common & Hill Ditch Coppice SSSI to be at risk of impacts. We accept that the risk of protected species being impacted is low due to the industrial nature of the site and we welcome the Council's proposed condition to require an ecologist to be present during site clearance. Should any protected species be found then work should cease and an appropriate expert should be consulted.

- 3.5 Conservation and Countryside Officer (Pre Officer Site Visit Comments) – On the basis of Natural England's advice, this application will require a bio-diversity assessment. (Post Site Visit Comments) – The comments from Natural England have been noted, however in response to the queries they raise the construction of the building will not require access from the SSSI; the building once constructed will be accessed from within the site or from the existing access from Heathfield Road not via the SSSI; the building will drain via soakaways into the site and away from the SSSI; and with respect to the concern regarding shading, it is not considered that having viewed the proposed development from within the site and from the SSSI that the building will shade any habitats of principal importance. The application site is industrial in character with a corrugated steel fence topped with barbed wire physical boundary to the SSSI. The position where the store is proposed is within an operational working yard where there are lots of materials moved around on a regular basis.

The concerns regarding the presence of protected species within the site are noted and it is accepted that there is a possibility that reptiles may have migrated onto the site or could migrate from the SSSI at any time. It is therefore the intention to recommend approval subject to a condition requiring the presence of a suitably qualified ecologist on site whilst clearance works are undertaken. This would seem a reasonable approach. (*Officer Comment – Comments are awaited regarding the recently submitted plans indicating the extinguishment of the footpath*).

- 3.6 Wychavon District Council – No objection.
- 3.7 Worcestershire County Council (Public Path Orders Officer) – We have no objections to the latest proposal to extinguish footpath 573 in Stourport on Severn and footpath 670 in Hartlebury (this links to footpath 573).
- 3.8 Worcestershire Regulatory Services (Environmental Health) – Awaiting comments.

11/0109/FULL

- 3.9 The Ramblers Association – Given that the path is already lost to all intents and purposes we are prepared to withdraw our objections.
- 3.10 Worcestershire Wildlife Trust – No comments received.
- 3.11 Hartlebury Parish Council – No comments received.
- 3.12 Neighbour/Site Notice/Press Notice : 15 letters of objection have been received from residents living near to the site. They raise the following concerns:-
- Very big industrial unit, I strongly object because it will have a big impact on our way of life and wellbeing
 - Sai Wen is residential not a scrap-yard as described on the plans
 - I will be forwarding my correspondence regarding The Boundary Wall Act
 - It will have a major effect on the value of my property

4.0 Officer Comments

- 4.1 The application seeks consent for an open fronted building for the storage of materials and equipment with a floorspace in excess of 2,000 square metres. The building would be sited to the rear of the existing Conveyor Units' site which is accessed to the front via Sandy Lane and to the rear via Heathfield Road.
- 4.2 Part of the building with a frontage measuring in excess of 120 metres would align Hartlebury Common and Hilditch Coppice SSSI to the north. A small part of the building lies within the administrative area of Wychavon District Council and further information with respect to the impact that this has on the decision making procedure is explained later.

PRINCIPLE OF THE DEVELOPMENT

- 4.3 The L shaped building, as stated previously, would be sited within the yard to the existing industrial premises. The existing premises are located on land allocated for commercial and industrial B1, B2, B8 use classes and therefore the principle of the proposed development on this brownfield site is acceptable.
- 4.4 It should however be acknowledged that the building would be sited immediately along the common boundary to the adjacent site known as Sai Wen where there is an existing recently refurbished residential property, one lawful caravan and a current application for a gypsy and traveller site. It is therefore considered that the impact upon the outlook currently enjoyed by the residential occupiers should be considered. In this case due to the height of the building coupled with the difference in site levels with the application site being higher, it is clear that the proposal would not meet the Council's 45 degree code.

11/0109/FULL

However, as the code suggests it should be applied flexibly and in this instance due to the location of Sai Wen within a long standing industrial estate, it is considered that the expectations regarding outlook should not be so great as to restrict the expansion of existing businesses and, as such, in this case whilst taking the concerns of residential neighbours into account it is concluded that the 45 degree code should not be rigorously applied.

- 4.5 Since the date of the last Committee the applicants have provided additional information explaining why the proposed development is required. First it is to protect the property from vandalism which has occurred at the site for decades. Secondly, it is to provide additional space to accommodate extra stock and assembly areas for new products which have been developed. The applicant has advised that *“Conveyor Units now employs 107 people and despite the ongoing economic climate is still growing with increased turnover year on year; in fact it is envisaged that 2011 will be the best year in the company’s 48 year history.”*

PARKING

- 4.6 The application site has three areas of parking, two car parks are accessed off Sandy Lane and a third off Heathfield Road.
- 4.7 It is proposed to increase the number of parking spaces from an existing total of 79 to 104. The increase in the number of spaces would be achieved by providing additional spaces within the rear yard area. The proposed total of 104 spaces however is significantly below the Adopted Local Plan standard of 166 spaces required for the existing and proposed B2 and B8 uses on site.
- 4.8 However, whilst the proposed development is significant in terms of floorspace, the increase in the number of employees is not. Officers have been advised that the number of employees would only increase by approximately 5 or 6 employees. The existing number of spaces adequately serves employees at present and it is considered that the proposed storage building would not create a requirement for a significant number of additional spaces. The Highway Authority has raised no objections subject to a condition restricting the use of the proposed development to use class B8 (storage or distribution).

FOOTPATH

- 4.9 An existing footpath (no. 573) runs through the middle of this existing industrial site, from Sandy Lane to the south to Hartlebury Common to the north. The siting of the proposed building would obstruct part of this footpath which aligns the common boundary with Sai Wen to the west.
- 4.10 The applicants have advised that the original line of the footpath No. 573 known then as footpath No. 43 passed through the centre of the application site. The applicants have advised that *“this was stopped up and redirected when it was discovered that buildings that we acquired in November 1996 has been built over the original footpath.”* The footpath was then diverted to its current route via an Order confirmed in 1999.

11/0109/FULL

- 4.11 When the application was first reported to Committee in June 2011, plans had been received indicating that it was proposed to divert footpath No. 573 via Heathfield Road. The applicants have now however chosen to extinguish rather than divert the footpath. This decision has been taken on the basis that a previous application to divert the footpath in 1999 under Section 119 of the Highways Act 1980 was withdrawn by the applicants following lengthy negotiations and the submission of numerous objections including those received from the occupiers of the nearby commercial units fronting Heathfield Road which would have faced the route of the proposed diversion. Since the date of the last report the applicants have advised, *“This second diversion was made in lieu of planning permission being sought for further expansion however it was strongly objected to by our neighbours in Heathfield Road due to the risk of vandalism At this point we had the choice of referring the matter to the Secretary of State to overrule the objections (which we considered would be successful) and alienate our neighbours, or seek an extinguishment of the footpath completely.”*
- 4.12 The applicants chose the latter and following the withdrawal of the application made to the District Council to divert the footpath in 2004, made a subsequent application to the County Council in 2005 to extinguish the footpath under Section 116 of the Highways Act 1980. The applicants have explained, *“It was only this year when I again called to progress that I was told that the County Council had decided not to pursue the matter through the courts due to it having a very low chance of success.”* Hence, the applicants were, until recently, unaware that footpath No. 573 is still on the Definitive Footpath Map. It has become apparent that, on the basis that the applicants considered that their application to the County Council to extinguish the footpath had been successful, two buildings have already been constructed which obstruct the route of the footpath.
- 4.13 The effect of development on a public right of way is a material planning consideration. Public footpaths are described as an important recreational resource and are required in order for people to get from one place to another. In this particular case however, whilst the route has existed it has not been readily in use for over eight years, hence for security reasons it has been blocked at either end. Its route has always been impractical, passing through the centre of this industrial site where health and safety implications would have arisen. It is not a route that could in the future be envisaged as being used for recreational purposes. Whilst it provides access from Sandy Lane to Hartlebury Common, there is an existing alternative route (via footpath No. 608) approximately 210m to the east, again off Sandy Lane. The County Council has raised no objections to the proposed extinguishment of the path.

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- 4.14 Furthermore, in support of their application the applicants have submitted a letter dating from 1997 from the previous land owner of Units 4, 6 and 8 Sandy lane Industrial Estate between the years of 1968 and 1977 in which he states, *“The right of way generally known as footpath No. 43 (the original route of footpath No. 573) was not used by the general public to gain access to, or egress from, the Hartlebury Common throughout that period. The footpath ran in parallel with the boundary of our dwelling and was blocked during this time by extensive undergrowth and trees.”* The applicants have also advised that when Conveyor Units came to the site in 1964 the route was not in use, and they have never been asked to open it.
- 4.15 Should the current planning application be approved, the applicants would then need to extinguish footpath No. 573 under Section 257 of the Town and Country Planning Act 1990. This Section confers on Local Planning Authorities the power to make Orders authorising the stopping of a footpath where it is satisfied that an alternative right of way has been or will be provided or that an alternative is not required. This process would be the subject of a separate application under that part of the Act by the applicants, for which further consultation would be required.

BIODIVERSITY

- 4.16 The application site lies immediately adjacent to the Hartlebury Common SSSI and Natural England has raised objections relating to insufficient information regarding the impact upon the SSSI and the potential impact upon protected species on site.
- 4.17 It has to be acknowledged that the comments made by Natural England are without the benefit of a visit to the site. This is in contrast to the Council's Conservation and Countryside Officer who has visited the site and advised that the effect on the SSSI is not significant. Furthermore, it is considered that the impact upon any protected species which may have migrated from the SSSI onto the existing working yard could be resolved by a suitably worded planning condition. A response to the Conservation and Countryside Officer comments from Natural England is still awaited.

FLOODING

- 4.18 The site lies in Flood Zone 2. The plans submitted indicate that floor levels would satisfy the flood risk requirements. Furthermore, the Agent has advised that the site has not flooded within the last 40 years during which it has been in the ownership of the current applicants, Conveyor Units.

WYCHAVON DISTRICT COUNCIL

- 4.19 As stated previously, a small part of the building (approximately 260 square metres) which equates to just over 10% of the overall building lies within the administrative area of Wychavon District Council. In the circumstances where an application site crosses the administrative boundary between two Local Planning Authorities two identical applications should be submitted, one to each Authority seeking planning permission for the development of land falling within each Authority's administrative area.

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In this case the applicants have submitted an identical application to Wychavon District Council (reference W/11/00868/PN). In accordance with Circular 04/2008 the planning fee is payable solely to the Authority of whichever area contains the larger or largest part of the whole of the application site. Therefore, in this case the fee has been paid to Wyre Forest District Council.

- 4.20 Each planning application should be determined by the Local Planning Authority in whose administrative area the development is proposed to be carried out. In the case of cross-boundary applications such as this, this can lead to two Authorities making individual determinations, imposing different conditions on the permissions and entering into separate Section 106 Agreements. This does not however promote a co-ordinated approach to development control and the permissions granted by each Local Planning Authority may be inconsistent.
- 4.21 However, Section 101(1) of the Local Government Act 1972 authorises a Local Authority to arrange for the discharge of functions by any other Local Authority. This provision could be relied on by a Local Planning Authority to delegate its development control function to another Local Authority in respect of a specific cross-boundary planning application.
- 4.22 On 28 April 2011 Members of the Development Control Committee at Wychavon District Council resolved to delegate its decision-making powers regarding application reference W/11/00868/PN for the part of the building lying within its administrative area to Wyre Forest District Council. Particularly as the part of the application site within Wychavon is small (just over 10% of the total floorspace of the proposed development) whilst the fee has also been paid to Wyre Forest District Council.

5.0 Conclusions and Recommendations

- 5.1 It is considered that the principle of the development at this location is acceptable. Whilst the proposed stopping up of the footpath is a material consideration, it is concluded that there would be no significant disadvantage to the public arising from its extinguishment.
- 5.2 With reference to issues of privacy and amenity, the rights enjoyed by the occupiers of the neighbouring 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 and scale of the proposal in that context. No potential breach has been identified, which is also the case in relation to the appropriate planning policy.

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5.3 It is therefore recommended that the proposed development be **APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. Details of materials to be submitted
4. Floor levels in accordance with approved drawing
5. Restriction of development hereby approved to B8 use only
6. Access, turning area and parking facilities to be consolidated, surfaced and drained in accordance with details to be agreed
7. All site clearance works to be undertaken in the presence of a suitably qualified ecologist

Note

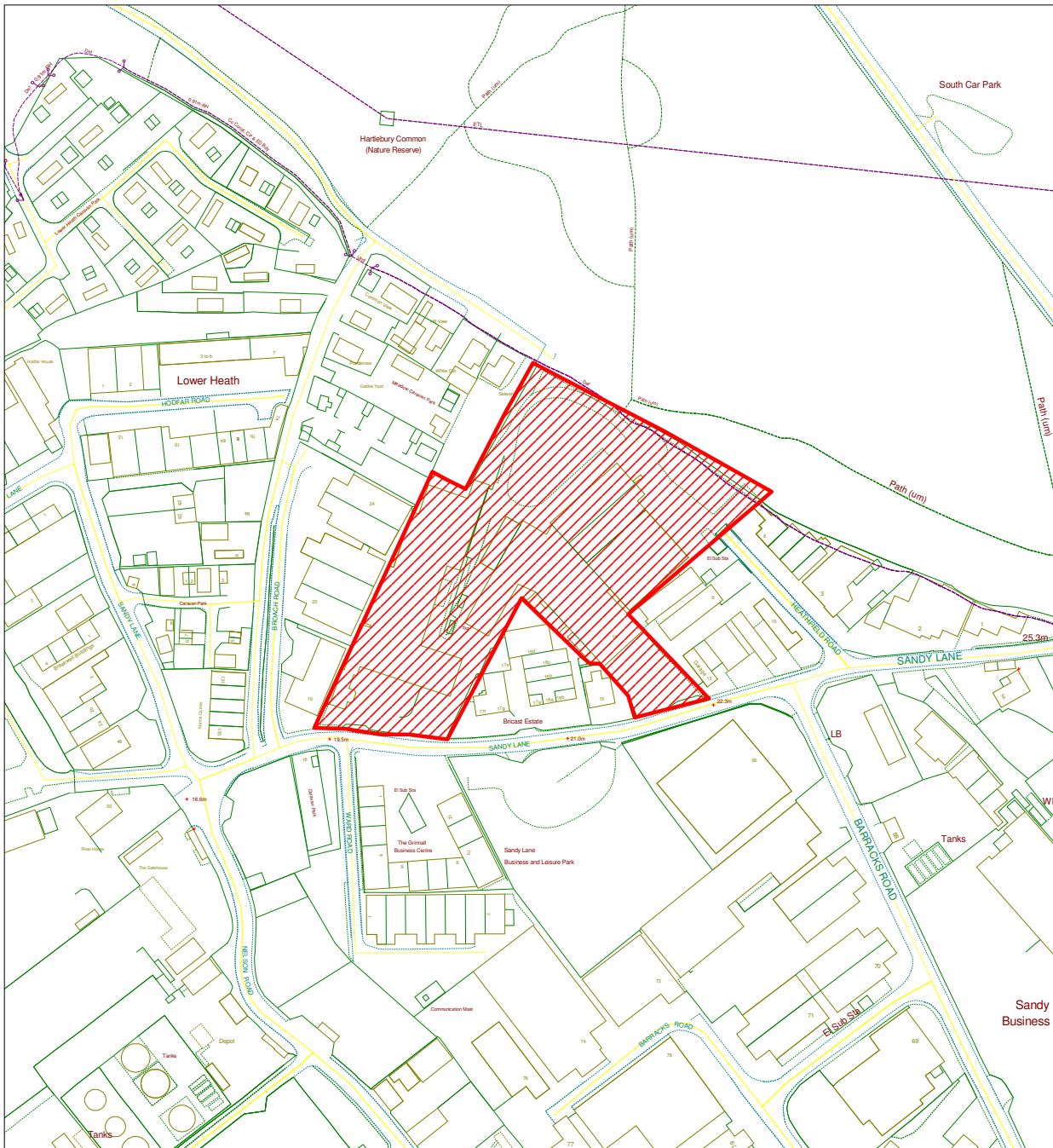
Footpath No. 573

Reason for Approval

The application site is located in an area allocated for industrial purposes. The principle is therefore acceptable. The impact upon highways, biodiversity, flooding and the amenity enjoyed by adjacent residential occupiers has been considered along with the requirement for adequate parking, and it has been concluded that the proposed scheme complies with planning policy. The obstruction of footpath No. 573 has also been taken into account and it is also considered that its proposed extinguishment is appropriate in this instance. For these reasons the proposal is considered to comply with the policies listed at the top of the report.

5.4 There is however a second recommendation regarding application reference W/11/00868/PN for which Wyre Forest District Council has received delegated powers to determine under Section 101(1) of the Local Government Act 1972.

5.5 The second recommendation is for **APPROVAL** to be given to application W/11/00868/PN made to Wychavon District Council **subject to the conditions listed under paragraph 5.3 above.**



Wyre Forest District Council

PLANNING AND REGULATORY SERVICES DIRECTORATE

**Conveyor Units Ltd.
Sandy Lane, Titton
Stourport DY13 9PT**



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

Application Reference:	11/0163/FULL 11/0533/CAC	Date Received:	16/03/2011 30/08/2011
Ord Sheet:	382984 277470	Expiry Date:	11/05/2011 25/10/2011
Case Officer:	Julia Mellor	Ward:	Broadwaters

Proposal: Construction of 223 dwellings and associated roadworks and landscaping (following demolition of existing buildings) (description of development and site area amended - site to include Red Sands Road) [11/0163/FULL]

Reduction of front wall of existing Cornmill building and associated wall to canal (to facilitate redevelopment of the site for residential purposes under planning application reference 11/0163/FULL) [11/0533/CAC]

Site Address: CHURCHFIELDS BUSINESS PARK, CLENSMORE STREET, KIDDERMINSTER, DY10 2JY

Applicant: Bellway Homes (West Midlands) Ltd

Summary of Policy	D.4, D.10, D.11, D.12, NR.2, NR.12, CA.1, CA.2, AR.2, AR.3, NC.1, NC.2, NC.7, TR.17, LR.3 (AWFDLP) DS01, DS02, DS05, CP01, CP02, CP03, CP04, CP05, CP06, CP07, CP08, CP11, CP13, CP14, CP15 (AWFCS) CTC17, CTC19, CTC20, CTC21, T4 (WCSP) Policies 1, 3, 14, 15, 16, 19, 22, 24, 25, 26 (Site Allocations and Policies DPD) Policies 1, 2, 7, 10, 11, 12, 16, 18, 19, 21 (DPD KCAAP) Re-Wyre Prospectus Draft Churchfields Masterplan SPD Planning Obligations (2007) SPG Design Quality (2004) Character Appraisal for Staffordshire and Worcestershire Canal Conservation area (2007) PPS1 PPS3 PPS4 PPS5 PPG13 PPS9 PPS12 PPS23 UR2, CF4, CF5, QE1, QE2, QE3, QE4, QE7, QE9, T1-T5, T7 (WMRSS) National Planning Policy Framework (NPPF)
Reason for Referral to Committee	'Major' planning application Application involving proposed Section 106 obligation
Recommendation	DELEGATED APPROVAL subject to Section 106 Agreement [11/0163/FULL] DELEGATED APPROVAL [11/0533/CAC]

11/0163/FULL

11/0533/CAC

1.0 Site Location and Description

- 1.1 The application site of approximately 5.3 hectares in area is located within an area known as Churchfields, north of the ring road and Kidderminster town centre. It is commonly referred to as the Georgian Carpets site due their former occupation which ended in around 2002. The site also encompasses the industrial units which front onto Red Sands Road known as the Stoney Lane Industrial Estate.
- 1.2 The application site lies between Clensmore Street to the south east and the Worcestershire and Staffordshire canal to the north west. It includes Red Sands Road to the north west where it abuts the existing residential development known as Waterside Grange. Areas of existing housing also lie to the north beyond the canal and the south on the opposite side of Clensmore Street and beyond.
- 1.3 The Staffordshire and Worcestershire Canal which aligns the site is also a Canal Conservation Area and a Special Wildlife Site (SWS). Furthermore at its closest point the site also lies approximately 23m from the Puxton Marsh Site of Scientific Interest (SSSI) which is located beyond the canal. A Tree Preservation Order (TPO) incorporates several trees to the north of the site positioned along the canal-side.
- 1.4 A variety of businesses occupy this brownfield site utilising the remaining 10 buildings, the most significant of which are TSM Pallets opposite the Clensmore Street / Broad Street junction, the CMS car storage and preparation centre in the centre of the site and Kidderminster Roofing Supplies at the south west corner of the site. Some of the remaining buildings are unoccupied including the two storey office building which fronts Clensmore Street. There is also a historic building known as the former Corn Mill which directly fronts onto the canal. It is estimated that this property dates back to the 1830's but it is neither listed nor locally listed.
- 1.5 The application seeks consent to demolish all of the existing buildings on site to redevelop it to provide a total of 223 dwellings comprising 1 block of 12 flats, 1 block of 8 flats, 9 single flats above garages with the remaining 194 units divided between detached, semi detached and terraced houses.
- 1.6 The majority of the proposed houses would be two storeys, the townhouses fronting the canal would be three storeys and the two blocks of flats are proposed to reach a height of four storeys. The following table illustrates the range and proposed mix of dwellings in terms of the numbers of bedrooms.

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Dwelling size	Quantity	Percentage
1 bedroom	9	4
2 bedroom	50	23
3 bedroom	81	36
4 bedroom	83	37
Totals	223	100

- 1.7 The total number of dwellings includes 49 affordable units or 22% (17 units shared ownership, 32 social rented) which are split as follows:

Affordable Units		
Dwelling size	Quantity	Percentage
2 bedroom	31	63
3 bedroom	15	30
4 bedroom	3	7
Totals	49	100

- 1.8 The planning application has been submitted together with the following documents:

- Landscape Strategy
- Geoenvironmental Assessment
- Tree Survey Report
- Planning Statement
- Ecological Assessment & Response to Ecological Consultations
- Waste Minimisation Strategy
- Transport Assessment (and subsequent revision)
- Residential Travel Plan
- Flood Risk Assessment (and subsequent revision)
- Archaeological Evaluation Report
- Architectural and Archaeological Analysis & Heritage Assessment
- Report on Structural Inspection on Former Corn Mill
- Design & Access & Justification Statement

- 1.9 The applicants also undertook a public exhibition held over 2 days at Churchfields Business Park on the 19th and 20th January 2011. The exhibition which gave details of the indicative layout and landscaping was publicised in the Kidderminster Shuttle by a letter drop giving notice of the exhibition to approximately 350 dwellings within the vicinity of the application site. The Design and Access Statement advises that 1004 people attended the exhibition over the two days.

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- 1.10 In addition to the planning submission an application for conservation area consent has been submitted (Ref. 11/0533/CAC). This is required for alterations to the wall which forms part of the common boundary to the canal which is considered to form part of the Staffordshire and Worcestershire Canal Conservation Area designated in 1978.

2.0 Planning History

- 2.1 WF.122/05 - Full : Excavation of soil over part of site, regrading of existing embankments and the laying of a hard surfaced area to facilitate the open storage of motor vehicles (retrospective) and the change of use of land to allow the open storage of motor vehicles : Approved 5/8/05
- 2.2 WF.457/05 – Change of use of unit 23C to B2 use for the manufacture of timber products (sheds and fending) (retrospective) : Approved 8/9/05
- 2.3 WF.626/05 – Amendment of condition No. 6 of Planning Permission WF.122/05 for vehicle storage to extend hours of delivery from 8:30-16:30 to 8:30-18:00 (time slots to remain unaltered) Monday to Friday to enable late arrivals to unload; amendment to condition No 13 to extend hours of illumination for existing lights from 7:30-18:00 to 7:30-20:00 Monday to Friday : Approved 5/8/05
- 2.4 WF.841/05 – Change of use from B2 and B8 use (i.e. from general industrial use to warehousing) : Withdrawn 21/12/05
- 2.5 05/0969/FULL – Change of use of industrial unit to warehouse and storage : Withdrawn 23/10/05
- 2.6 06/0424/FULL – Change of use of Unit 25c from production to warehouse and distribution (B2 to B8 use) : Approved 26/5/06
- 2.7 06/0432/FULL – Change of use of Unit 26 and adjoining land from industrial use to pallet storage, manufacturing, refurbishment and distribution business; variation of condition 17 of permission WF122/05 to enable part of approved parking area to be used for pallet storage and hardstanding : Refused 15/6/06
- 2.8 06/0808/FULL – Reinstallation of roller shutter door to Stoney Lane elevation : Approved 15/9/06
- 2.9 06/1134/FULL – Installation of roller shutter door (retrospective application) : Approved 19/12/06
- 2.10 08/0163/FULL – Variation of condition number 6 of Appeal Decision (APP/R/1845/C/06/2022489) to enable the construction of an acoustic barrier within the building instead of a vertical acoustic curtain in the main doorway : Approved 7/7/08

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3.0 Consultation Responses

- 3.1 Highway Authority - Road Layout - There have been lengthy negotiations on road layout since the application was originally submitted. The latest layout is considered to be acceptable and will maintain a low vehicle speed within the site. An adoption plan has been submitted for information only purposes which WCC considers accurately reflects those areas to be adopted by WCC.

Highway Safety - This application has considered the accident record in the area, but with the limited additional vehicle movements and the alterations to the highway with the Masterplan improvement measures there is not considered to be any harm to highway safety.

Air Quality - The comparative trip generation from the existing employment site compared to the proposed residential scheme will see if consented greater numbers of vehicle movements into the AQMA. The District Council are proposing improvements to the AQMA under their Churchfields Masterplan, and have a statutory requirement to plan to resolve this issue. A Section 106 contribution is being provided which mitigates for the additional vehicle movements into this area which will allow the District to promote a scheme in the future to resolve this problem. There is no junction capacity problems as a result of the additional vehicle movements, which compared to background vehicle flows is a modest increase.

Bus Diversion - The Churchfields Masterplan proposes a new junction layout which will see the 9/9A bus service diverted. The future residents of this site need to have access to a bus stop within 250m of their property. Whilst negotiations are still ongoing there is provision within the section 106 agreement to make contributions to the bus service diversion prior to the bus naturally being diverted should this be necessary.

Lime Kiln Bridge - This bridge is owned and maintained by British Waterways but it provides a vital link from the development site to the canal towpath and thereafter to Kidderminster town centre. The applicant has offered to enhance this bridge to make it more attractive for pedestrians and cyclists to use. A section 106 contribution has been offered to provide this enhancement. This is seen as a qualitative improvement to an existing route.

The applicant has produced several papers detailing the difficult issues of trip generation and AQMA impact, these look in depth at the impact this development creates. WCC considers that all issues have been addressed with the exception of car parking provision.

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The Highway Authority recommends that the permission be refused for the following reason:-

The site does not provide car parking provision in accordance with Worcestershire County Councils Local Transport Plan 3. The adopted design guide requires 3 and 4 bedroom dwellings to provide a minimum of 2 car parking spaces and the document states that garages are not considered to be car parking spaces and will be discounted. Plots 13, 14, 49, 50, 66, 70, 71, 106, 107, 121, 128, 129, 140, 141, 152, 153 and 201 all require 2 car parking spaces and they provide 1 space and a garage. These plots do not comply with the policy and there is evidence to show that garages are infrequently used for the storage of cars and this will see the displacement of 17 cars onto the carriageway which will obstruct the free flow of traffic entering the site and on Clensmore Street. Some of these plots are gateway buildings and consequential displacement of vehicles will be close to road junctions which will have an adverse impact on highway safety.

As the application site does not comply with the Highway Authority's adopted guidelines there will be vehicles displaced on to the highway and estate roads which create an obstruction and have an adverse impact on highway safety, it is therefore recommended that this application be refused.

- 3.2 Arboricultural Officer (*Officer Comments – The following comments were received in response to the amended layout indicating 223 dwellings*) - I am much happier with the level of detail for the proposed landscaping. The information of planting method and details on maintenance and size of plants is very good. However the information of maintenance does not appear to include a length of time, which as I stated before will need to be for 5 years.

The additional plan highlighting the location of the trees to illustrate the submitted Tree Report is also much better, however there were a couple of trees missing from the plans, but I am not too concerned about this.

I am still disappointed with the proposed tree planting on the development. I realise that the Landscape Architect's brief was most likely to include as many trees as possible within the proposed scheme, but I feel it could be much more inspiring and give the new residents a pleasant environment to live in. If the design of the landscaping was undertaken in conjunction with the development design there could be a much improved development.

I am also disappointed that the trees within TPO 274 are still not identified as being retained. T1, T2 and T3 of the TPO are two Weeping Willows and a Birch, all of which have been given a B2 retention classification within the submitted tree survey. I would agree with this classification and would not be happy to recommend approval until the development is altered to accommodate these three trees. I therefore recommend refusal until these points are rectified.

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- 3.3 British Waterways (BW) (*Officer Comments - The comments made below are with respect to the original plans and layout showing 240 houses. At the time of report preparation no comments to the submission of the Heritage Assessment, the Structural Report on the former Corn Mill, the revised layout with 223 houses and a revised landscaping scheme identifying trees adjacent to the canal had been received*) - BW has been party to substantial negotiations and plan making involving the Clensmore Site both with the developer and the local authority. As a result of this engagement BW fully supports the Master Plan drawn up for the Clensmore Area.

BW considers that the submitted plans do not reflect the principles of connectivity and design encompassed in the master plan. However, as the plan does not as yet have statutory force BW is only able to recommend that the contents of the master plan are used by the developer to inform the proposals.

Therefore, after due consideration of the application details, British Waterways has no objections to the proposed development, subject to the imposition of suitably worded conditions and the applicant first entering into a legal agreement relating to:

Green infrastructure - The Staffordshire and Worcestershire Canal forms the western boundary of this development site and as such comprises the Green Infrastructure to be safeguarded and enhanced as part of the development. The redevelopment of a derelict brownfield site in itself may be a positive enhancement of the canal. However, the canal at this point is secluded and rural in ambience with none of the derelict land visible from the water or towpath due to changes in levels.

Unfortunately the development proposal is very much for a generic housing solution that could be found anywhere. The Public Sector ambition is illustrated in the Churchfields Master plan. BW cannot see that the proposed Bellway Scheme is delivering the quality of waterway place or strong urban form that has been outlined through the public consultation process in the Master Plan, or the proposal delivering a scheme that will enhance the waterway corridor.

The proposals will clear the mature vegetation screen replacing this with buildings to 3 storeys at the northern end of the development, 5 meters from the waters' edge. Though the distance is technically the requirement that BW needs development set back to protect the embankment, BW is concerned that this form of development could create a cannoning effect which requires careful styling to create an attractive waterside edge which combines surveillance of the waterside with activity.

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BW would thus wish to see before and after cross sections of the canal, which include the opposite bank and the changes in levels, to show the changes to the openness of the green infrastructure. BW needs this to assess if the recreational and amenity value of the canal will be compromised. In addition BW would welcome variety in the elevations of the dwellings fronting the canal informed by quality of materials and design combined with ecologically enriched waterside parkland.

BW would wish the design adjacent to the canal to be reserved, or subject to amended/additional plans to address the matters above.

Landscaping and boundary treatment - Related to the above, the boundary treatment and hard and soft landscaping proposed do not appear to be shown in full detail. The roadway up to the canal edge can have a detrimental effect on the ecology of the bank. There is an existing retaining wall to the back of the embankment along part of the site. This boundary of the development with the canal needs to be clearly illustrated and the details of gates, fencing, materials, elevation detail and colour, planting species and responsibilities need to be clearly identified. Again, we would request that full details of elevations, path designs and cross sections are supplied and their appropriate implementation secured by means of condition. We request that British Waterways is consulted prior to the discharge of such conditions, to help ensure that the development is appropriate in relation to the character and appearance of the adjacent waterway environment, and to ensure that it does not adversely impact upon our structural or operational requirements as owner of the adjacent water.

Request conditions relating to boundary treatment and the submission of a landscape management plan.

Conservation and Heritage - It is observed in the Core Strategy that: “The canal is also important to the industrial heritage of Kidderminster and was intrinsic to the carpet manufacturing industry. Canal basins, forming arms off the main canal channel, served the town's major factories bringing in essential materials and allowing the manufacturers to transport their goods outside of the town. However, unlike Stourport-on-Severn, Kidderminster has tended to turn its back on the canal in recent times and has underutilised this important feature.”

The massing and appearance of the elevation of buildings fronting onto the water will impact on the Conservation Area. There is some confusion as to the importance of the heritage structure on the site with the [*originally submitted*] archaeological report not recognising that the development is proposing to demolish these historical structures.

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BW request that a Heritage Assessment be undertaken of the nineteenth century buildings (former corn mill) along the offside of the canal which are included in the Desk Based Assessment (Feb 2011). The Heritage Assessment will provide further historic understanding of the building. This will enable British Waterways to assess the impact on the canal conservation area and to consider if the demolition of this building will have a detrimental impact on the character and appearance of it.

If demolition of the buildings is granted then the former corn mill should be recorded to Level 3 (English Heritage 2006).

As the elevation to the canal will effectively influence the Staffordshire and Worcestershire Canal Conservation Area we would ask that consideration is given to introducing some local acknowledgement of the history of the site in the vernacular informed by the heritage assessment.

The above requirements are significant concerns of British Waterways and BW request they are positively addressed by the provision of additional plans and documentation for comment by BW prior to discharge of any condition. Request conditions relating to materials to be used in the canal elevation of the buildings and the submission of a heritage report on the corn mill.

Construction Works - The proposed development is located on the embankment of the canal which has a retaining brick wall for the canal which may have functions over and above the retaining structure of normal canal walls. The proximity and method of foundation construction can have an adverse impact on the structural integrity of canal walls. For this reason full construction details would need to be provided prior to works commencing in order that any potential impacts can be fully assessed. This is a substantial concern which if not adequately addresses would cause BW to object to the development. We would request that British Waterways is consulted on these details before any such condition is discharged. The plans do not give much detail regarding a cross section of the canal/towpath/close by properties within the development. BW would appreciate if this could be conditioned and an informative attached as part of any decision document.

Infrastructure - No heavy construction machinery should be positioned within 5m of the bank. With any development close to the waterway there is the potential for adverse impacts on the infrastructure of the canal in terms of stability, drainage, pollution, erosion, increase in water levels etc. During demolition, construction and operation of the site, British Waterways would require the works, handling, storage and disposal of waste generated by demolition, construction and operation to be carried out in accordance with relevant legislation and regulatory requirements. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site should be avoided.

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11/0533/CAC

Request conditions relating to the submission of full details of any and all excavations/earth removal/foundations to be undertaken and details to be agreed to prevent the ingress of construction materials into the waterway during the course of construction.

Lighting and ecology - One bat has been observed in the buildings on site and a badger set is within the canal bank. In addition the site overlooks an established SSSI. BW considers that this waterside location should provide to enhance the biodiversity of not only the brownfield site but of the canal corridor and its linkage to the SSSI.

Night-time general lighting of canal corridors can adversely affect their use for feeding by bats during the construction phase and future occupation. Light pollution from adjoining land can spill onto the water corridor. BW asks for the corridor to be protected to reduce overspill (by sensitive location of lights or shielding to reduce radiance over the boundary). While some species benefit from insects clustering around lights, others are put off by high levels of illumination and all are more vulnerable to predators. Request conditions relating to details of the proposed lighting and to show how the proposals will enhance the biodiversity of the site and the canal corridor.

106 contributions, Connectivity and Regeneration - In line with Policy CP15 as a minimum, the bridge to the south of the development should be improved to form a sustainable walking and cycling link to the towpath from the residential site. BW would prefer that full vehicular access was established and a new road was created to the back of the retail development linking to the ring road. The capitol costs to improve this formal access across the canal must be incorporated into the development requirements. BW would ask that the Highway authority takes full ownership of this bridge structure into the future.

In addition the maintenance costs for the towpath and access ways in the ownership of BW to the north of the site will need to be provided for in full. The area of the plan which is in the ownership of BW will have increased use. BW estimate increased maintenance to amount to for 100m stretch approx. £2,700 per year amortised to approx. £40,000 over 50 yrs. Detailed calculations can be provided.

It should be noted that the tourism potential for the canal must be protected and that any deterioration in the canal infrastructure will have an adverse effect on the value of the adjacent properties and the lively nature of a quality canal environment. At its worst it could support criminality.

It should be noted that BW will need to be involved in this development at every stage and that it will be necessary to draw up agreements to cover the access, liabilities, and a 106 agreement. BW have assessed the cost of this application in relation to the 5 tests of reasonableness and its contribution to the regeneration of the waterways in relation to the above policy.

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BW would welcome advisory notes being attached to the planning permission regarding:

- Third party works permission
- Access
- Encroachment
- Right of Support

3.4 Countryside and Conservation Officer (*Officer Comments - The comments made below are with respect to the revised layout indicating 223 dwellings and the submission of additional ecological information*)

1) Protected Species

Bats - The ecologist employed by the developer feels very confident that they were able to visually survey the development sufficiently well to be very confident that the development will not impact on bat species either in the trees or the buildings. I will go along with this but would have myself, felt more comfortable given the extensive nature of the site with an ultrasound survey backing this up. Given that the buildings are dilapidated and the quality of habitat next to them a condition requiring a re-survey of the site if not cleared by next spring would not be unreasonable. The bat bricks are also a very welcome addition. A little more information would be good to explain exactly how many? What type? And where?

Badger - I accept that the small outlying sett is only of minor importance to badgers but we will still need a method statement explaining where the badger(s) will go and what will prevent their return (one way gates etc.)? Perhaps achieved via a condition.

Otter - The applicant has filled in some of detail as to the extent of their investigations. The survey was carried out in 2009 and some of the site has been free from human disturbance since this time. Given that otter do use the adjacent canal it would not be unreasonable to request an additional visual survey by an ecologist prior to demolition works

2) On site habitat and the sites boundary with the SWS wildlife corridor of the Staffordshire and Worcestershire Canal.

I very much welcome the landscaping plan that has now been submitted and am pleased to see a structured approach to providing a wildlife strip along the length of the development. The issue with lighting still needs to be resolved as if the biodiversity strip or the canal was to be illuminated this would mitigate the positive effects being offered through the biodiversity strip.

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There needs to be a condition for the developer to provide details on how they propose to illuminate the development without impacting on the SWS. I appreciate that the site is being levelled but we will still need to condition a method statement about what measures the developer will be putting in place to prevent contamination of the SWS canal (and near by SSSI) from material generated or stored and run off from stored material through the demolition, clearance, levelling and subsequent construction phases of their development

Japanese knotweed - We will need to condition a method statement to ensure all appropriate measures are undertaken to ensure the Japanese knotweed is removed and disposed of properly.

With all of the above put in place I feel that this development will comply with PPS9 and show an enhancement to the biodiversity of this area.

3.5 Community and Partnership Services – Comments awaited

3.6 Regeneration and Economic Development - The Regeneration team has led in the preparation of the LDF Kidderminster Central Area Action Plan DPD and Churchfields Master Plan Supplementary Planning Document which specifically relate to this site. The latter having been prepared through extensive site investigation and public consultation involving MADE. The findings of that consultation are due to be reported to the Overview and Scrutiny Committee on 8th September and it is anticipated to be formally adopted by Council in September 2011. This document was prepared with funding assistance from the Homes and Communities Agency, which reflects the importance of the Churchfields area as a housing led regeneration opportunity. These documents are framed by the LDF Core Strategy DPD as set out below.

The site subject to this application is identified as 'Churchfields North' in the emerging Master Plan and represents the second phase [the first phase being Hurcott Road] in the crucial regeneration of the area which falls within one of the most deprived neighbourhoods in Worcestershire. I set out below detailed comments highlighting the policy position.

Adopted Core Strategy

The following Local Development Framework Documents are considered most pertinent to this application; DS01 Development Locations; DS02 Kidderminster Regeneration Area; CP01 Delivering Sustainable Development Standards; CP02 Water Management; CP03 Promoting Transport Choice & Accessibility; CP04 Affordable Housing; CP05 Delivering Mixed Communities; CP07 Delivering community well-being; CP11 Quality Design & Local Distinctiveness; CP13 Providing a Green Infrastructure Network; CP14 Providing Opportunities for Local Biodiversity & Geodiversity, and; CP15 Regenerating the Waterways.

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Policy DS01 provides in principle support for proposals such as this which locate “*new development on brownfield sites within the urban areas of Kidderminster*”. It also states that preference will be given to ‘*key regeneration sites within the Kidderminster Central Area Action Plan boundary*’; this is highlighted as one such site within the emerging KCAAP.

Policy DS02 also supports the regeneration of brownfield sites within Kidderminster and the indicative guide within this policy states that ‘*Kidderminster will meet 60% of the Districts requirement for new homes*’.

CP01 requires a ‘*minimum of 10% of on-site energy requirements for major new development should be met from low or zero carbon energy sources*’. The proposals do not provide any information regarding on site energy provision and so do not appear in conformity with the policy though it is understood there may be exceptional circumstances and justifiable reasons for this on viability grounds.

CP01 also states that the implementation of the Code for Sustainable Homes (CSH) will be supported in line with national timescales and developers will be encouraged to meet higher levels where economically viable. The national timescale indicates that CSH level 3 should be met from October 2011 onwards. It is noted that the affordable rented units will meet the CSH level 3 criteria but that the other units will not due to viability (subject to assessment). Again, it is understood there may be exceptional circumstances and justifiable reasons for this on viability grounds.

CP02 is supportive of the proposals which set out a range of sustainable urban drainage systems including underground storage and permeable paving.

CP03 requires development to enhance accessibility and where appropriate, contribute towards new or improved walking and cycling facilities and provide an integrated public transport network. The proposals are in general conformity with this element of the policy, in providing new cycle and footpath access along the canal, improvements to Lime Kiln bridge enhancing pedestrian and cycling links to the town centre and the proposed diversion of the 9/9a bus service to pass along the frontage of the site (subject to WCC negotiations).

In addition, a significant contribution is sought towards highways infrastructure (as prioritised within the emerging Churchfields Masterplan SPD) to facilitate improvements to ‘*the multi-modal use of Kidderminster ring road*’ and contribute to the Air Quality Management Area at Blackwell Street.

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Whilst it is noted that an objection to parking provision has been received by WCC Highways team, only 8% of all dwellings do not meet standards, due to new regulations published by WCC earlier this year which no longer count garages as spaces. It is therefore suggested that parking provision is not as negative as suggested. Proposals for additional 'car port' spaces have been suggested by the applicant to address this issue but this would purely be to meet WCC targets, rather than offer any further practical solution. There are also urban design concerns about introducing car ports into the street scene (garages without doors).

The proposals provide 22% affordable housing as part of the proposed S106 package. Whilst CP04 states that the District Council will generally seek to secure affordable housing provision of 30% on sites of 10 or more dwellings in Kidderminster this must be set against viability. There is a need to prioritise S106 requirements within the viable amount of contributions that a scheme can achieve, as long as any detrimental impacts can be mitigated. The emerging Churchfields Masterplan clearly sets out funding prioritisation which highlights the primary need for contributions towards highways infrastructure. The Masterplan also places weight on a design led approach and high quality design standards. In this instance, as long as viability can be verified, the 22% level of affordable housing should be considered acceptable as part of a wider package of improvements and the creation of a high quality development in line with the emerging Masterplan SPD. This is also prevalent to policy CP07. The proposals are considered to be in general conformity (subject to viability assessment) in relation to providing a range of improved community infrastructure and facilities, delivered either as part of the scheme or through developer contributions. For instance, the provision of affordable housing, environmental enhancements, amenity space, sustainable transport initiatives and financial contributions towards highways, public open space and education.

The treatment of the proposed frontage to the Staffordshire & Worcestershire Canal is positive. The inclusion of a biodiversity buffer along the canal-side positively addresses CP14, which calls for canalside new development to '*maintain and enhance their biodiversity value*'.

The proposals also support CP13 and CP15 through the creation of a '*quality canal-side environment... providing an active frontage... and natural surveillance*'. The creation of a new canal towpath which will be used as a pedestrian and cycle route is also encouraged and a welcome addition to the green infrastructure network.

Policy CP11 identifies the design principles for new developments highlighting that there should be 'design quality' in new developments "*reflecting a thorough understanding of site context*".

District Council Planning and Regeneration Officers have worked closely with Bellway to develop a scheme that meets quality design principles and the proposals have improved significantly since the first iteration.

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Major design changes have included the creation of a much clearer block structure, the realignment of Red Sands Road, an important new North East – South West connection and increased permeability and connectivity through the site for pedestrians and cyclists. The proposals also include two areas of public open space, positive active frontages on to the canal and internal streets and greater delineation between public and private spaces. Whilst some areas remain where the site layout could be improved to enhance connectivity further, including vehicular connections from Clensmore Street opposite Broad Street and internally to the east of the site connecting through to the central loop, the proposals are vastly improved and take into account sound urban design principles. The proposals are now generally in conformity with the Design Quality SPG and emerging Churchfields Masterplan SPD.

Emerging Planning Policy

In addition to the adopted Core Strategy, the proposals are also in general conformity with the emerging Kidderminster Central Area Action Plan (KCAAP) and the draft Churchfields Masterplan Supplementary Planning Document.

KCAAP Preferred Options Stage Consultation Document

The KCAAP has recently finished Preferred Options consultation stage. The consultation document recognises the Churchfields area (in which the application site is located) as one of four priority regeneration areas within the *Kidderminster Regeneration Prospectus*, and a major residential led development, which could provide up to 600 new homes.

Draft Policy 19: Churchfields Masterplan, provides support for the scheme, stating that new development will '*provide a housing led urban village... within a new homes environment*'.

Churchfields Masterplan SPD

The District Council has produced the Churchfields Masterplan Supplementary Planning Document (SPD) which is envisaged to be adopted in September 2011, following extensive public consultation. This document provides a detailed design framework to guide new development within the Churchfields area and can help to inform the determination of planning applications. The proposals are in general conformity with the design guide of the emerging Masterplan. Conformity with specific design principles has been assessed below;

DP1 *Improve Connectivity* looks for new developments to create a connected and legible street pattern. The proposal provides fairly good pedestrian and cycle connectivity through the site, providing a development that would be quite easy to walk and cycle around. A pedestrian route is also opened up alongside the entire canal frontage which is a significant improvement for this area. Vehicle connectivity, however, is not as good with a number of cul-de-sacs being created.

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A key feature of this site is a strong, unbroken, linear street that runs from Clensmore Street through to the canal, and also links straight through to the existing York Street. This route will provide a prominent visual and physical connection through this area and could become a significant route with further development at Churchfields. However, it is a shame that a similar route could not be provided which links to Broad Street, one of the principle links into the area. Despite this, the visual link from Broad Street does seem to be in place with views through to a new piece of public open space, and potentially through to the canal.

The Masterplan sets out an aspiration for this site which includes a new bridge over the canal towards Puxton Marsh. While this proposal does not make provision for such a bridge it does make allowance for an 'arrival space' from which a new bridge could be installed. This space, and potential bridge route, is also at the head of this principle street running through the development linking to York Street. This has the potential to greatly increase the connectivity through the area and over to the other side of the canal.

DP3 Creation of Character Areas & a Legible Development asks for the use of landmark buildings to terminate vistas and define spaces and junctions.

The Masterplan calls for a landmark apartment building on the south east corner of the site. The application proposes a 4 storey apartment block in this location which will help terminate the corner of Clensmore Street.

The junctions for routes into this site with Clensmore Street are also important and again the Masterplan suggests landmark corners to act as a gateway into the development. While the junction corners are characterised by buildings that wrap around them, they are not particularly 'landmark' buildings as they do not stand out from the rest of the street scene in terms of their scale, massing, or material used.

It is noted that block paving surfacing is being proposed for more subsidiary sections streets within the development. This is a positive feature and will help to define a hierarchy of streets within the development. It will also help define the character of areas which incorporate more pedestrian priority.

DP4 Provide a positive Frontage to the Staffordshire & Worcestershire Canal looks for development to provide an active frontage to the canal. This proposal would achieve this by providing residential development whose front elevations are facing towards the water. This will provide vital natural surveillance on to the canal. Furthermore, the provision of a pedestrian right of way along the canal will help to provide further activity.

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DP4 also looks for architectural treatment which relates well to the waterside setting. It is noted that the application proposes three-storey town houses along the canal frontage which help to provide massing and a sense of enclosure to the water.

DP5 *Create a Series of New Public Spaces* looks to create spaces within development sites to provide green links to the wider landscape. This development proposes new public spaces at the centre of the site and alongside the canal. Both of these spaces would be well overlooked by surrounding residential development and are relatively well connected both within the development and, to a lesser extent, to the wider Churchfields area. This also includes the pedestrian link and the 'ecological buffer zone' along the canal. However, it is unclear how these spaces will be defined and what their function will be as the Design and Access Statement describes them as a 'more formal green area with more structured planting'. The Masterplan suggests that this area should incorporate a central open space with children's play facilities.

DP5 also sets out that new development should create active edges and avoid streets that are fronted by blank walls and fences. While much of the proposed development is fronted by houses, there are some sections of streets which are fronted by blank fences which do not contribute to a quality street scene. However, these sections are fairly limited. Furthermore, it is pleasing to see that development backs on to the high wall currently opposite Red Sands Road and would be hidden from the public realm.

The Masterplan, through DP7 *High Quality Architecture and Finish*, seeks to provide development with building forms that contribute positively to the context. It is noted that the majority of housing units to be incorporated are of a fairly standard design type, however, there is a variety being used and there is diversity of massing, roof types and sizes. Particularly on the primary linear route through the site, the housing types differ quite significantly providing more diversity to the streetscene. This is also true of housing types along the canal frontage, which also includes three-storey townhouses that provide a distinctive character for the area along the canal.

It is also noted that the dwellings proposed include a variety of energy efficiency and water conservation methods. Sustainable Urban Drainage is also being incorporated, including permeable paving in the parking courts.

It is noted that the proposals include a mix of type and tenure of housing that would help to contribute to a mixed community as sought by DP8 *Vibrant Mixed Communities*. The addition of 223 new dwellings, in location close to the town centre, will have a positive impact on the vitality and the viability of Churchfields, the Horsefair and the town centre.

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Conclusion

It is considered that the proposals are in general conformity with adopted and emerging LDF planning policy and are supported, subject to viability testing. The proposals have been improved considerably through close working with the applicant on the integration of sound urban design principles into the scheme. Whilst there is still room for some improvements that would increase connectivity further, the proposals now create a high quality urban environment.

Planning Policy - The site in question is currently allocated as an employment site on the Adopted Local Plan Proposals Map. The proposed development is not for a use that conforms with this allocation and therefore the principle for the development needs to be considered further.

The current use of the site is as a car storage area, along with a number of smaller businesses that operate from existing warehouses that are on site. The site appears to be fairly tired and dated with a number of buildings in need of repair. As the site is an existing employment area it has been assessed through the LDF process as part of the Employment Land Review (ELR).

The ELR identified this site as a potential 'switch site' for other uses. This was because the site was considered to be a fairly poor employment area which wasn't suited to modern day business practises and would benefit from being considered further through the Development Plan Process. Due to the surrounding areas being primarily residential, it was considered through the Review that further residential development may be a suitable option within this location as it would be a compatible neighbouring use. The fact that the ELR identifies that this site might benefit from redevelopment for alternative uses needs to be understood in the context of considering the principle of a residential led scheme. The fact that the site has been identified as a potential switch site within the ELR also conforms with Core Strategy Policy CP08, in terms of acceptable losses of employment land.

Although still only at Preferred Options stage, the Kidderminster Central Area Action Plan also starts to identify the Council's preferred approach to the redevelopment of this area of Kidderminster. The intention of the policies within the Churchfields area as a whole is clear to see within the Preferred Options with the draft policy for the Churchfields area identifying the ambition for the area to be redeveloped as a 'housing-led urban village'. There is also a specific draft policy contained within the preferred options which seeks to provide the redevelopment of this particular site for residential use. This highlights the intention for the redevelopment of this site to be primarily focussed on residential development.

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The final element of local policy that relates to this site is the proposed Churchfields Masterplan SPD. This Masterplan is due to be adopted as an SPD at the Council meeting in September. If approved by Council the Masterplan will become adopted as an SPD and will be a material consideration for all applications within the boundary identified. Although the SPD cannot change land designations it provides a clear design steer for potential new development within this area. It also helps to provide detail for the vision articulated in the KCAAP and will be used to ensure that the design of new development in this area is of a high quality and consistent with the Council's aims and ambitions for the Churchfields area as a whole. The proposed Churchfields Masterplan SPD highlights the application site as an important early phase of residential development within the wider Churchfields regeneration that will begin a step change in the area.

It is considered that, taking into account all of the local policy that relates to this particular site, that there is sufficient cumulative weight and momentum for the regeneration of this area to consider the principle of a residential led redevelopment of this particular site.

Given that this site fits into a wider potential regeneration area it is important that not only the principle of the development is considered but that the detailed proposals are also interrogated to ensure that the development of this site is in conformity with the ambitions of the area and that they do not prejudice the redevelopment of Churchfields as a whole.

Conclusion

The proposals are to be considered in general conformity with the Adopted Core Strategy and are supported subject to the more detailed comments outlined in the Regeneration Team consultation response and subject to a proven viability assessment.

- 3.7 Conservation Officer – The application site borders the eastern bank of the Staffordshire and Worcestershire Canal Conservation Area for some 450 metres.

The most significant impact of this development is the remodelling of the entire eastern canal bank to create a new pedestrian access route within the site, separated from the canal by an ecological buffer zone.

To achieve this it is proposed to demolish historic brick walls (which themselves sit on the canal retaining wall) and the remains of an historic corn mill. This operation will require Conservation Area Consent in addition to Planning Permission.

A number of trees will also be lost as the proposal involves some considerable remodelling of the ground levels, particularly along the northern boundary of the site.

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In theory the buffer zone is a good idea in that it will introduce the opportunity for wildlife to flourish at the water's edge, and resolves the issues that arise when the bank is held in several different ownerships. It will present a unifying feature along the length of the development. If trees are to be planted it will be important to contain their roots so that these do not impinge on the structure of the canal itself.

I note that the buffer zone is contained by a retaining wall shown 750mm high on drawing 10043 B (16). I think that full details of how this is to be achieved are needed. The retention of the historic walls, reduced to a consistent height, repaired using salvaged bricks and capped in a sympathetic bull-nose blue coping (as used on the opposite bank) would be appropriate and would gradually introduce a more urban character as the canal rounds the corner from the water meadows towards the town itself. However there is no indication that this approach might be used – and my concern is that something much less attractive, for example a cast concrete retaining wall or steel plating, could be installed instead which would not enhance the appearance of the conservation area.

Taking the remains of the Corn Mill as the point of reference, the site boundary to the canal can be considered in two parts.

Impact on the northern part of the conservation area and boundary

To the north of the Corn Mill the canal boundary has remained largely undeveloped since 1772. Historic maps indicate sand pits excavated between the canal and Stoney Lane, the spoil being mounded close to the canal bank, leaving the wooded sloping bank seen today. Industrial development only came to this part of the site in the 1960's and 70's.

Drawing 10043 D (12) Revision A illustrates the proposed elevation to the canal, whilst drawing 10043 B(16) Revision A indicates sections across the site from the canal.

The detached houses are set above and back from the canal as shown in section C-C. This will perhaps reduce the impact of this suburban style housing on the conservation area, although they will be clearly visible from it.

I think it better that the new development faces the canal. The buffer zone will serve to present a more unified boundary, whereas the general clutter and chaotic nature of private gardens backing onto the canal would be impossible to control and serve to diminish its character.

Given that the character of the conservation area at this location has changed significantly recently with the canal now passing through a more suburban setting I do not think the proposals will harm the character of the conservation area, indeed they may serve to enhance it at this location.

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Impact on the northern part of the conservation area and boundary

To the south of the Corn Mill the 1780 map indicates a rural setting with no structures marked, but by 1832 Clensmore House had been built, and by 1838 the present remains of the corn mill had been erected. By 1859 the mill had converted from wind to steam power and an iron foundry had been erected on the southern part of the site, resulting in the grounds of Clensmore House surrounded by industrial development as clearly shown on the 1884 map. Further industrial expansion took place on the site during the first half of the 20th century with Clensmore House still shown on the 1939 map surrounded by woollen spinning mills. A slow decline and dereliction of part of the site is evident from photos from the 1970's onwards.

Within this area the proposed residential development facing the canal is larger in scale and massing – being significantly taller these buildings will have much more of an impact when viewed from across the water meadows – they will form a significant backdrop to the conservation area at this point.

I note that whereas the development here has a more urban scale, it does not attempt to replicate the warehouses found closer to the town centre. There are few architectural features, which lead to a rather plain design, however the introduction of false historic references has been resisted and this is generally to be welcomed.

Given the industrial nature of the site over the past 150 years and the generally undistinguished buildings which have occupied it, this proposal could be deemed to enhance the character of the existing conservation area, despite at the same time contributing to its evolving residential character.

Seen from a barge the taller urban buildings will have much more impact than the suburban detached houses. Travelling from the north one there will be a gradual transition from open countryside through an area of suburbia into a semi-industrial setting before reaching the town centre itself. The retention of the open land to the west of the canal here helps to define the canal as the boundary of development facing the marshes around the River Stour.

Demolition of the remains of the historic corn mill and the wall bounding the former Clensmore House gardens

Surprisingly, perhaps, the remains of the corn mill are not covered by any designation, either locally or nationally. This is possibly due to the fragmentary nature of the upstanding remains, with only the wall facing the canal being anywhere near complete, and even this has been reduced somewhat in height when the present roof was added.

The remains are of value because they illustrate the development of industry along the canal over the past 200 years. Straight brickwork joints illustrate the gradual expansion of the building. The fenestration is varied and irregular again indicating an ad-hoc series of extensions over the years.

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Of particular interest are the roundels, which appear to have served the loading and unloading of materials from barges moored alongside, their bull-nose brick openings designed to prevent ropes chafing.

Despite the applicants' structural report suggesting there is no sign of structural movement in the historic elevation to the canal, realistically the engineers concede that it would be more practical to take the wall down and rebuild it.

Had there been a strategy to build up to the canal bank at this point I would have recommended that this wall be retained as part of a new structure, despite its non-listed status.

Equally, had these upstanding remains been perhaps more substantial and able to support themselves I think that scheduling could have been considered, with the remains being incorporated into the buffer zone as a historic reference.

I think the pragmatic approach must be that these remains on their own do not have a viable future, and ultimately they will be lost. I would urge that a full archaeological building recording is undertaken for the HER. As the only pre-1840 remains of industry along the canal north of the town centre they are of considerable local historic significance.

Perhaps there is an opportunity to retain a section of the wall reduced in height but with the roundels in it as a historical reference sitting within the ecological buffer zone. This would give a hint of the past and also serve to retain the landmark known to boaters on the way into Kidderminster?

The Clensmore House boundary wall appears to have been rebuilt several times in the past 100 years. The lower sections of this wall may date from the opening of the canal and appear to be acting to retain the canal structure.

I would strongly advocate the retention of the lower parts of these walls, and the reconstruction of the upper parts of the walls to the 750mm height as indicated on the plans. I would also advocate the use of bull-nose brick copings (to match those on the opposite bank of the canal).

Recommendation: No objections in principle, but subject to conditions:

- Full building recording of the Corn Mill fragments.
- Approval of all building materials for new buildings facing the canal.
- Retention of the historic canal boundary wall, repaired and reduced to a consistent height with appropriate cappings.
- Retention of a small section of wall of corn mill incorporating the roundels.

(Officer Comments – Comments with respect to the Conservation Area Consent will be reported on the Addenda and Corrections sheet)

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- 3.8 Worcestershire County Council Archaeology - An historic environment field evaluation of part of the site (that which was accessible) has now been carried out. The results confirm that archaeological remains of local/regional significance survive in parts of the site, while other areas have been significantly truncated, removing any deposits of interest. Therefore as a condition of planning consent, if given, I advise that a programme of archaeological works be carried out to fully record the areas of surviving remains, and further investigate those areas that could not be accessed prior to determination.

In addition to these comments, I would also recommend that the existing historic warehouse elevation fronting the canal be retained and used as a façade for any new development behind.

The County and the District has a responsibility to protect, either by preservation or record, cultural remains within its jurisdiction, and this is emphasised by Planning Policy Statement 5 (PPS5) – Planning for the Historic Environment. In this instance it is believed, *on current evidence*, that the site is not of such significance to warrant pre-determination evaluation or preservation in situ, and that the impact of the proposed development on the historic environment can be appropriately mitigated by a conditional programme of archaeological work.

- 3.9 Worcestershire County Council Education (*Officer Comments - The following comments were received with respect to the original plans*) - With reference to the recent planning application for 240 dwellings on this site I can confirm that the catchment area schools are St Mary's CE Primary and Wolverley VC CE Secondary. At the present time only St Mary's triggers a contribution. Consequently the education contribution will be calculated as follows:

£2,049 per 2/3 bed open market house
£3,074 per 4+ bed open market house
£820 per 2+ bed open market flat or apartment

As always social units and 1-bed units are counted as zero contribution.

(*Officer Comments – The contribution required for the current layout totals £404,312.*)

- 3.10 Crime Risk Advisor (*Officer Comment - The following comments were received with respect to the original plans*) - The redevelopment of the Churchfields area in general will have a massive impact on policing the area. This development alone is for 240 dwellings which could mean in the region of 1000 extra people in the area. With that many extra people it is essential that the design is such that the opportunity for crime is reduced as much as possible.

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Looking at the general crime trends in Kidderminster as a whole the level of vehicle related crime is a cause for concern. This development makes much use of parking courtyards which can attract vehicle related crime.

I am sure you are aware of the Secured by Design (SBD) scheme which encourages the designing out of crime. I would like to see the whole of the regeneration of the Churchfields area including this development to at least comply with the principles of SBD. It would be even better if developers went for full certification.

(Officer Comments – following on from the above, detailed comments were submitted regarding the layout which has now been amended significantly and reduced from 240 to 223 dwellings. At the time of report preparation revised comments are awaited.)

- 3.11 West Mercia Police Headquarters (Strategic Planning) - As you are undoubtedly aware, the development falls within the operational area of West Mercia Police (WMP), which is responsible for delivering services to address community safety, fear of crime and seek to achieve a reduction in crime. Whilst my colleague, the Crime Risk Advisor, has provided you with WMP's comments in respect of the conformity of the proposal with the principles and requirements of "Secured by Design", these comments raise WMP's views in respect of the likely implications for the delivery of policing services in the Churchfields area as a whole, as a result of the proposed development. In this respect, the delivery of growth and new developments within the District imposes additional pressure on WMP's infrastructure base, which is critical to the delivery of effective policing and securing safe and sustainable communities. The police service no longer receives central grant funding for infrastructure projects, whilst revenue funding is provided by the Home Office and the Council Tax precept, capital projects are financed through borrowing. Borrowing to provide infrastructure has an impact on the delivery of safe and sustainable communities because loans have to be repaid from revenue budgets, the result of which is a reduction in the money available to deliver operational policing.

National Policy Context - The Government's definition of sustainable communities describes them as safe and inclusive. Sustainable communities are expected to offer a "clean, safe environment" with "low levels of crime, drugs and anti-social behaviour with visible, effective and community-friendly policing". PPS1 requires local authorities to take account of the provision of essential infrastructure in bringing forward land for development. This concept is expanded in PPS3, which confirms that new housing should be in suitable locations, which offer a good range of community facilities and good access to jobs, key services and infrastructure.

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Furthermore, the police are recognised nationally in PPS12 as key stakeholders in determining the type and quantum of social infrastructure needed to support development.

Planning Obligations (Circular 05/2005) provides Government advice on planning obligations under Section 106 of the Town and Country Planning Act, as substituted by the Planning and Compensation Act 1991. The guidance states that the aim of planning obligations is to make development acceptable, which would be otherwise unacceptable in planning terms. It states that planning obligations can be used to mitigate a development's impact, for example, through addressing the need for increased public transport provision. It follows that, when development gives rise to increased demand for policing, it is reasonable to seek contributions from developers to mitigate this impact.

The Community Infrastructure Levy (CIL) Regulations 2010, which came into force on 6 April 2010, recognised that Police and other community safety infrastructure fall within the definition of community infrastructure. Paragraph 11 of Department of Communities and Local Government (DCLG) document, '*The Community Infrastructure Levy – An Overview*' (November 2010) states that:-

"The Planning Act 2008 provides a wide definition of the infrastructure which can be funded by the Levy, including transport, flood defences, schools, hospitals and other health and social facilities. This definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, district heating systems and Police Stations and other community safety facilities." There is a growing precedent nationally for recognising the police as legitimate recipients of developer contributions.

Circular 05/2005 prescribes the circumstances whereby it would be appropriate to seek planning obligations from development in the form of payments, or development in kind. Planning obligations can be used to:-

- Prescribe the nature of the development;
- Compensate for loss or damage caused by developments, or
- Mitigate impacts arising from development.

In this case, the operating principle is to mitigate the impact of development on WMP's ability to deliver efficient and effective police services.

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Local Policy Context - Sustainable Community Strategies (SCS) establish overarching Council objectives. The Local Development Framework (LDF) and other plans are the key delivery vehicle for these objectives. The role of the SCS is to identify the key actions required to meet the vision of creating sustainable communities. *The 'Wyre Forest Matters Sustainable Communities Strategy 2008-2014'* identifies the key challenge of creating communities that are safe and feel safe. This recognition is vital as Section 17 of the Crime and Disorder Act 1998 places local authorities under a statutory duty to consider crime and disorder reduction in the exercise of all of their duties.

The principle of ensuring that development is supported by appropriate police infrastructure is enshrined within Policy CP07 of the Wyre Forest Core Strategy.

Police Contribution Request - In the context of the prevailing planning policies outlined above and on the basis that an increase in population arising from the development proposals would impact on the ability of WMP to deliver an effective and efficient service, the request for contributions towards police infrastructure provision to mitigate the impact of the proposed development is relevant to planning in the context of Circular 05/2005, CIL Regulation 122 and the Wyre Forest Core Strategy.

WMP therefore requests a financial contribution towards the cost of the following two infrastructure items which are considered necessary to enable WMP to provide effective policing services to the proposed development: -

- i Police Car - To provide greater mobility for existing staff to cover the development. – estimated cost £14,000
- ii IT Infrastructure for existing Windermere House Police Post, Kidderminster - To enable existing staff to maximise their presence in the community through ready access to police computer applications - estimated cost £3,000

WMP will be obliged to deliver the above items of infrastructure irrespective of whether a developer obligation is provided or not, in order to comply with our statutory obligation to provide an efficient and effective police service under Section 6 of the Police Act 1996.

However, given that WMP would have to meet the cost through prudential borrowing and that the development will derive benefits from the infrastructure being in place, WMP believe that it is appropriate for an obligation towards the cost to be requested in this case.

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Justification for Policing Contribution Request - The request for a financial contribution towards the cost of WMP infrastructure is justified on the following basis:

1. Policing is a population-based service. An increase in population leads to a proportional increase in pressure on the ability of the Police to carry out their obligation under the Police Act 1996 to provide an efficient and effective Police service. The relationship between population size and levels of crime is supported by academic research. Put simply, if a population increases it will be necessary to increase the number of officers and support staff policing that population to ensure the level of service is maintained (or improved). With an increase in officers there will be a need to expand the infrastructure required to support them. There is no existing funding source to support this from central or local taxation.
2. Where population increases there is an increase in housing development to support that population. Housing numbers are determined on the basis of population forecasts and so there is a direct relationship between these two variables. Housing development is the spatial consequence of population increase and changes to demographics, which can lead to a need for policing infrastructure even when there is little or no change in the population. In simple terms, therefore, it is appropriate to conclude that the proposed development will have a direct impact on the ability of WMP to provide an adequate service. It is reasonable therefore to seek contributions from housing development on the basis that without population growth the houses would not be delivered.
3. Policy CP07 – ‘*Delivering Community Wellbeing*’ of the Wyre Forest Core Strategy is clear that developer contributions can be made towards the cost of emergency services infrastructure. Relating this to Circular 05/05, the impact requiring mitigation is population expansion and demographic change, which is accommodated within the proposed housing development. It is therefore appropriate to seek contributions towards Police infrastructure from housing developments because such development has a direct impact on delivery of the police service in a given area. Circular 05/05 notes that there are no hard and fast rules about the size or type of development that should attract obligations.

With regard to the specific tests set out in Circular 05/05, the requested contribution towards WMP infrastructure items can be justified as follows: -

- (1). Relevant to planning and (2). Necessary to make the proposed development acceptable in planning terms. Relevance / necessity will be concerned primarily with the delivery of sustainable development, the Government’s key objective for the planning system, of which community safety is an essential component. Sustainable communities are defined by the Government as offering the following: -

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- Decent homes at prices people can afford;
- Good public transport;
- Schools, hospitals, shops; and
- Clean, safe environments.

The DCLG advises that sustainable developments should be active, inclusive and safe with low levels of crime, drugs and anti-social behaviour with visible, effective and community-friendly policing.

If the proposed development is built without delivering community safety, then its sustainability will be questionable. It follows that community safety is necessary to make development acceptable in planning terms.

(3). Directly related to the proposed development - The requirement for additional police infrastructure arises out of the proposed development and its impact on the area. The IT infrastructure of our existing Police Post at Windermere House requires upgrading to enable the Churchfields Local Policing Team to deliver effective and efficient community policing services to the residents of the new community. It is therefore directly related to the proposed development. The police vehicle will be used to travel to and patrol the development and its immediate neighbourhood and is therefore directly related to the proposed development.

(4). Fairly and reasonable related in scale and kind to the proposed development. The requirement to be fairly and reasonable related in scale and kind is an important consideration, which demands proportionality and relevance. With regard to this test, it is appropriate for the developer to contribute towards the provision of infrastructure that would not have been necessary but for the delivery of the proposed development.

(5). Reasonable in all other respects. There are no other means by which WMP can raise the funds necessary to mitigate the impact of this development on policing without resorting to prudential borrowing. As described above, there is a direct causal link between the development and the need for infrastructure to support the delivery of policing services to it.

Section 6 of the Police Act 1996 imposes an obligation on WMP to provide an efficient and effective police service. This demonstrates that a contribution towards the provision of such a service is a reasonable request and is compliant with statutorily imposed obligations.

- 3.12 Environment Agency (*Officer comments – the following comments were received with respect to the original layout indicating 240 dwellings, prior to the additional ecological information and a revised Flood Risk Assessment*) - We have no objections, in principle, to the proposed development. However we wish to make the following comments and recommend that if planning permission is granted, conditions are imposed.

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Flood Risk - The majority of the site is located within Flood Zone 1 (low probability), based on our Flood Zone Map. The north/west boundary of the site is located within Flood Zone 2 (0.1%, medium probability event) and is adjacent to the Kidderminster Flood Alleviation Scheme (FAS). The 1% plus climate change flood level for the River Stour in this location is 34.32m AOD.

Flood Risk Assessment (FRA): - A FRA undertaken by Travis Baker has been submitted with the application. Whilst the FRA identifies the River Stour and Staffordshire and Worcestershire Canal as sources of flood risk, limited assessment has been provided to confirm the risk to the site posed by these bodies of water. It is noted that the site is generally within Flood Zone 1. However when climate change is taken into account on river levels this can sometimes put sites into a higher flood risk category. Notwithstanding this, the topography detail provided suggests that the site is above the 1% plus climate change flood level and the bank of the adjacent canal, in considering residual risk from the FAS. The finished floor levels of the proposed dwellings should be at least 600mm above the 1% plus climate change flood level (i.e. at least 34.92m AOD). The above should be confirmed by the applicant. We would recommend that British Waterways are consulted regarding potential flood risk from the canal.

Surface Water Drainage: We note that the FRA has used a recognised design software to show betterment in run-off rates post development, providing attenuation on site to cope with a 1% plus climate change (30% allowance) event, in line with Planning Policy Statement (PPS) 25 'Development and Flood Risk'. The drainage proposals have made reference to Sustainable Drainage Systems (SuDS), proposing some lined permeable pavements and infiltration trenches to a conventional piped drainage system. Whilst we note the limitations of the site (i.e. ground conditions), it is disappointing that space has not been incorporated into the layout to include other forms of SuDS (e.g. an attenuation pond, swales etc.), which can offer additional benefits to water quality and biodiversity as well as amenity.

We would recommend that Severn Trent Water Ltd are consulted to ensure that they are satisfied with the drainage calculations, given the final proposed discharge to the existing sewer network. The FRA should also clarify maintenance and adoption of the drainage proposals (SuDS features) for the lifetime of the development. If you are satisfied with the above, in consultation with your land drainage officer, we can provide a condition to ensure that the development is implemented in accordance with the FRA.

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Contaminated Land / Groundwater Vulnerability

Site Context: The application site is very sensitive in terms of controlled waters as it is located within Source Protection Zone 3, and is a principal aquifer (former major aquifer) of the Wildmoor Sandstone Formation. The site is also overlain by secondary A aquifer in the form of Worcester Member sands and gravels. The site is directly adjacent to the Staffordshire and Worcestershire Canal, with the River Stour 50m to the west. Your Environmental Health Officer should be contacted to confirm that there are no unlicensed private water supplies in the near vicinity of the site.

Geo-environmental Assessment Report: We have reviewed the 'Geo-environmental Assessment - Clensmore Street, Kidderminster' dated August 2009 and provided detailed comments in Appendix A attached to this letter. From the information submitted, we are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing. We recommend that the following conditions are attached to any planning permission granted, in securing the site investigation and risk assessment recommended within the report and any subsequent remediation and verification works required. In meeting these conditions the applicant should also address our comments made in Appendix A of this letter.

- Details of a scheme to deal with the risks associated with contamination of the site
- Details of remediation to deal with contamination not previously identified
- No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning

The above comments relate to controlled waters. We would recommend that you also consult with your Contaminated Land Officer on these proposals.

Biodiversity: New development and redevelopment of former industrially degraded sites provides considerable potential to contribute to biodiversity by incorporating features of value to wildlife into wider landscape and built design. The above principle is inherent within PPS9 to promote sustainable development.

Redevelopment of sites immediately adjacent to river / canal corridors can often provide considerable potential to contribute to biodiversity by incorporating features of value to wildlife into the corridor and add wider landscape value by built design.

The Ecological Assessment report prepared by Ecological concludes that: following a detailed survey of the site, including the canal, no evidence of legally protected species was found.

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However, we can confirm that both the River Stour and the Staffordshire and Worcestershire Canal, which forms an immediate boundary with the development site, are actively used by otter. This is confirmed by sightings and evidence of field signs over the River Stour / canal corridor in and around Kidderminster town area. Further sightings have been reported of otter using exposed cavities in the old brick walls as resting sites / holts.

Advice Note: Prior to any works to reform / repair the canal boundary walls we advise that further surveys are carried out to eliminate the possible disturbance to a protected species or its place of refuge.

(Officer Comments - The comments made below are with respect to the revised layout indicating 223 dwellings and the submission of additional ecological information)

Surface Water Drainage: The applicant has submitted further information within the revised FRA regarding the amount of surface water storage required and the assumptions made when deriving the storage. The applicant has also provided a response from Severn Trent Water (STW) regarding the discharge rates they need to comply with. We note a comment in the report provided by STW and would query how this has been considered in the drainage calculations and assumptions made etc. STW suggest their system will become surcharged during the 30 year event and could potentially back up onto areas 3 and 4 of the proposed development. We would seek clarification on what assumptions the developer has made for storage on site, if during some of the bigger events (including the 100 year plus climate change event) flow is not able to leave the site.

Biodiversity: We have reviewed the letter from Ecology Solutions Ltd detailing the findings of the surveys undertaken for protected species (including otter), and are satisfied with the information submitted. We would provide the following advice for consideration in consultation with your Biodiversity Officer.

We would recommend that the 5 metre buffer habitat adjacent to the canal could be landscaped and planted to provide habitats that could be used as lying up areas for otter. Additionally, the provision of bat boxes on significant trees and structures (out of harms way) beside the canal would also help to improve and complement the canal as an active and functioning wildlife corridor/habitat for protected species.

For information, we would question the dismissal of the vegetated area adjacent to the canal as being of little ecological value due to the dominance of Japanese Knotweed. This is a species that should not have been allowed to have established or spread in the first place (being a notifiable weed). If managed responsibly this area would probably have had other tall ruderal species and scrub present, which would have been of slightly higher ecological value.

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3.13 Worcestershire Regulatory Services (Contaminated Land) – The Georisk report is good. Further work needed on site as recommended by report therefore needs condition to cover this additional work. (*Officer Comments - A response regarding the impact upon air quality is awaited*)

3.14 Housing Services Manager - Having reviewed the application I have the following comments. I do not support the proposed scheme for a number of reasons. The first is that the proposal only offers 22% as opposed to the expected 30%. Bellways have not offered sufficient justification as to why a reduction in the s106 affordable housing obligation should be reduced. A reduction would only be accepted by ourselves if a viability study proved that the development would be unviable if Bellways were to provide 30%.

The second reason is that the units are not phased throughout the development as either Housing Services or the preferred partner, Community Housing would like. The majority of the units will be handed over in the final phase of the development (to the right hand corner of the site towards Stoney lane). First of all we prefer the units to be pepper potted throughout the site, both to encourage tenure blindness and sustainable communities and secondly the late phasing means that the units will not be handed over until 3-4 years time. At a time when there is limited grant funding for affordable housing, WFDC are relying upon contributions through Section 106 Agreements to continue to meet housing needs in the District. (*Officer Comments – A full viability assessment has been received and is being evaluated by Bruton Knowles.*)

3.15 Watercourse Officer - Flood Risk - The development is completely located within flood zone 1 and is within 20 m of the Staffordshire and Worcestershire Canal. Both the canal and the nearby River Stour are considerably lower than the proposed ground levels. There is no history of any form of flooding. The Flood Risk Assessment does not include reservoir flooding, whereas the information available on the website of the Environment Agency indicates that the development site is actually at risk of flooding from several reservoirs (Hurcott Pool, Ladies Pool, Podmore Pool and Kidderminster Flood Storage Reservoir). Reservoir flooding should have been included in the Flood Risk Assessment.

Drainage strategy; connection to main system - The development will discharge foul sewage to the main sewer. Surface water from the site does not currently drain into the canal but discharges via several private sewers into the public sewer in Clensmore Street. As the site is considered to be brownfield, software has been used to assess the existing run-off rate. According to PPS25 a reduction of 20% is applied. The maximum allowable discharge rate for the site is determined to be 235 l/s. This is considerably more than the Greenfield runoff 22 – 44 l/s (rule of thumb). However, Severn Trent has advised that a discharge rate of 235 l/s is allowed; provided that it is distributed in a certain way over four discharge points.

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This discharge would, according to Severn Trent, result in a slight increase in the level and frequency of surcharge, but flooding is not predicted to occur in a 30 year event. Severn Trent therefore recommends that a development site flow of 235 l/s would not adversely affect the overall hydraulic performance of the existing public surface water sewer in Clensmore Street. However, it is advised that due to the predicted high level of surcharge in the public sewer in the upper part of Clensmore Street, there may be a risk of reverse flows in the development site drainage in areas 3 and 4. Risk of reverse flows is not reflected in any way in the flood risk assessment or drainage strategy.

From the revised proposed drainage strategy it is clear that the existing sewers in the upstream section of the development (manhole S1507 and F1506) are to be abandoned. The drainage strategy comprises three outfalls into the existing surface water sewer in the road – all three include a hydrobrake. The total capacity of the three hydrobrakes adds up to the allowed maximum discharge of 235 l/s.

In the hydraulic assessment done by Severn Trent (appendix to original FRA) it is advised that a discharge rate of 235 l/s is allowed; provided that it is distributed in a certain way over four discharge points. As can be concluded, the drainage from area 3 and 4 is combined into one outfall, located at manhole 1401. The proposed discharge capacity via hydrobrake 3 (50 l/s) is 2.5 times the capacity that was recommended in the hydraulic assessment (20 l/s). I would advise that it is demonstrated that the existing surface water sewer in the road is able to cope with the proposed drainage strategy for the site.

Drainage strategy and use of SuDS - The SuDS system includes cellular storage, permeable paving, filter trenches, oversized underground pipes and the above mentioned hydrobrakes. According to the Flood Risk Assessment they ensure together that the total flow will be attenuated to the existing allowable brownfield runoff rate (including allowance for climate change) with onsite storage being provided for the critical 100 year plus climate change event. I have noted that the cellular storage capacity has been increased from 234m³ to 394 m³.

Although the proposed drainage strategy gives some details of sizes and layout, I would like to have a further insight in the design process, in order to be able to answer the following questions (from new CIRIA guidance called Planning for SuDS):

1. Does it deliver the agreed design criteria (management flood risk, management of water quality and provision of biodiversity / amenity)?
2. Has the SuDS management train been delivered?
3. Does it provide source control?
4. Where possible is water managed above ground?
5. Have all the opportunities of the site been exploited (location, site topography, views)?
6. Has existing flood routes and drainage exceedance been considered?

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7. Has health and safety been considered (gradients, inlets, outlet control structures)?
8. Has maintenance and access been considered?
9. Is there a maintenance plan?
10. Has adoption been resolved?

Conclusions

1. The development is not at risk from fluvial flooding or flooding from the canal. The documentation submitted with the planning application does not reflect that the site is at risk of reservoir flooding (website EA).
2. According to the Flood Risk Assessment the site will be able to cope with a 100 year event plus climate change, limiting the discharge to Brownfield rates (agreed by Severn Trent). The development does therefore not increase flood risk elsewhere. I regret that the development does not reduce the runoff levels further.
3. In the hydraulic assessment done by Severn Trent it is advised that a discharge rate of 235 l/s is allowed; provided that it is distributed in a certain way over four discharge points. The total runoff from the development is indeed limited to 235 l/s, however by using three outfalls with hydrobrakes into the existing surface water sewer in the road. The proposed discharge capacity via hydrobrake 3 (50 l/s) is 2.5 times the capacity that was recommended in the hydraulic assessment for area 3 (20 l/s). I would advise that it is demonstrated that the existing surface water sewer in the road is able to cope with the proposed drainage strategy for the site.
4. The SuDS system includes cellular storage, permeable paving, filter trenches, oversized underground pipes and hydrobrakes. More details are needed to understand the performance of the proposed SuDS components and their interaction (see questions listed above). The submitted calculations give some insight into the working of the drainage system, but this insight is limited to sewer sections and associated hydrobrakes and cellular storage. The drainage strategy map however also indicates the use of filter trenches and permeable paving. I regret that for this development hard engineering, underground SuDS are selected.
5. I would like to see results for exceedance.

There are quite a few issues that I would like to see clarified. However, I do not believe that any of the above would justify a planning objection. Therefore I suggest that a condition should be introduced instead, for instance:

“No development shall take place until a scheme of foul drainage and surface water drainage, which shall include a complete SUDS scheme, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the development is occupied.”

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- 3.16 Principal Health & Sustainability Officer - The Bellway Homes corporate website states that, *“Improving the environmental credentials of the homes we construct will form part of the solution in moving towards a low carbon economy”*. Bellway Homes provide detail on their approach to Tackling Climate Change, the Environment and Energy highlighting a number of achievements including delivering (to July 2010) 1,186 homes to the Code for Sustainable Homes Level 3 (up from 428 in 2009); the installation of solar, PV panels and heat pumps in 1,653 homes; the installation of water saving devices and cycle storage to encourage sustainable transport. The Adopted Core Strategy provides a mechanism for delivering sustainable development objectives by addressing social, economic and environmental issues. The strategy sets out Key Issues and Challenges including Climate Change, flood risk and addressing the low uptake of renewable energy schemes and domestic micro-generation. The Strategy sets out Development Objectives including:
- To provide a range of high-quality, highly energy efficient, market and affordable housing options
 - Ensure the District is equipped to adapt to and mitigate the impacts of climate change by ensuring that future developments are low or zero-carbon and that they do not increase flood risk

The section of the Core Strategy entitled Climate Change Strategy & Action Plan (Key theme 5: Sustainable New Development) records that to date, the majority of new development in Wyre Forest meets but does not exceed the energy efficiency standards required by the Building Regulations. Core Strategy statement 5.1 and 5.2 requires the authority to:

- *“Lead by example - ensure that sustainable construction techniques and technologies are used in Partners new build and refurbishment projects”*
- *“Encourage more sustainable, energy efficient construction, utilising the planning system to promote sustainable development where possible”*

Paragraph 12.1 of Key theme 12: Built Environment Adaptation to the Impacts of Climate Change requires the authority to:

- *“Implement policies requiring new development to take climate change issues into account and incorporate adaptation measures” highlighting measures such as Sustainable Urban Drainage Schemes (SUDS).*

The Design & Access Statement (DAS) claims that the proposed scheme *“...has adopted the general sustainable principles encouraged by WFDC”*. The intention to install water saving devices including low flow taps, dual flush WC's and water butts and the use of SuDS solutions is noted. However, the DAS lists a range of features intended to reduce energy demand and improve energy efficiency but they are only standard features meaning that the homes will only meet existing building regulation requirements. The DAS makes no specific commitment to select materials based on the BRE Green Guide to Specification other than “where available”. As stated in the DAS *“Buildings and plots are to be orientated to maximise their solar access and to provide opportunities for future installation of renewable energy technologies”*.

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Despite the notable achievements by Bellway Homes in improving the environmental performance of many of their homes, it is very disappointing that the Churchfields scheme does not include any proposals to install renewable energy technologies. I cannot agree with the DAS Summary statement that the proposed development has been influenced by “sustainability in all its forms”.

The submitted Planning Statement makes reference to the WFDC Core Strategy Policy CP01 which – “*seeks to ensure that all new development meets the highest energy efficiency standards*”. This development will not do that and indeed it is written in the Planning Statement that the proposal will only meet part M of the Building Regulations.

Reference is made to the compliance with Policy QE3 of the RSS (iii) - “*incorporating sustainability considerations such as energy and water efficiency, use of renewable energy, sustainable construction and drainage, building orientation, use of recycled materials, minimisations of waste, construction materials and prolonging the lifespan of buildings*”. Whilst the proposal to incorporate a SUDS system and ensure solar orientation has been noted, the development will:

- only be built to meet existing Building Regulations energy performance standards
- no renewable energy installations are proposed
- no detail is given on the use of recycled construction materials (other than reference to “*reusing materials from demolition where possible*” or measures to prolong the lifespan of buildings.

I cannot agree that the application comprehensively satisfies the “environmental sustainability” requirements.

3.17 Inland Waterways Association – No comments received.

3.18 Natural England - We have considered the proposal against the full range of Natural England’s interests in the natural environment. Based on the information provided with the application, our comments are as follows:

Natural England welcomes the provision of a 5m buffer zone alongside the canal. This is an improvement on earlier designs. This should be managed for biodiversity with an appropriate lighting strategy that minimises light spill onto the canal corridor.

We continue to advise securing the recommendations made in the Ecological Assessment using planning conditions.

We note the requirement for a badger licence to close the sett on site.

3.19 Severn Trent Water – No objections subject to condition.

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3.20 Worcestershire Wildlife Trust - We note the revisions to the landscaping scheme and the comments and recommendations made in the ecological survey report and landscaping strategy. Having taken these into account we do not wish to object to the proposed development but we would recommend that you append conditions to cover the following to any permission you may be otherwise minded to grant.

1. The mitigation recommendations made in section 5 of the ecological survey.

2. The green buffer to the canal shown on the Rev. D landscape plans. In particular we welcome the use of locally native species where possible and would suggest that the final planting plan be signed off by the Council with a presumption for native species where appropriate and especially along the canal corridor.

3. Control of extraneous light and noise pollution to the canal corridor where possible. Control of light will be especially important with respect to bats and the lighting strategy must take full account of this.

4. Careful control of runoff and potential contaminants to the canal and Stour Wildlife Sites, both during construction and in relation to drainage thereafter.

5. The installation of bat roosting opportunities and bird nest boxes on appropriate dwellings or garages across the site, particularly where they are adjacent to structure planting and the canal corridor.

3.21 Civic Society – No comments received.

3.22 Staffordshire and Worcestershire Canal Society – No comments received.

3.23 Neighbours / Site Notice / Press Notice – A total of four letters of objection have been received regarding the current proposals. The concerns raised are summarised below:

- Adverse effect on privacy enjoyed by residential occupiers opposite;
- Adverse impact upon wildlife that use the canal-side. The habitat is used by swans, ducks, moor hens, crane and Canadian geese who feed along the canal-side. Their habitat is to be removed in the pursuit of progress.
- New properties will overlook our house, owners privacy should not be overridden in the pursuit of profit.
- Our wonderful views are about to disappear in a cloud of bricks and mortar.
- Anyone who leaves Waterside Grange at rush hour via Broad Street to get through the Horsefair will know that the traffic backs up half way down the hill on Broad Street, these are not industrial vehicles but cars leaving the estate from homes or from people dropping children off at the school adjacent to Stoney Lane.

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- The short end of the Horsefair towards the ring road does not allow a free enough flow of traffic to allow the present traffic load off Waterside Grange, let alone another potential 480 cars.
- At the very least the council should on behalf of the residents commission an independent traffic survey to look at the existing loading and the potential loading once the new estate is built.
- I note that the survey by Messrs Travis Baker Ltd on behalf of the developer mentions the possible traffic solution that would come as part of the wider Churchfields redevelopment, but these plans may never come to fruition and so from a congestion point of view this application needs to stand on its own.
- The developer also rightly commissioned a Geo risk survey to look into the contaminated land aspect of the existing land. The flood defence embankment bordering the site is formed from thousands of tons of industrial spoil from businesses that would have used many chemicals hazardous to health, however they seem to have only taken a small number of samples from the embankment, this in my view is totally inadequate and as such I believe the council should commission an independent report looking at this structure in great detail. I would also like to see a method statement from the developer as to how they will remove this structure and in doing so prevent wind borne contamination from spreading across the neighbouring estate, the marsh SSSI and the two local watercourses. The developers own survey identifies arsenic, cadmium, lead and mercury as contaminants and so the risk of wind borne contamination should not be underestimated.
- With so many homes being built, will St Mary's School cope with the extra children?
- After attending the public exhibition I wrote to the applicants advising that I would prefer to see a more comprehensive plan for the entire area, with emphasis on two areas in particular, (a) the demolition of the decrepit buildings in Blackwell Street between the roundabout and Broad Street, which would be a benefit in itself but might resolve, pretty much at a stroke, the huge problem of access and (b) a focus on the canal. This latter point could mean canal-side cafe/restaurant/pub, mooring rights (probably requiring a 60' frontage) for some of the houses (which could be sold at a premium) and possibly even a commercial facility for a trip boat (as at Stourbridge) if Kidderminster wishes to expand its tourist potential. The applicants didn't take any notice (other than perhaps to count me amongst the numbers "consulted"), but I hope you might champion these views.
- There is no doubt that the present mix is unacceptable and should be improved but some new housing, some new light industrial units to encourage business and employment prospects, an emphasis on that gem of a canal and perhaps something like a "city farm" on the lower reaches of Clensmore Street would surely be a far more attractive and sustainable proposition for Kidderminster.

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4.0 Officer Comments

4.1 To reiterate, the current planning application seeks consent to demolish all of the existing buildings on the site. The proposal is to construct a total of 223 dwellings, 49 or 22% of which would be affordable. Access is proposed via Clensmore Street.

4.2 Alongside the current planning application is an application for Conservation Area Consent to reduce the height of retaining wall to the Canal which forms the boundary to part of the site (Ref. 11/0533/CAC).

4.3 The consideration of the current applications is divided into the following topic areas:

- Planning policy
- The principle of development
- The proposed layout and design of the scheme
- Green infrastructure and biodiversity
- Open space provision
- Flooding
- Impact upon heritage assets
- Highways and air quality
- Section 106 obligations

PLANNING POLICY

4.4 The planning system is currently undergoing reform. It remains the Government's intention to revoke the Regional Spatial Strategy (RSS), however the information and evidence base of the RSS is still a material consideration as is the decision is to revoke it. It is for Local Planning Authority's to consider how much weight they attach to either in their consideration of planning applications.

4.5 The RSS provides a long term land use and transport planning framework for the region and identifies the general distribution of new housing and other development.

4.6 Policy UR2 seeks to encourage local authorities and other agencies to bring forward local regeneration policies and programmes in a number of settlements outside of the Major Urban Areas, one of those settlements listed is Kidderminster.

4.7 Policy CF4 seeks to optimise the opportunities for recycling land and buildings for new housing development and for re-using redundant employment land and premises in urban areas.

4.8 Policy CF5 sets out how local authorities should plan for the provision of affordable housing.

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- 4.9 Policies QE1 and QE2 seek to promote the conservation and enhancement of degraded areas and those areas with distinctive character due to their landscape quality or heritage.
- 4.10 Policy QE3 pays attention to providing new developments which secure a high quality of townscape, urban form, building design and urban spaces through the use of architecture, urban design and landscape design. Incorporating sustainability considerations, creating a safe environment and minimising noise and light pollution
- 4.11 Policy QE4 focuses on urban green space and advises that planning policies should give adequate protection to key features including canals and open spaces along with linking new green space to the wider countryside to encourage the spread of species.
- 4.12 Policy QE7 seeks to protect, manage and enhance the region's biodiversity and nature conservation resources.
- 4.13 Policy QE9 encourages the enhancement of river and inland waterways as strategic resources to help secure the wider regional aims of regeneration, tourism and the conservation of the built and natural environment.
- 4.14 Policies T1 to T5 highlight the need to introduce measures to reduce the need to travel, expand travel choice, tackle congestion, improve safety and protect the environment. Policy T3 specifically encourages the provision of greater opportunities for walking and cycling.
- 4.15 Finally in respect to the RSS Policy T7 refers to parking standards and the need for local authorities to develop maximum standards in line with those given in PPG13, and identify those areas to which more restrictive standards should be applied.
- Worcestershire County Structure Plan
- 4.16 Policy CTC9 requires development to demonstrate that it would not cause the pollution of surface water or groundwater.
- 4.17 Policy CTC17 seeks to preserve regionally or locally important archaeological remains or where preservation in situ cannot be justified to record those parts of the site that may be destroyed or altered.
- 4.18 Conservation Areas, their setting and features within them are identified as important by Policies CTC19 and CTC20. These policies seek to ensure their protection and enhancement. Policy CTC21 seeks to retain buildings of special architectural or historic interest.
- 4.19 The provision of car parking standards expressed in terms of maximum provision are proposed as part of the Policy T4.

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Adopted Local Plan

- 4.20 Until such time as the policies with the Kidderminster Central Area Action Plan and the Site Allocations and Policies DPDs have been adopted there still remain relevant policies with the Adopted Local Plan which have been saved and are material to the consideration of the current application.
- 4.21 Policy D.4 requests a detailed tree survey where necessary with clear justification for the felling of trees.
- 4.22 The detailed design of boundary treatment and landscaping schemes are the subjects of Policies D.10 and D.11.
- 4.23 Policy D.12 seeks to include the provision of public art within major developments.
- 4.24 A detailed contaminated land survey which identifies remedial measures is requested by Policy NR.2 where contamination is known to exist or is suspected. Development will not be allowed where it will either cause or increase pollution of watercourses and groundwater resources, or where the fundamental ground conditions render a site unsuitable for the development proposed.
- 4.25 Proposals for development likely to need external lighting areas required by Policy NR.12, to include details to demonstrate that light spillage is minimised, there would be no adverse impact upon residential amenity or areas of nature conservation importance or protected species.
- 4.26 Policy CA.1 seeks to preserve or enhance Conservation Areas or their settings or views into or out of these areas. It states that particular regard will be paid to the relevant Conservation Area Character Appraisal.
- 4.27 Careful consideration is given to the demolition of buildings or structures within a Conservation Area under Policy CA.2 which may not be statutorily listed.
- 4.28 Policies AR.2 and AR.3 recognise the importance of sites containing archaeological remains of regional, county or local importance and their settings. Development that would have a direct or indirect adverse effect will not be permitted unless there are no reasonable alternative means of meeting the need for the development or the reason for the development outweighs its archaeological importance. The latter policy requires the submission of field evaluation and appropriate mitigation measures.

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- 4.29 Policy NC.1 refers to areas of national importance for nature conservation which includes SSSI's. Development likely to affect such an area of national importance will not be permitted unless there are no reasonable alternative means of meeting the need for the development nationally and the reasons for the development outweigh the nature conservation value of the site itself. The same approach is explained in Policy NC.2 which refers to areas of regional, county or local importance such as SWS's.
- 4.30 The necessary information to accompany a planning application which will affect an area known for its nature conservation value is explained by Policy NC.7. This includes mitigation plans.
- 4.31 Policy TR.17 refers to the current Parking Standards adopted by the District. They should be regarded as maximums and should not be exceeded. The Policy allows for the provision of lower levels of car parking in locations which are highly accessible by other modes of transport as part of a co-ordinated package of planning and transport measures.
- 4.32 Policy LR.3 seeks to ensure that adequate provision is made for children's play space in accordance with the National Playing Fields Six Acre Standard.

Adopted Core Strategy

- 4.33 The Core Strategy adopted in December 2010 outlines the strategic policy for the District.
- 4.34 Policy DS01 advises that provision needs to be made for 4000 dwellings between 2006 and 2026. This figure is consistent with the soon to be revoked RSS. The Core Strategy clearly states that the Council considers that it has sufficient local evidence and support to justify retaining this figure.
- 4.35 Policy DS01 states that new development will be concentrated on brownfield sites within the urban areas of Kidderminster and Stourport. Furthermore it recognises that preference will be given, when allocating future sites for development to key regeneration sites within the Kidderminster Central Area Action Plan boundary as highlighted within the Kidderminster Regeneration Prospectus.
- 4.36 Policy DS02 indicates that new development will focus on the regeneration opportunities presented on identified brownfield sites and as an indicative guide Kidderminster will meet approximately 60% of the District's requirement for new homes.
- 4.37 DS05 refers to the phasing of development over the plan period.
- 4.38 Policy CP01 seeks to ensure that new development addresses climate change with consideration given to design, layout, siting, orientation, construction methods and materials to maximise energy conservation and reduce waste.

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- 4.39 Policy CP02 refers to flood risk and advises that new developments should incorporate a sustainable urban drainage system (SuDS).
- 4.40 Policy CP03 promotes an integrated transport system and enhancing accessibility. In doing so the Policy acknowledges that development proposals should have full regard to the traffic impact on the local highway network and provide a travel plan to demonstrate that they have fully considered accessibility by all modes of transport. Furthermore the Policy advises that developers must take account of the Worcestershire Local Transport Plan and where appropriate contributions will be sought to support transport infrastructure schemes which will assist regeneration. Notably one of the examples quoted in the policy is the improvement to facilitate the multi-modal use of the Kidderminster Ring Road and to enhance accessibility to the town centre particularly by improving particular pedestrian access. Finally this policy refers to the need to take the impact of a proposed development on air quality into account and the proposed parking requirements.
- 4.41 Affordable housing is subject of Policy CP04 which states that the District Council will generally seek to secure the provision of 30% on sites of 10 or more dwellings within Kidderminster. However the Policy also advises that where the 30% provision would undermine the viability of the development then this will be subject to further individual site viability assessment undertaken by the applicant.
- 4.42 Policy CP06 seeks to ensure that an appropriate density of development is achieved and highlights that at the application site new development should incorporate a density of 50 dwellings per hectare. The policy does however acknowledge that there may be circumstances where these minimum standards will not be applied due to the character and surroundings of the site. The Policy also seeks to promote the creation of mixed communities through a range of house types, tenures and sizes.
- 4.43 Policy CP07 seeks to resist the loss of existing community facilities including open space and recreational uses and encourages developers to provide community infrastructure as part of their schemes or by way of off site contributions.
- 4.44 The creation of successful places is encouraged by Policy CP11 which seeks to ensure that developments connect sensitively to their surroundings, improve sustainable transport, provide well planned streets and spaces, present active frontages, private areas and buildings which are capable of future adaptation. Proposals must reflect design quality.
- 4.45 Policy CP12 seeks to strengthen and enhance the landscape character of development sites.

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- 4.46 Through Policy CP13 the existing green infrastructure within the District is recognised. The Staffordshire and Worcestershire Canal is identified as a key asset which will be safeguarded, whilst new developments are advised to positively contribute towards it.
- 4.47 Policy CP14 states that existing biodiversity sites which include SSSI's and SWS's and the species and habitats recognised within the Worcestershire Biodiversity Action Plan will be safeguarded from development. Furthermore new development will be required to contribute towards biodiversity by enhancing opportunities within the site or by making a contribution to off-site projects. In addition new developments must include measures to ensure that they have a positive impact on the ability of species to migrate. The biodiversity value of the Staffordshire and Worcestershire Canal is noted, as is the opportunity to increase biodiversity by conserving and enhancing existing protected trees.
- 4.48 The regeneration of the waterways is promoted by Policy CP15 which seeks to encourage their use as a tourist attraction. Specifically with respect to the Staffordshire and Worcestershire Canal it states that development that positively contributes to the creation of a quality canal-side environment particularly in the urban areas will be supported. All new development must provide a strong active frontage to the waterside that provides natural surveillance whilst the capacity of the towpath as a sustainable pedestrian and cycle route should be developed and promoted.

Consultation Draft Site Allocations and Policies DPD

- 4.49 The Site Allocations and Policies DPD will allocate and designate areas of land for particular uses, most notably land to deliver housing. It was published for a second stage of consultation in May 2011. This second stage is referred to as the Preferred Options Stage and therefore represents the Council's preferred sites for allocation.
- 4.50 Policy 1 directs sites for residential development to brownfield sites within the urban area of Kidderminster or on allocated sites within the KCAAP.
- 4.51 Policy 3 refers to those developments where the required level of affordable housing cannot be achieved. In those instances the Policy states a full viability assessment is required to justify the level proposed.
- 4.52 According to Policy 14 development should safeguard and enhance the existing cycle route network, not adversely affect bus priority routes and provide shared surfaces with an emphasis on connected and legible layouts which give priority to pedestrians over vehicles.
- 4.53 Policy 15 seeks to ensure that new developments meet the parking standards set out in the Worcestershire County Highways Design Guide.

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- 4.54 Policy 16 refers to major transport infrastructure and states that proposals that would benefit from the infrastructure highlighted in Core Strategy Policy CP03 will be required to make a significant contribution towards the implementation of those schemes
- 4.55 The implementation of SuDS schemes is promoted by Policy 19.
- 4.56 Policy 22 seeks to safeguard the existing green infrastructure network with new development providing adequate children's play space. The interests of nature and biodiversity conservation must be taken into account on all land within and outside of designated sites. Policy 22 advises that any development which would have a detrimental impact will not be permitted unless there are no reasonable alternative means of meeting the need for the development nationally and the reasons for the development outweigh the nature conservation value of the site itself.
- 4.57 Policy 24 refers to Heritage Assets and requires that any development proposal affecting the District's heritage assets or their setting should demonstrate how these are to be protected, conserved and where appropriate enhanced. A Heritage Statement should be submitted where appropriate. Development that would have an adverse impact will not be permitted unless there are no reasonable alternative means of meeting the need for the development, the reasons for the development outweigh the individual importance of the building or structure and in the case of demolition that the proposal meets the criteria of PPS5.
- 4.58 Policy 25 seeks to achieve development which is of the highest design quality. In attempting to do so it seeks to ensure that development demonstrates compatibility with a list of 16 criteria. These include maximising the use of corner plots; promoting accessibility by non-car modes; integrating well with the street scene; and providing well designed parking solutions which do not result in cars dominating a development but also that the solution provides secure parking with adequate natural surveillance.
- 4.59 Finally Policy 26 seeks to ensure that proposed landscaping schemes and boundary treatment are appropriate.

Kidderminster Central Area Action Plan (Kcaap) Preferred Options
Consultation and Draft

- 4.60 The KCAAP provides detailed planning policy which sets out the strategy and policies for the development and regeneration of the central area of Kidderminster. It has passed through two stages of consultation with the most recently published Preferred Options stage representing the Council's preferred sites for development. This went out for consultation in May 2011.

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- 4.61 Like the Adopted Core Strategy the Plan seeks to promote Kidderminster as a strategic centre. Policy 1 seeks the provision of at least 900 dwellings within the KCAAP within the plan period, whilst Policy 2 encourages a mix of uses on development sites where such a mix is consistent with other policies within the LDF.
- 4.62 It is recognised that the Churchfields area has the potential for B1 and B2 uses by Policy 7 but more limited one off opportunities to meet leisure needs (Policy 9).
- 4.63 Policy 10 recognises the ambition to create a well connected and accessible town centre that provides safe and easy access to the surrounding neighbourhoods. It states that where practicable and appropriate development should contribute to one of a list of major projects. The list includes improved access to Churchfields and Crossley Park.
- 4.64 Policy 11 seeks to promote a walkable town and states that developments that would block or reduce pedestrian movements both through a site and the wider town will not be acceptable.
- 4.65 Key urban design objectives which new developments will be expected to meet are set out under Policy 12. These build upon the principles of good design described by Core Strategy Policy CP11.
- 4.66 Policy 16 is specific to the Staffordshire and Worcestershire Canal. It gives guidelines for new development sites located adjacent to the Canal. These promote an active frontage to the canal; the improvement of pedestrian links to the canal; the delivery of a new bridge; the preservation of existing canal infrastructure and boat movements; high quality design that respects the Canal Conservation Area; and an improvement to the canal-side public realm.
- 4.67 In addition to the above, Policy 18 explains that sites adjacent to the canal will be expected to enhance its existing green infrastructure and biodiversity.
- 4.68 Part B of the KCAAP provides site specific policies for the seven key development and regeneration sites within Kidderminster. The first is Churchfields within which the application site is located.

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- 4.69 Policy 19 refers to the Churchfields Masterplan and states that new development will have to conform to its guiding principles and objectives. The 17 criteria listed include not prejudicing the comprehensive development of the wider Masterplan area; providing a housing led urban village; providing vibrant thoroughfares and interconnected streets and squares; working with an appropriate block structure and landmarks; providing new infrastructure and movement choices; incorporating functional recreational space; and providing new pedestrian linkages to the town centre. The Policy accepts that the viability, deliverability and phasing of regeneration proposals will be taken into account. Proposals must demonstrate consistency with the comprehensive masterplanning approach and will only be acceptable where they meet the criteria of the Policy unless they are accompanied by a full viability assessment.
- 4.70 There are specific policies relating to the different sites within the Churchfields area. The application site is known in the KCAAP as Phase 2a – Former Georgian Carpets / Stoney Lane Industrial Estate. Policy 21 sets out the seven expectations for the redevelopment of this site. These are appropriate connections to the surrounding streets and spaces; the provision of a clear block structure; a positive relationship to the canal including good levels of public access; avoiding the creation of cul-de-sacs; maximising the extent of active frontages; compliance with the Canal Conservation Character Appraisal; and the provision of a new pedestrian link over the canal.

Re-Wyre Prospectus

- 4.71 The Re-Wyre Initiative was launched in September 2009 with the publication of the Regeneration Prospectus for Kidderminster. Its publication meets the aspirations of Policy UR2 of the RSS which seeks to encourage local authorities and other agencies to bring forward local regeneration policies and programmes in places such as Kidderminster. The Prospectus highlights the importance of four 'key action areas' for regeneration. One of these action areas is Churchfields, within which the application site lies.

Churchfields Masterplan

- 4.72 The Masterplan has been commissioned as part of the Re-Wyre Initiative and has been prepared by MADE on behalf of the Re-Wyre Board and the District Council. The overall vision for the Churchfields area is described in the Masterplan as an 'urban village' of mixed housing, business and community uses.
- 4.73 It is intended that the Masterplan will provide a comprehensive approach to the development of the area as well as detailed design and access policies. Improving access to, movement and permeability within the Masterplan area is one of its key themes. Through the Masterplan opportunities will be explored to provide new points of access to the area by a variety of travel modes.

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- 4.74 The Masterplan refers to opportunities to enhance facilities for play and recreation, and providing development which positively addresses its public frontages to create a vibrant area with natural surveillance.
- 4.75 Notably the Masterplan states that *“Around 20,000 vehicles a day pass to the south of the Masterplan area along the ring road. This route offers views of St. Mary’s Church, but few will have knowledge of what lies behind.”*
- 4.76 The Masterplan gives a list of top five constraints which include access and environmental quality whilst the top five opportunities include links to the town centre and Crossley Park together with the improvement of traffic capacity at Blackwell Street.
- 4.77 These constraints and opportunities are relayed within the nine design principles titled as:
- 1) Improve connectivity (as this was the most important issue for local people so the Masterplan makes this the first principle);
 - 2) Utilise the open space network and topography for visual interest and recreation;
 - 3) Creation of character areas and a legible development;
 - 4) Provide a positive frontage to the Staffordshire and Worcestershire Canal;
 - 5) Create a series of new public spaces;
 - 6) Integrate existing heritage assets into new development;
 - 7) High quality architecture and finish;
 - 8) Vibrant mixed communities; and
 - 9) Deliverable and realistic.
- 4.78 The Masterplan breaks down the area into five character areas. The application site encompasses the area called Churchfields North. The design aspirations for the site include the provision of the following;
- a new pedestrian / cycle bridge;
 - a shared surface street adjacent to the canal to allow access to front doors;
 - secure perimeter blocks of development to improve overall connectivity;
 - a new central area of open space;
 - visual connections with the canal from Clensmore Street;
 - landmark corner developments to provide a gateway to Churchfields North;
 - New landmark apartment building with potential mixed use on ground floor;
 - Pedestrian and cycle route alongside the canal; and
 - Varied street type alongside the canal to allow vehicular access along small stretches to improve pedestrian priority.

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- 4.79 The Masterplan indicates that Section 106 financial contributions could be required for the following (in priority order):
- i. off site highway works;
 - ii. public transport (for commercial development);
 - iii. affordable housing (for proposals involving residential development);
 - iv. off site improvements to cycle and pedestrian routes;
 - v. open space, play provision and maintenance;
 - vi. education;
 - vii. public art; and
 - viii. drainage infrastructure.
- 4.80 Where these cannot be achieved the Masterplan advocates justification via an open book viability exercise.
- 4.81 The draft was considered by Members in April 2011 and thereafter went out to public consultation. It is intended that officer responses to the representations received on the draft will be reported to Overview and Scrutiny Committee, Cabinet and Full Council this month with a recommendation to adopt the Masterplan as a Supplementary Planning Document.
- 4.82 Importantly when the draft was reported to Members in April 2011 it was resolved that it be given due weight as a material consideration in determining planning applications falling within its boundaries. On the basis that it is anticipated that the final version will be adopted by the end of the month it is considered that this guidance should be given significant weight.

THE PRINCIPLE OF THE DEVELOPMENT

- 4.83 According to the Adopted Local Plan of 2004 the application site is allocated for employment uses. Therefore the proposed residential development would be contrary to this allocation. There is however more recently adopted plus emerging policy which is material to the consideration of the current application.
- 4.84 First the site was identified in the Strategic Housing Land Availability Assessment (SHLAA) of December 2009 and remains as such within the 2010 update.
- 4.85 Secondly the Adopted Core Strategy promotes existing brownfield sites within Kidderminster for new development with Policy DS01 giving preference to key regeneration sites within the Kidderminster Central Area Action Plan (KCAAP) boundary. Furthermore Policy DS02 indicates that Kidderminster will meet approximately 60% of the District's requirement for new homes. The submitted Planning Statement advises that this proposal will contribute towards the target of 326 dwellings per annum between 2011/12 and 2015/16 outlined in Policy DS05. This adopted DPD is considered to have significant weight.

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- 4.86 Thirdly the draft KCAAP DPD promotes Kidderminster as a strategic centre and encourages developments which will contribute to increasing the resident population within its boundary. Policy 1 seeks to provide 900 dwellings within the KCAAP area within the plan period. The application site lies within the Churchfields area explained within the DPD as the largest regeneration site in the town and a priority for the District Council. Furthermore the Churchfields area is described as a new urban village where it is expected to provide the most significant proportion of housing within the KCAAP area.
- 4.87 Policy 19 which specifically relates to the Churchfields area states that new development will have to conform to the guiding principles and objectives set out in the Churchfields Masterplan to provide a housing led urban village. The reasoned justification indicates that it is envisaged that the Masterplan area could accommodate in excess of 600 new homes.
- 4.88 Importantly Policy 21 which specifically refers to the application site states that the redevelopment of this area will be expected to include housing with the reasoned justification explaining that it is considered that the site offers scope for phasing in the early part of the plan period between 2012 and 2016. Furthermore it goes on to state that this site will comprise entirely of residential uses and its redevelopment could provide approximately 240 homes.
- 4.89 Fourthly the Re-Wyre Prospectus for Kidderminster has four themes and four action areas. The third theme is the delivery of new housing and the third action area is Churchfields which is described as the area which, *“will be by far and away the biggest single housing led regeneration in Kidderminster”*.
- 4.90 Finally and fifthly as mentioned above the Council is promoting the Churchfields area as a focus for regeneration through the Churchfields Masterplan which was published in draft in May 2011. At approximately 5.3 hectares the application site is one of four sites totalling 13 hectares which together form the Churchfields regeneration area. The application site referred to as Churchfields North in the Masterplan is identified for residential development.
- 4.91 Whilst the Core Strategy has been adopted the KCAAP is as yet only at a consultation draft stage, and albeit that the Re-Wyre Prospectus has been adopted by the Council it does not form part of the Local Development Framework. It is however considered that their intentions in terms of the proposed land use of the application site should be given weight in the determination of the current application. Furthermore as stated previously it is anticipated that the Churchfields Masterplan will be adopted as a DPD very shortly and therefore it is given significant weight. By virtue of the weight given to these layers of planning policy it is considered that there is sufficient reason to outweigh the 2004 Adopted Local Plan allocation of the application site for employment purposes, and therefore the principle of residential development is considered to be acceptable.

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4.92 Furthermore, the re-use of this brownfield site is consistent with the objectives of CF4 of the RSS.

PROPOSED LAYOUT AND DESIGN

4.93 The proposed layout of the site together with the design of the dwellings has evolved considerably during the planning application process. There has been a clear urban design led approach by officers which has been informed by the design principles set out in the Churchfields Masterplan. By this it is meant that the layout of the built form has been considered first which has then informed the alignment of the carriageways.

4.94 The proposed layout has been based on blocks of development and favours ease of movement by pedestrians and cyclists rather than vehicles. Not only does it provide an efficient use of land but it also ensures that the proposed routes for pedestrians and vehicles are direct, convenient and overlooked.

4.95 This design led approach has meant that the number of units has been reduced from 240 to 223. The amended layout also ensures the following aims have been achieved;

- a strong active built frontage to the canal providing natural surveillance;
- an ecological buffer (5m wide) to maintain and enhance the SWS;
- pedestrian routes through to the canal where there is a 3m wide canal-side walkway aligning the ecological buffer again promoting activity throughout the day;
- visual connections from Broad Street and Clensmore Street to the canal-side;
- a perimeter block arrangement providing clear definition between public and private spaces;
- pedestrian routes through the site to allow simple legibility and ease of movement with increased connectivity to the wider area;
- the incorporation of Red Sands Road within the development to allow the proposed houses to back onto the adjoining development known as Waterside Grange;
- an area of open space in the centre of the site allowing natural surveillance by the surrounding properties; and
- a landmark building at the southern corner of the site.

4.96 Access to the site is proposed via three priority junctions with Clensmore Street. These site entrances are purposefully tight to signify entry into a residential area.

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- 4.97 It should be acknowledged that the total of 223 dwellings equates to approximately 41 dwellings per hectare which is below the density requirement of 50 dwellings per hectare as outlined in Core Strategy Policy CP05. It is however considered that the density proposed is appropriate to the character of the area particularly taking the ecological considerations of the canal-side and the character of the conservation area into account.
- 4.98 The scheme proposes a range of house types including 2, 3 and 4 bed houses and 1 and 2 bed flats. Eight different house types are proposed for the 29 affordable units whilst twenty one different styles are proposed for the remaining 174 units. These range from four storeys in height where the two blocks of proposed flats define the gateway to the development close to Lime Kiln Bridge, to three storey town houses overlooking the canal, to two storey detached, semi detached and terraced properties. The proposed materials comprise a mix of brick and render.
- 4.99 Elements of the proposed townhouses make reference to the industrial heritage found in Churchfields in the form of the '1902' building. The elevational design adopts some of the local features such as the arched brick openings, window bars to the glazed elements and consistently proportioned openings.
- 4.100 The Design and Access statement advises that the dwellings have been designed to include the following features to reduce their energy demands and improve their overall energy efficiency:
- highly insulated walls, floors and roofs;
 - energy efficient boilers;
 - energy efficient appliances and light fittings;
 - insulated pipe work;
 - dwellings have been orientated to allow all gardens and houses to benefit from solar access at some point in the day;
 - pitched roofs to allow future installation of renewables;
 - sealed double glazing window units;
 - low flow taps;
 - dual flush wc's; and
 - the provision of water butts.

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- 4.101 In addition the entire development will be served by a sustainable urban drainage system (SuDS) comprising cellular storage, permeable paving, filter trenches, oversized underground pipes and hydrobrakes. It should be acknowledged that the energy efficiency measures listed above do not meet the aspirations of Policy CP01 of the Core Strategy which seeks the inclusion of renewable energy technologies on all major developments. It is however considered that in this case subject to its acceptability there is sufficient justification via the submitted financial viability assessment which is explained in greater detail later in the report. Furthermore it is also recognised that the 32 affordable rented units are to be built as lifetime homes and will meet the Code for Sustainable Homes level three.
- 4.102 The Highway Authority has submitted an objection to the proposed layout due to the shortfall in parking. According to the both the parking standards of the Adopted Local Plan and Worcestershire County Council's Transport Plan 3 (LTP3) each three and four bedroom dwelling needs to provide a minimum of two car parking spaces. However in contrast to the District Council's guidance the County Council's LTP3 does not allow a garage to be counted as a parking space. This is because the County Council concurs with the Government's guidance contained in Manual for Streets which indicates that there is evidence to show that the majority of garages provided on residential developments are not used for car parking. Therefore whilst the proposed layout meets the District Council's parking standards it fails to comply with the County Council's on the basis that 17 of the 223 plots, or 8% rely on private garages for parking to meet the required number of spaces.
- 4.103 However first it is acknowledged that LTP3 was only adopted in February 2011. Therefore the County Council's stance regarding garages has not been longstanding. Furthermore LTP3 provides some flexibility, it states *"To a degree, marginal variations around these parking standards are negotiable in acceptance of the numerous factors that may apply such as location, public transport provision, walking and cycling facilities, type of residential occupants, the existing land use, public parking provision and so on."*
- 4.104 Also of note is the national guidance within PPG13 which states that in developing and implementing policies on parking, local authorities should, *"(2) not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls."*

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- 4.105 The shortfall in parking is considered minimal whilst the 17 plots which do not meet the County Council's parking standards still have private garages as a fall back position. Whilst the applicant could meet the County Council's aspirations it would be at the cost of either reducing the amount of private amenity space to each plot by pushing the proposed garages further into the rear garden to allow an additional space in front; detracting from the street scene particularly along the frontage to Clensmore Street by turning the proposed garages into car ports; or reducing the amount of amenity space and detracting from the street scene by providing an additional space within the front garden. In this case it is considered appropriate, given the flexibility that LTP3 and PPG13 provides, to override the recommendation for refusal by the Highway Authority.
- 4.106 It is considered that the proposed scheme in terms of its layout and design is consistent with Policy QE3 of the RSS, Policy CP11 of the Core Strategy, Policies 10, 11, 12, 16, 19 and 21 of the draft KCAAP DPD, Policies 25 and 26 of the draft Site and Allocation Policies DPD, the aims of the Design Quality SPD and the design aspirations for the Churchfields North site as set out within the Churchfields Masterplan.

GREEN INFRASTRUCTURE AND BIODIVERSITY

- 4.107 The majority of the existing site comprises of large industrial buildings surrounded by areas of hardstanding. Whilst there are small pockets of rough grassland, ornamental trees and hedges the area of most significance is along the frontage to the canal where there is a mound of up to 5m in height which has been colonised by bramble, elder and sycamore scrub. This part of the site also contains the most prominent trees including 4 willows, 2 birch trees and a small group of birch and willow that are protected by Tree Preservation Order No. 274 issued in 2003. The canal-side also however contains an area of Japanese Knotweed.
- 4.108 A habitat survey has been submitted which provides details relating to the general ecological value of the site and identifies the main habitats and associated plant species. Specific surveys have been undertaken with respect to reptiles, badgers, bats, water voles and otters.
- 4.109 The surveys found evidence of a minor outlier badgers sett which it is proposed will be closed under a licence issue by Natural England but there was no evidence of bats, water voles, reptiles or rare or notable species of invertebrates. Furthermore the trees within the site are noted as offering limited opportunities for nesting and foraging birds.
- 4.110 The ecological report notes the presence of the Staffordshire and Worcestershire Canal Special Wildlife (SWS) and acknowledges that it provides an important wildlife corridor though the urban landscape of Kidderminster, a point confirmed by a number of the consultation responses.

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- 4.111 The proposed layout has been re-designed with the ecological value of the site in mind. The revised proposal seeks to enhance the biodiversity of the SWS by removing the Japanese Knotweed and providing a continuous buffer of native species to mimic the natural situation found elsewhere along the canal to increase the potential of the canal-side as a wildlife corridor. Through discussions this buffer has been increased to a width of 5m along the whole frontage to the canal.
- 4.112 The applicants have sought to address the original concerns of the Council's Countryside and Conservation officer by confirming that the existing bund within the site is to be levelled and the plots are now proposed to be set further back from the canal-side edge so that they will not tower above the canal which would detract from its naturalness. In addition the drainage strategy proposes to take runoff water to attenuation areas to prevent pollution of the canal. The impact of lighting particularly in relation to the proposed footpath which aligns the ecological buffer can be agreed via a suitably worded condition to ensure that it does not detract from the biodiversity of the SWS.
- 4.113 Notably the Council's Arboricultural Officer has objected because the proposed scheme would result in the loss of the protected trees. However the scheme proposes significant replacement planting in the form of 7 silver birch, 9 alder and 5 white willows, all extra heavy standard in size which would be planted within the proposed ecological buffer whilst an additional 60 trees are proposed within the residential layout comprising a mix of field maple, alder, silver birch, hornbeam, hazel, hawthorn, magnolia, rowan, london plane, cherry and goat willow. Whilst the loss of the protected trees is regrettable it is considered that they could not be accommodated within the overall layout which provides open vistas through the site to the canal beyond and a canal-side walkway. In addition the proposed planting is considered to be adequate to offset their loss.
- 4.114 It is considered that the revised scheme would enhance the existing green infrastructure and biodiversity that this site currently offers and positively contribute towards the canal-side environment in accordance with Policies D4, D11, NC1 and NC2, of the Adopted Local Plan; Policies CP12, CP13, CP14 and CP15 of the Adopted Core Strategy; Policies 22, 23 and 26 of the draft Site Allocations and Policies DPD; Policies 16, 18, 19 and 21 of the draft KCAAP, the design principles of the Masterplan; Policies QE1, QE2, QE4, QE7 and QE9 of the RSS and the aims of PPS9.

OPEN SPACE PROVISION

- 4.115 Policy LR3 of the Adopted Local Plan together with the SPD on Section 106 obligations indicate that new housing developments will be expected to secure the provision of an adequate quantity and quality of open space including play space. The provision is based on the number of child bed spaces.

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- 4.116 The current application for 223 dwellings would equate to a total of 455 child bed spaces. According to Adopted policy a scheme of over 200 new child bed spaces requires a Neighbourhood Equipped Area for Play (NEAP) within a walking distance of 1000m. In this case St. Georges Park lies at a distance of approximately 900m and Springfield Park at a distance of approximately 1060m. It is therefore considered that the proximity of these two NEAP's off sets the requirement for a NEAP on site. The applicants have however offered two Local Areas for Play (LAP's) together with a financial contribution. The first is sited adjacent to the walkway and canal-side ecological buffer, the second is in the centre of the site.
- 4.117 Whilst comments from the Community and Partnership Services Directorate are still awaited, it is considered that the two LAP's, which are proposed to be adopted by the District Council, would enhance the existing provision for play and recreation within the Masterplan area. The two public spaces would also act as a link to other green spaces within the wider Masterplan area and provide a sense of space within the application site itself.
- 4.118 Whilst the provision of two LAP's, rather than a contribution to the existing off site NEAP's does not meet the precise requirements of the Adopted Policy it is considered that the proposed provision would provide a layout which has character and would be attractive to future occupiers. It would also provide opportunities for recreation with the site and contribute to its appearance from the canal. Furthermore there is also the financial viability of the scheme to consider which is explained later in the report.
- 4.119 It is considered that there is sufficient policy justification to support the approach taken under Policies CP07 and CP11 of the Adopted Core Strategy, Policies 12, 19 and 21 of the draft KCAAP, and the Design Principles of the Churchfields Masterplan.

FLOODING

- 4.120 The application site lies within flood zone 1 and is at a low risk of flooding. It is proposed that the development will incorporate a SuDS drainage scheme which will reduce the risk of flooding to the development and to others elsewhere by minimising the volume of surface water that enters the drainage system in the vicinity of the site.
- 4.121 The drainage calculations found within the FRA have been questioned by the Council's Watercourse Officer. It is anticipated that a response to these queries will resolve the issues raised, however should questions remain unanswered it is a matter that can resolved by a suitably worded planning condition.

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IMPACT UPON HERITAGE ASSETS

- 4.122 The application site borders the Staffordshire and Worcestershire Canal Conservation Area, designated in 1978. It also contains the remains of a building known as the former Corn Mill which although rather dilapidated is a prominently sited building from the conservation area. Consideration of the current application needs to take account of the impact upon any heritage assets which includes any archaeological remains together with the impact upon the character and appearance of the Canal Conservation Area.
- 4.123 The application has been submitted together with an Archaeological Evaluation Report. This has been supplemented by an Architectural, Archaeological Analysis and Heritage Assessment. This latter report assesses the heritage value of the remaining buildings on site, most notably the former Corn Mill but also the engine house, the southern complex (Kidderminster Roofing Supplies), the carpet factory complex, CMS, Unit 25c, the pallet store and the buildings of Red Sands Road. An additional report entitled a Structural Inspection of the former Corn Mill has also been submitted.
- 4.124 The supporting information indicates that despite its proximity to the canal, the site appears to have remained outside the built up area of the town centre until the early 19th century. However there are records which show that the former Corn Mill buildings complex dates back to as early as 1838 and part of the original boundary wall to the canal still remains. The lower courses are thought to date back to the same age.
- 4.125 The Heritage Assessment reports that the elevation of the Corn Mill which fronts onto the canal is now fragmentary and rather squat beneath the present roof structure. The building fails to respect the historic development of the 19th century building and is of limited heritage value. The structural inspection advises that the remaining walls are in a poor state of repair, the existing roof needs replacement and the structural stability of the existing walls needs careful consideration.
- 4.126 As acknowledged by the Council's Conservation Officer the remains of the former Corn Mill are not listed or locally listed neither are they afforded any notability within the Conservation Character Appraisal. As advised this is possibly due to the fragmentary nature of the upstanding remains with only the wall facing the canal being anywhere near complete, and even this has been reduced in height. It is however marked as a non listed building of heritage value with the Churchfields Masterplan and suggested for retention. There is however no objection to the loss of this or any of the other remaining buildings on site.
- 4.127 There is also support for the reduction of the Corn Mill building frontage in height as proposed within the current Conservation Area Consent application (Ref.11/0533/CAC).

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- 4.128 The Canal Conservation Area Appraisal explains that from St. Mary's tunnel onwards, the views from the canal are mixed creating a gradual interface between the urban environment of Kidderminster and the more rural environment of the canal heading towards Wolverley.
- 4.129 This is reflected in the comments made by the Conservation Officer who considers that the character of the Conservation Area along the frontage to the site can be divided into two parts.
- 4.130 The canal-side to the north of the former Corn Mill has remained largely undeveloped and appears as a vegetated sloping bank. The frontage to the canal north of the application site on either side has been developed as part of the Waterside Grange residential estate, it is within the ownership of several private landowners who have treated the frontage in different ways. It is considered that the creation of a continuous buffer zone along the canal-side with the dwellings set further back from the waters edge would provide a more uniform frontage which would enhance its appearance.
- 4.131 To the south of the site, between former Corn Mill buildings and Lime Kiln bridge, the canal-side frontage is more industrial in character with commercial buildings and the brick boundary canal retaining wall dominating its appearance.
- 4.132 Given the industrial nature of this part of the site and the appearance of the existing buildings which are not considered to be of any note it is felt that the proposed residential development would enhance the character of the Conservation Area. Whilst the proposed dwellings rise to three and four storeys at this point they will address the canal and contribute towards creating a vibrant frontage in contrast to the current situation.
- 4.133 Whilst the proposed layout does not accommodate the former Corn Mill buildings and the character of the Canal Conservation Area will change significantly it is considered that the proposals are consistent with Policies CA1, CA2, AR2 and AR3 of the Adopted Local Plan, Policies CTC19 and 20 of the County Structure Plan, Policy CP11 of the Adopted Core Strategy, Policies 16 and 21 of the draft KCAAP, the Design Principles of the Churchfields Masterplan and the aims of PPS5.

HIGHWAYS AND AIR QUALITY

- 4.134 The application has been submitted together with a Transport Assessment (TA), and a Residential Travel Plan. Furthermore as the Horsefair area is identified in the Worcestershire Local Transport Plan as an Air Quality Management Area (AQMA), a technical assessment with respect to the impact on the AQMA has also been submitted.

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- 4.135 Access to the Churchfields area for vehicles is from the A451 Blackwell Street / Stourbridge Road corridor with the predominant route via Broad Street. Immediately to the west of the site lies Lime Kiln Bridge which provides a connection from Clensmore Street to Crossley Retail Park, Waterside Grange and the town centre for pedestrian and cyclists.
- 4.136 Proposed vehicular access to the scheme would be by the means of three priority junctions with Clensmore Street. The site would also have a number of private driveway accesses from Clensmore Street to serve the proposed individual residential plots.
- 4.137 The capacity of the existing highway network within the vicinity of the application site has always been a contentious issue and it is the matter which prevalent according to the objections received from neighbours.
- 4.138 The submitted TA provides a comparison between the existing and proposed traffic flows following a survey undertaken in January 2011. The numbers of light and heavy vehicles were identified between the periods of 07:30 - 09:30 and 16:30 - 18:30. A full turning count was also undertaken at the A451 Blackwell Street / Broad Street / Radford Avenue traffic signal junction and queuing vehicles on each approach were also recorded. This survey supplemented earlier counts undertaken at the Broad Street / Churchfields junction in October 2009.
- 4.139 The TA concludes that the proposed residential development would give rise to a reduction in potential two-way traffic generation compared with the existing land uses during the AM peak hour. During the PM peak hour there would be an increase in two way traffic flow, however this would be equivalent to an average of less than one additional vehicle every four minutes. Incidentally the net change in traffic movements has been calculated on the basis that the site is in full industrial use, as it could be without the need for planning consent. The TA therefore concludes that the proposed development is not expected to materially add to network traffic flows. Furthermore the above assessment is the worst case scenario as the trip rates do not take into account multi-modal travel opportunities - using the bus, walking or cycling to or from the site instead of using the private car.
- 4.140 The TA also assesses the impact of the traffic generated by the proposed development on the highway network. It identifies locations at which material traffic impacts are forecast to occur and provides an assessment on junction capacity where necessary. The assessment is largely based on a contrast between a 'no development' scenario (the potential traffic generation of the existing employment uses) and a 'with development' scenario (the forecast traffic generation of the proposed residential scheme). The impact of the scheme has been analysed at an assessment year of 2019 which provides for five years of traffic growth beyond the forecast completion year.

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- 4.141 In summary the results show the following:
- an overall reduction in two way traffic flow in Broad Street indicating an improvement in traffic and environmental conditions;
 - an increase in traffic flow on Clensmore Street but with no material traffic impacts
 - a negligible impact on traffic from Stoney Lane
 - the total volume of traffic entering the A451 Blackwell Street / Broad Street / Radford Avenue junction is predicted to decrease during the AM peak hour and increase during the PM peak hour (equivalent to an average of less than one additional vehicle every 6 minutes)
- 4.142 In addition a capacity assessment of the three proposed site access junctions indicate that they would operate well without queuing whilst the Clensmore Street / Broad Street junction would satisfactorily accommodate the proposed development without the need for any improvements.
- 4.143 The removal of the access to TSM Pallets opposite Broad Street is reported would eliminate an existing cross-road junction which would in turn reduce vehicular conflicts and enhance road safety in this area.
- 4.144 The amended site area includes Red Sands Road. The stopping up of this highway would be necessary and would need to be applied for under section 257 of the Town and Country Planning Act 1990.
- 4.145 There are two main bus routes which pass along Blackwell Street and Stourbridge Road (9/9A and 580) with bus stops that are located within 400m of the southern boundary to the application site. The developer has offered a financial contribution to possibly increase its frequency to 15 to 20 minutes, divert existing services via Broad Street and Clensmore Street and extend service operating hours. The TA considers that the modal share of bus travel would be increased as result of improvements to bus services.
- 4.146 The applicants have also offered to provide a financial contribution to refurbish Lime Kiln Bridge as a formal foot / cycle bridge by way of improved surfacing, signage and lighting with the aim of encouraging pedestrian and cycling trips. Notably the National Cycle Network (NCN) Route 54 runs to the north west of the site along the opposite side of the canal which also connects to NCN Route 45 which lies just south of the town.
- 4.147 The TA has also been supported by the submission of a Residential Travel Plan (RTP) the implementation of which is a key component of the overall strategy for managing the travel demands generated by the proposed development and is proposed to off set any material increase in traffic within the AQMA. In addition to the financial contributions mentioned above the core objectives of the RTP are to raise awareness amongst future occupiers and provide incentives to encourage the use of sustainable travel modes and bring about a measurable reduction in single occupancy car trips generated by the development.

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4.148 With respect to the AQMA the TA advises that previous studies undertaken for the District Council suggest that a long term solution would require measures to improve traffic flow along the Horsefair corridor, *“The package of measures would include major highway improvements, which can only be delivered using non-highway land within the Churchfields South area. However, whilst such improvements may be required to support regeneration of the wider area, they are expected to be of a scale that could not be delivered by the Churchfields North scheme.”*

4.149 Notwithstanding the above the TA concludes that based on the evaluation of existing and proposed vehicle movements, as outlined above, the net impact on the AQMA is expected to be *“ether neutral or marginally beneficial as a result of removing existing traffic generating uses.”* The Highway Authority did not however concur with this statement and advised the submission of a Technical Note to present the findings of a specific AQMA traffic impact assessment.

4.150 This further standalone report considers the results of the submitted TA and reflects the net change in traffic flows within the Horsefair AQMA. Two sets of results have been provided as follows:

- i) the impact of the proposed development (compared with the existing industrial site traffic generation - i.e. with only part of the site in use)

AM Peak Hour	PM Peak Hour
+7 Passenger Car Units	+29 Passenger Car Units

- ii) The impact of the proposed development (compared with an intensified industrial use at the existing site).

AM Peak Hour	PM Peak Hour
-42 Passenger Car Units	-14 Passenger Car Units

4.151 Whilst the first table indicates an increase in traffic within the AQMA it is reported as modest, whilst the second table indicates that the proposed development would be beneficial. The report concludes that the results provide a basis for determining the scale of mitigating transport measures and contribution that may be required.

4.152 Whilst there is an overriding objection to the proposed development based on a shortfall of parking spaces the Highway Authority consider that the impact upon highway safety is acceptable whilst the minimal increase in traffic movements and the subsequent impact upon the air quality management area could be off set by a financial contribution which could be pooled with contributions from future developments within the vicinity to provide a long term solution.

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SECTION 106 OBLIGATIONS

4.153 Given the scale of the proposed development there is justification for seeking a range of contributions to meet the requirements of the SPD on Planning Obligations. The current scheme could reasonably be expected to contribute towards the following:

- Affordable housing
- Open space and recreation
- Biodiversity
- Sustainable Transport (to include highway improvements to address air quality)
- Education
- Public realm

4.154 Requests have also been received from West Mercia Police for the scheme to contribute towards a Police Car and IT, and from British Waterways (BW) for maintenance costs for the towpath and access ways in the ownership of BW to the north of the site.

4.155 There is however the financial viability of the proposed development to consider. The applicants have submitted a detailed financial viability appraisal which challenges the level of contributions which had been initially sought, by officers, in response to the representations made via the consultation process based upon the current threshold criteria and calculations set out within the Council's SPD. The applicants have advised that by imposing the initially requested levels of contribution the scheme would not be viable.

4.156 The applicants have offered the following level of contributions and are agreeable to the following breakdown proposed by officers:

- Affordable housing 22% (49 units – 17 shared ownership / 32 social rented)
- Education - £150 000
- AQMA - £29 000 (towards appropriate traffic management scheme to reduce emissions)
- Sustainable Transport - £35 000 (towards refurbishing Lime Kiln bridge)
- Highway Improvements - £285 000 (as indicated in Churchfields Masterplan including but not limited to improving bus services 9/9a)
- Open Space £200 000

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- 4.157 The list above, including the level of contributions, has been compiled with the priorities outlined in the Churchfields Masterplan in mind recognising that the contributions should not have the effect of rendering the development undeliverable, particularly given the importance of this site for the regeneration of Kidderminster. The draft Site Allocations and Policies DPD, draft KCAAP and the Masterplan recognise the economic challenges faced by developers and officers are keen to balance the expectations of Policy with commercial reality.
- 4.158 The Masterplan clearly relies on the provision of highway improvements to promote the regeneration of Churchfields and improve the environment for existing and future residents. On this basis £285 000 is highlighted for highway improvements. In addition to diverting the bus services to Clensmore Street and upgrading Lime Kiln Bridge this contribution will be pooled with contributions from future developments in the Masterplan area to potentially support the provision of one or more of the following:
- a new one-way link road from the ring road to Churchfields to relieve Blackwell Street of half its traffic to deal with congestion and air quality - as part of the Masterplan exercise research has been undertaken to explore opening up new choices including making Blackwell Street one way and introducing a new access to Churchfields from the ring road;
 - a bridge link over the canal to Crossley Park for all traffic – this option could offer further scope for public transport permeability through the area.
 - pedestrian / cycle bridge(s) across the canal to link Churchfields to Crossley Park and Puxton Marsh
 - street level crossings over the ring road to the town centre including a link to Church Street
- 4.159 It also should be acknowledged that the contribution towards open space is currently under discussion with officers from Community and Partnership Services. The outcome of these discussions will be reported on the update sheet.
- 4.160 It is not without regret to report that a higher level of contributions towards affordable housing, education and open space cannot be achieved whilst the request for contributions by British Waterways and West Mercia Police cannot be included however it is considered that approach taken is reasonable and accords with the guidance of Circular 05/05 and The Community Infrastructure Levy Regulations 2010.
- 4.161 The submitted financial viability appraisal is currently being evaluated by external consultants Bruton Knowles who are investigating whether the submitted build costs, acquisition costs, sales costs and revenue are realistic and therefore truly reflect the subsequent monies available for Section 106 contributions. The conclusions of Bruton Knowles will be reported on the Addenda and Corrections sheet.

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5.0 Conclusions and Recommendations

- 5.1 From the outset it should be acknowledged that the proposed use of the site for residential purposes is contrary to the Adopted Local Plan which seeks to retain it for employment uses. However many of the buildings have fallen into disrepair and are empty, or are in temporary use. The site is no longer able to meet modern requirements for industry.
- 5.2 Furthermore some of the existing uses are not complementary to the surrounding housing and the site is not making the most of its setting overlooking the Staffordshire and Worcestershire Canal.
- 5.3 The principle of developing the site for housing does however comply with the adopted Core Strategy and the emerging policy of the draft Site Allocations and Policies and the draft KCAAP DPD's, These are material to the consideration of the current application together with the Churchfields Masterplan which is anticipated to be adopted as a DPD shortly and is therefore given significant weight.
- 5.4 The emerging policies identify this site as one of the District's biggest housing led regeneration opportunities within Kidderminster and key to kick starting the regeneration of the Churchfields area.
- 5.5 The proposed layout and design of the scheme have been amended significantly to provide a layout which meets the objectives of good urban design. It has also raised particular challenges with respect to balancing the need to create vibrant active frontages to the canal-side and carriageways with enhancing the nature conservation value of the SWS. There has also been the need for the development to enhance the character and appearance of the site from views within the Conservation Area and provide sufficient parking. In terms of the Section 106 Agreement the consideration of the current scheme has needed to take account of the detailed requirements of the planning application together with the wider picture of the Masterplan aspirations for the Churchfields area.
- 5.6 The proposed layout indicating a total of 223 dwellings is considered to meet the design policies of the Adopted and emerging plans by addressing the canal, enhancing its green infrastructure and contributing to its nature conservation value. The proposed scheme is considered to pay due regard to the Canal Conservation Area and provides sufficient open space and parking for future residents. Furthermore it will not prejudice the implementation of aspirations for the development of the wider Masterplan area.

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- 5.7 The recommendation is for **delegated APPROVAL** subject to:
- 1) No objections from Community and Partnership Services Directorate;
 - 2) No objections from British Waterways;
 - 3) No objections from Worcestershire Regulatory Services regarding the impact upon air quality;
 - 4) No objections to the latest plans from neighbours with respect to the amendments to the design of plots 209 and 210 during the current reconsultation period;
 - 5) The receipt of a report from Bruton Knowles stating that the submitted financial viability assessment is acceptable;
 - 6) The signing of a **Section 106 Agreement** for the following;
 - i. Affordable housing 22% (49 units – 17 shared ownership / 32 social rented)
 - ii. Education - £150 000
 - iii. AQMA - £29 000 (towards appropriate traffic management scheme to reduce emissions)
 - iv. Sustainable Transport - £35 000 (towards refurbishing Limekiln bridge)
 - v. Highway Improvements - £284 000 (as indicated in Churchfields Masterplan including but not limited to improving bus services 9/9a)
 - vi. Open Space £200 000; and
 - 7) The conditions listed below, which may be amended or added to as a result of the outstanding consultation responses
 1. Prior to commencement details of current and proposed levels across the site
 2. Prior to commencement details of materials
 3. Prior to commencement large scale details of windows facing the Canal Conservation Area
 4. Notwithstanding plans submitted prior to commencement details all boundary treatment
 5. Retention of the canal boundary wall
 6. Demolition outside of bird nesting season (March to July) otherwise suitably qualified ecologist to undertake checks
 7. Mitigation measures made in section 5 of the ecological survey
 8. Landscaping to be undertaken in accordance with approved plans
 9. Prior to commencement of development details of a timescale for the implementation of the approved landscaping and the maintenance thereafter shall be agreed
 10. Any trees which die within the first five years of planting to be replaced

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11. Prior to the commencement of development details of all lighting (including details of foundations) that minimises light spillage onto the canal corridor to be agreed
12. The finished floor levels of the dwellings shall be as shown on drawing Figure 6 which forms part of the Flood Risk Assessment unless otherwise agreed in writing.
13. Prior to the commencement of development details of a scheme to prevent runoff from any materials generated or stored on site through the demolition / site clearance / re-levelling and subsequent construction phases polluting the canal corridor and Puxton Marsh SSSI shall be submitted to be agreed in writing
14. Prior to commencement of development details of bat bricks and bat and bird nesting boxes shall be submitted to and agreed. The agreed details shall be implemented prior to the occupation of the first dwelling unless otherwise agreed in writing.
15. Full recording of the Corn Mill building prior to its demolition
16. Prior to the commencement of development details of how the canal boundary wall is to be reduced in height and repaired shall be submitted to and agreed. Such details shall include all materials to be used plus their colour with particular regard to the proposing capping material.
17. Any building still on site by 1st March 2012 shall be re-surveyed for the presence of bats. Should evidence of bats be found details of appropriate mitigation measures including a timescale of implementation shall be submitted to and agreed in writing
18. Prior to the any works of demolition on site an additional survey for otter shall be undertaken with the results submitted. Should evidence of otter be found details of appropriate mitigation measures including a timescale of implementation shall be submitted to and agreed in writing
19. Prior to the commencement of development a method statement detailing how the existing Japanese knotweed is to proposed to be removed from site and disposed shall be submitted to and agreed in writing. Such details shall include a timescale of implementation and resurveys once the initial works of removal have been undertaken to ensure that it has been removed in its entirety.
20. Notwithstanding the details submitted prior to the commencement of development details of foul and surface water drainage including SuDS to be submitted.
21. Prior to the commencement of development details of a scheme to deal with the risks associated with contamination of the site (parts 1, 2, 3, 4).
22. Details of remediation to deal with contamination not previously identified.
23. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning.

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24. Prior to the commencement of development details of the proximity and method of foundation construction for those units fronting the canal to be submitted
25. Prior to the commencement of development full details of any and all excavations and earth removal to be submitted to and agreed
26. Prior to the commencement of development details of all measures to prevent the ingress of construction of materials into the waterway during the course of construction shall be agreed
27. A programme of archaeological works to be carried out to fully record the areas of surviving remains.
28. Removal of permitted development allowances to retain open plan frontages
29. Visibility splays
30. Driveway gradient
31. Access turning and parking
32. Cycle parking
33. On site roads submission of details
34. On site roads phasing
35. Parking for site operatives
36. Welcome pack for residents promoting sustainable travel
37. Dedicated secure store for materials
38. Dedicated waste and storage space

Notes

- A Badger licence is required from Natural England to close the sett on site
- B Bats
- C Otters
- D Environment Agency comments on the Geo-environmental Assessment Report (Ref 09032/1, August 2009)
- E British Waterways Third party works permission
- F British Waterways Access
- G British Waterways Encroachment
- H British Waterways Right of Support
- I Highways

Reason for Approval

Whilst the proposed use of the site for residential purposes is contrary to the Adopted Local Plan the principle of developing the site for housing is compliant with the adopted Core Strategy and the emerging policy of the draft Site Allocations and Policies and the draft KCAAP DPD's which are material together with the Churchfields Masterplan which is anticipated to be adopted as a DPD shortly and is therefore given significant weight.

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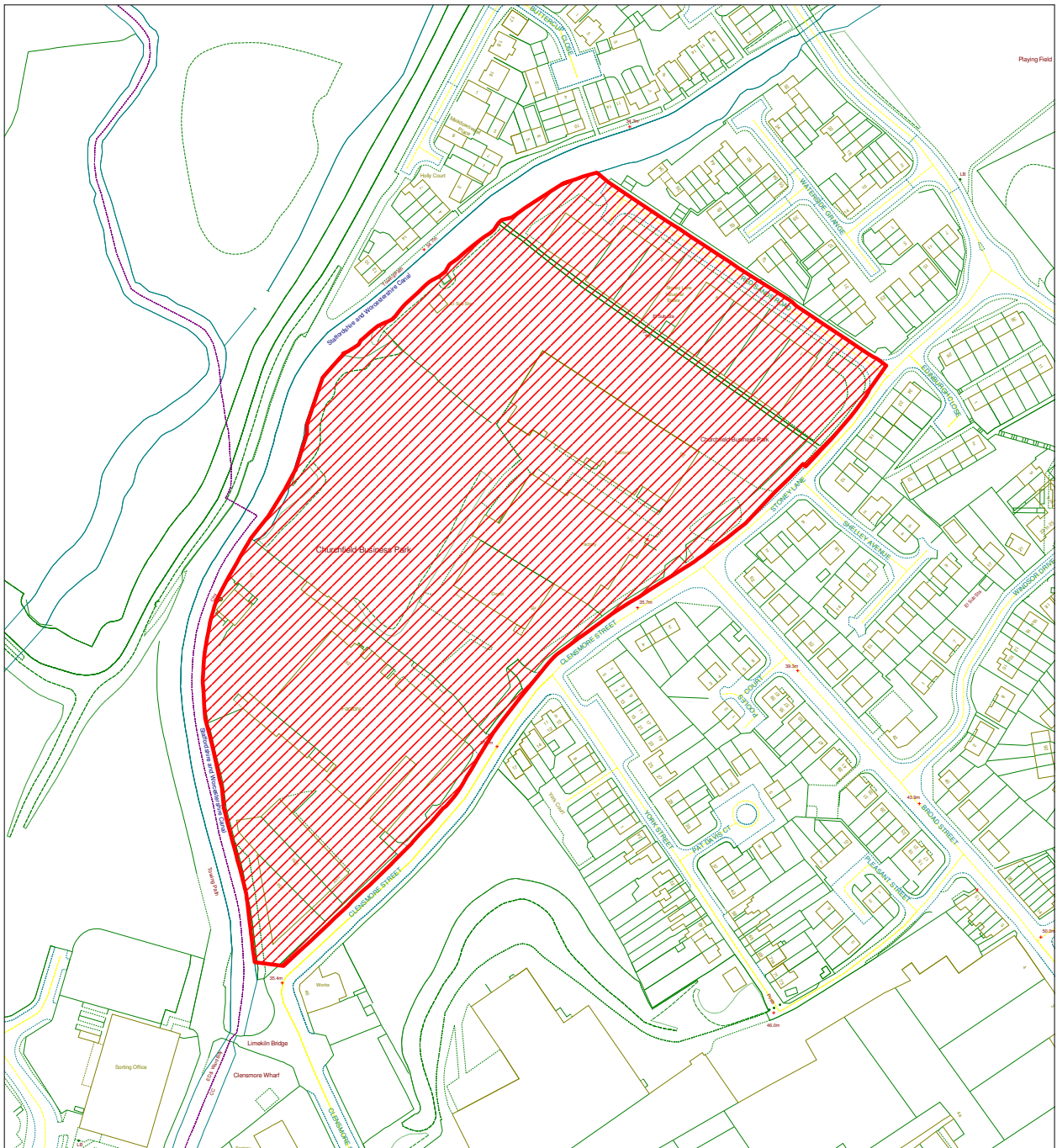
The proposed layout indicating a total of 223 dwellings is considered to meet the design policies of the Adopted and emerging plans by addressing the canal, enhancing its green infrastructure and contributing to its nature conservation value. The proposed scheme is considered to pay due regard to the Canal Conservation Area and provides sufficient open space and parking for future residents. The highway and flooding implications have been assessed together with the impact upon privacy and outlook for neighbours and it is considered that the proposal is acceptable.

5.8 The second recommendation is for **delegated APPROVAL** of the application for conservation area consent Reference 11/0533/CAC subject to:

- 1) no objections during the remaining consultation period, and
- 2) the following conditions:
 - 1) Notwithstanding any indication on the drawings to first demolition or reduction in the height of the wall samples of materials to be agreed
 - 2) Prior to first demolition or reduction in the height of the wall details of repair to be agreed

Reason for Approval

It is considered that there is sufficient justification for the proposed reduction in the boundary wall to the canal to allow the regeneration of the Churchfields North site for housing whilst the proposed impact upon the appearance and character of the Canal Conservation Area is acceptable.



Wyre Forest District Council

PLANNING AND REGULATORY SERVICES DIRECTORATE

**Churchfields Business Park
Clensmore Street
Kidderminster DY10 2JY**



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

Application Reference: 11/0390/FULL **Date Received:** 28/06/2011
Ord Sheet: 383460 277347 **Expiry Date:** 27/09/2011
Case Officer: John Baggott **Ward:** Broadwaters

Proposal: Demolition of 5 no. maisonette blocks and erection of 97 dwellings (Apartments and Dwellinghouses)

Site Address: CORNER OF HURCOTT ROAD AND, STOURBRIDGE ROAD, KIDDERMINSTER, DY10 2PJ

Applicant: Wyre Forest Community Housing

Summary of Policy	H.2, D.4, D.10, D.11, D.15, NR.2, NR.11, NC.7, TR.17, LR.3 (AWFDLP) DS01, DS02, CP01, CP02, CP03, CP04, CP05, CP07, CP11 (AWFCS) KCAAP Preferred Options Draft Churchfields SPD Planning Obligations SPD Design Quality SPG PPS1, PPS3, PPG13, PPS23
Reason for Referral to Committee	'Major' planning application Application involving proposed Section 106 obligation
Recommendation	DELEGATED APPROVAL subject to Section 106 Agreement

1.0 Site Location and Description

- 1.1 The application site is located at the junction of Stourbridge Road and Hurcott Road within the Horsefair area of the Kidderminster, to the north of the ring road, within a predominantly residential area of the Town.
- 1.2 The site is triangular in shape covering an area of approximately 2 hectares, bounded by Stourbridge Road to the west; Hurcott Road to the south-east; and, the playing fields which formed part of the (now demolished) Sladen School to the north-east.
- 1.3 Residential properties face towards, and adjoin, the site, with the commercial premises of the Horsefair located beyond the immediate vicinity of the site, to the south. The dwellings along Hurcott Road are of a generally traditional design dating back to around 1900 and are predominantly two storey in height. The properties along Stourbridge Road are of a varied age and design, with two and three storey properties evident, in a variety of finishes.

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- 1.4 The site itself is occupied by 3 high-rise residential tower blocks (12 storeys in height) and 4 blocks of maisonettes. A 5th maisonette block has previously been demolished within the last 12 months. The Stourbridge Road and Hurcott Road frontages feature a boundary treatment consisting of beech hedge and fencing supplemented by a significant boundary trees (predominantly London Planes), which particularly during the summer months serves to screen the somewhat dated and unsightly maisonette blocks. The site features a number of small areas of grassed amenity space interspersed by footpaths which cut through the site to provide access to and between the existing buildings. Communal garage courts are also evident on site but, with the exception of a garage block adjacent to no. 43 Hurcott Road, these do not appear to be in use, along with an unused parking structure above the centrally located garage court.

2.0 Planning History

- 2.1 10/0256/FULL - Demolition of 5 no. maisonette blocks and erection of 97 dwellings (Apartments and Dwellinghouses) – Withdrawn (15/02/11).

3.0 Consultations and Representations

- 3.1 Highway Authority – No objection. It is noted that the revised layout proposes an additional 8 car parking spaces over that previously identified. However, the parking provision is still below the County Council's parking standards.

Notwithstanding this, the County Council recognises the strategic significance that bringing this redevelopment forward has, both in terms of the District Council's regeneration ambitions and the need for more affordable housing.

The County Council is fully cognisant and supportive of the District Council's aspirations for the regeneration of the wider Churchfields area and recognises the importance of the Hurcott Road redevelopment as a first phase in delivering that ambition. The County Council has been a partner in the District's ReWyre initiative of which Churchfields is a key project and recognises that the District is well advanced in adopting the Churchfields Masterplan as a Supplementary Planning Document – SPD - (due in September 2011) and that this forms part of the Kidderminster Central Area Action Plan Development Plan Document (DPD) which has been out to consultation and which it is intending to pursue to adoption in 2012.

Within the DPD the Grasmere Close redevelopment proposal (i.e. Hurcott Road) is identified as a phase 1 scheme; more detail on layout, design etc is then contained within the SPD. The County Council remains fully supportive of the District's regeneration ambitions.

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Further, the County Council recognises that the ownership of the site by the Wyre Forest Community Housing Group (CHG) makes it unique within the Churchfields Masterplan area as a site with 100% affordable housing provision and understands that it is intended that the site is brought forward without any Homes and Communities Agency grant funding, thus making the financial viability of the scheme dependent on achieving the numbers of units proposed.

On balance therefore and taking into account all of the above, the County Council is of the opinion that the circumstances surrounding this proposal are unique and exceptional (and will not establish a precedent elsewhere) such that the County Council is minded to raise no objections to the proposal being granted planning permission subject to suitable provision being made through a S106 Obligation to secure an appropriate financial contribution towards air quality management and subject to conditions.

- 3.2 Environment Agency – No objection, subject to the imposition of appropriate conditions.
- 3.3 Severn Trent Water Ltd – No objection, subject to the imposition of appropriate conditions.
- 3.4 Worcester Regulatory Services – No objection, subject to the imposition of appropriate conditions, in respect of contaminated land issues. No objection also in respect of air quality.
- 3.5 Joint Comments of Planning Policy (WFDC) And Economic Development and Regeneration (North Worcestershire) - The proposals are in general conformity with adopted and emerging LDF planning policy and are fully supported by the Planning Policy Team and the Economic and Regeneration Team – North Worcestershire. It is recognised that a 100% affordable housing scheme can create exceptional circumstances regarding economic viability, whilst the proposals are extremely important as the first stage development of the wider Churchfields regeneration area. The redevelopment of Grasmere Close (i.e. the application site) is identified within the Churchfields Masterplan as the first phase of regeneration for the whole Churchfields area. It is therefore an extremely important site in terms of kick starting development and setting the tone for future regeneration within Churchfields.
- 3.6 Strategic Housing Services Manager – No objection. Housing Services are supportive of the proposed development, which will provide a net gain of 28 units for social rent. There are currently 5237 households registered for Housing on Home Choice Plus, of which 18% (i.e. 921 households) have a high housing need. The proposed development closely reflects the required need on the housing waiting list and will therefore assist in meeting the housing need of the district.

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- 3.7 Environmental Services Manager – No objection, subject to the imposition of appropriate conditions.
- 3.8 Countryside and Conservation Officer – No objection. In relation to Biodiversity considerations with this application I have few concerns. Habitat wise there are no significant habitats on site and there is no potential for this development to impact on any higher value wildlife habitats in proximity to this site. Protected species wise the application has come in with an appropriate ecological survey. The submitted survey goes through the potential of each building to support bats, in significant detail for me to be satisfied there is very little risk of the application impacting on bat roosts. In addition, given the already highly distorted nature of the site, very little potential for impacting on the forage of any adjacent roosts exist. The proposed landscaping will also improve potential forage on the application site.

The survey found no evidence of badger or any other protected mammal, but does suggest good working practices are adopted re exposed trenches, so if a foraging badger or hedgehog inadvertently fell into an excavation it would be able to effect an escape. There is a cautionary note relating to bird species and for the demolition activities to take place outside of the nesting season.

There is a concern over the flora on the site, in that the survey turned up *Rhododendron ponticum* which is listed in schedule 9 of the wildlife and countryside act making it illegal to cause this plant to spread in the wild. Hence prior to any demolition works we will need a method statement on how the developer plans to comply with this legislation.

To summarise, Biodiversity enhancement wise, given the little biodiversity interest in this site and its lack of strategic wildlife value, the landscaping plan offers some good potential for biodiversity and is sufficient for this application to show a biodiversity gain.

- 3.9 West Mercia Police Crime Risk Advisor – No objection, subject to the imposition of appropriate conditions.
- 3.10 Arboricultural Officer – Objection. Although I can appreciate what (WFCH) are trying to achieve with the development, I feel that removing all the London Planes on the perimeter of the site is very regrettable and I'm quite sure will result in a number of complaints from local people. Having said that most of them do have minor defects that could result in failures in the future, so I don't feel a TPO is appropriate.

Having looked at the new proposal there are only three trees I have concerns with which will be too close to dwellings and the relationship between them and the new properties will be very poor. Therefore these trees will need to be removed if the current layout remains.

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The number of new trees to be planted has increased since the initial consultation, however I feel the species choice for the category C planting is uninspiring and I would like to see Sorbus torminalis, Prunus padus, Acer campestre Louisa Red Shine, Amelanchier arborea Robin Hill, Crataegus laevigata Paul's Scarlet and Pyrus calleryana Chanticleer instead of the ubiquitous birch and wild cherry.

The remainder of the landscaping is acceptable, however until the points raised above have been rectified I would recommend refusal.

3.11 Neighbour/Site Notice – Following the posting of sites notices, a press notice and direct neighbour notification the application has generated 2 letters of objection, although 1 of these objections appears to be raising concerns which relate purely to the re-use of the adjacent (former Sladen School) site, which does not form part of the application site. The remaining, relevant, objection is made on the grounds of:

- insufficient car parking provision to serve the development, in an area where there is already a shortage of parking spaces.

4.0 Officer Comments

4.1 As previously described. The application site lies to the north of Kidderminster Town Centre within a predominantly residential area and in close proximity to the Horsefair local centre, which includes a post office and convenience store. The site falls within a wide area which has been allocated for residential use within the adopted Local Plan, under Policy H.2.

4.2 The site is currently occupied by 3 high rise residential tower blocks, which would be retained, along with 5 no. maisonette blocks. The maisonette blocks house a total of 69 no. dwellings, and it is proposed to demolish these blocks to facilitate the development proposed, which would consist of:

- 11 x 4 bedroom dwelling houses;
- 18 x 3 bedroom dwelling houses;
- 22 x 2 bedroom dwelling houses;
- 46 x 2 bedroom apartments.

4.3 In total, 97 dwellings are proposed, a net increase of 28 dwellings when compared with the existing number of dwelling units housed within the maisonette blocks. The number of units within the tower blocks, which stands at 132 apartments, would remain unaffected. The proposed development represents a density of approximately 55 dwellings per hectare (not including the existing residential tower blocks).

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- 4.4 The entire development would be for 100% Affordable Housing and the applicants intend that the site is brought forward in the absence of any grant funding support from the Homes and Communities Agency (HCA). This has significant implications for the financial viability of the scheme which is dependent on achieving the numbers of units proposed. This also has implications for S.106 contributions, which are discussed in more detail later in the report.
- 4.5 The proposed development consists of two storey dwelling houses along the Stourbridge Road and Hurcott Road frontages, with further two storey dwellings behind these frontages accessed from the existing Grasmere Close access along Hurcott Road, as well as a new highway access and road along the Stourbridge Road frontage. The height of development rises to three and four storey at the corner of Stourbridge Road and Hurcott Road in the form of the proposed apartment buildings, which are served by a communal parking court accessed from Hurcott Road. The majority of the existing trees around the periphery of the site, along both Stourbridge Road and Hurcott Road, are to be removed save for some in the vicinity of the proposed apartments. Replacement tree planting is proposed as part of an extensive landscape scheme.
- 4.6 It is worthy of note that the proposed development which forms the basis of the current application is the culmination of an extended period of local consultation by the applicants with residents of both the existing dwellings on the site and the surrounding area over a number of years. The design and layout have been the subject of several changes during this period to reflect the comments made as part of the extended period of consultation and ongoing engagement with the local community.
- 4.7 Along with the appropriate forms, plans and drawings, the application as submitted has been accompanied by the following specific documents:
- Design and Access Statement;
 - Landscape Strategy;
 - Ground Investigation Report;
 - Drainage Strategy;
 - Protected Species Surveys;
 - Noise Survey;
 - Air Quality Assessment;
 - Flood Risk Assessment;
 - Phase 1 Habitat Survey;
 - Transport Statement;
 - Residents Parking Strategy;
 - Residential Travel Plan;

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4.8 There are a number of key considerations in determining the application. To assist, these issues have been broken down into the following sub-headings:

- The principle of residential development in this location;
- The Planning Policy background and Churchfields Masterplan;
- The design and layout of the development and relationship with existing residential development;
- Highways issues (to include access and car parking provision);
- Air Quality;
- S106 Obligation;
- Other Issues.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT IN THIS LOCATION

4.9 As previously described, the site falls within an area which is allocated for residential use within the adopted Local Plan and therefore Policy H.2 is relevant. This policy presumes in favour of residential development within such areas, provided that the site constitutes “previously developed land”.

4.10 A definition of previously developed (or brownfield) land is provided within Annex B of Planning Policy Statement (PPS) 3 – Housing (as revised) and reads:

“Previously developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed infrastructure.”

4.11 The application site clearly satisfies this definition and does therefore constitute previously development land. On this basis, the principle of a residential development of the site is appropriate and consistent with the relevant Local Plan Policy (H.2). It therefore falls for the application itself to be considered on the basis of the detailed layout and proposals.

PLANNING POLICY BACKGROUND AND CHURCHFIELDS MASTERPLAN

4.12 As outlined above, the principle of the proposed redevelopment of the site for residential purposes is acceptable in terms of the current Local Plan Policy H.2. It is, however, important to outline and consider further the planning policy position in light of the adopted Core Strategy and the now emerging Development Plan Documents (DPD’s) and how these relate specifically to the application site, and the wider aspirations for redevelopment and enhancement in the area.

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Adopted Core Strategy (2010)

- 4.13 The site is zoned for residential use on the Adopted Proposal Map. Given the site's location policies DS01: Development Locations; DS02: Kidderminster Regeneration Area; CP04: Providing Affordable Housing; CP05: Delivering Mixed Communities; and, CP11: Quality Design and Local Distinctiveness of the Adopted Core Strategy are considered to most pertinent to this application. The relevant transport policies are considered later in this report under the Highways Issues heading commencing at paragraph 4.35 of this report.
- 4.14 Policy DS01, much like Policy H.2 of the Local Plan, provides in principle support for proposals stating that; *"New development will be concentrated on brownfield sites within the urban areas of Kidderminster and Stourport-on-Severn"*. The Policy also states that preference will be given to; *"Key regeneration sites within the Kidderminster Central Area Action Plan (KCAAP) boundary as highlighted in the Kidderminster Regeneration Prospectus"* (KAP). Members are advised that the application site falls within one such site as identified in the emerging KCAAP, specifically the Churchfields area which was identified as one of four priority areas within the KAP.
- 4.15 Policy DS02 also supports the regeneration of brownfield sites within Kidderminster and the indicative guide within this policy states that *'Kidderminster will meet approximately 60% of the Districts requirement for new homes'*.
- 4.16 Policy CP04 supports the delivery of affordable housing throughout the District. In this instance the proposals are for 100% social rented properties, replacing the current social rented properties located within the Maisonette blocks which are in need of modernisation. Furthermore, as previously outlined under paragraph 4.2 of this report, the proposed development not only replaces the existing 69 no. affordable units housed within the maisonette blocks, but provides an additional 28 units compared with the number currently on site, which represents a 41% increase in the number of affordable housing units on the site (not including those accommodated within the high rise tower blocks).
- 4.17 The mix of house types and sizes proposed comprises of two bed apartments, two, three, and four bedroom houses. Such a mix is supported by Policy CP05, which states that; *"... larger developments will be required to incorporate a number of more affordable 2 and 4 bed roomed houses to accommodate the growing needs of families"*. In addition, the proposals represent a housing density (not including the tower blocks) of 55 dwellings per hectare which is in accordance with the requirements of Policy CP05, which in this regard states that; *"In areas adjacent to the(Kidderminster) town centre..., new development should incorporate housing densities of at least 50 dwellings per hectare"*.

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- 4.18 Policy CP11 of the adopted Core Strategy identifies the design principles for new developments highlighting that there should be 'design quality' in new developments, "*reflecting a thorough understanding of site context*". The proposal seeks to replace poor quality existing maisonette style accommodation with a mix of modern apartments and houses. The proposed development improves connectivity through the site, with clear pedestrian and cycle movements. It also allows for future connections to be made through to the adjacent Former Sladen School site adjacent to the north-east.
- 4.19 The design creates active frontages along both Hurcott Road and Stourbridge Road, whilst providing clear delineation between public spaces and secure private areas to the rear of development. The proposed landscaping strategy and the inclusion of a public square creates a sense of place and a focal point for the development. It is encouraging that the development has taken account of Secure by Design standards.

Emerging Policy – Draft DPD's and the Churchfields Masterplan

- 4.20 In addition to the adopted Core Strategy, the proposals are also found to be in general conformity with the emerging DPD's, and specifically the Kidderminster Central Area Action Plan (KCAAP) and the draft Churchfields Masterplan Supplementary Planning Document. The KCAAP has recently completed the Preferred Options consultation stage. The consultation document recognises the Churchfields area (in which the application site is located) as one of four priority regeneration areas within the Kidderminster Regeneration Prospectus, and it is envisaged that the area as a whole could provide up to 600 new homes.
- 4.21 Draft Policy 19 (of the KCAAP) - Churchfields Masterplan, provides in principle support for the scheme, stating that new development will; "*provide a housing led urban village... within a new homes environment*". It also states that schemes for 100% affordable housing will be exempt from; "*providing new infrastructure and movement choices within the area*".
- 4.22 Furthermore, draft Policy 20 - Phase 1 – Grasmere Close, deals specifically with the application site and supports proposals for residential redevelopment, which will be expected to; "*provide a strong frontage along Hurcott Road and Stourbridge Road*"; and, '*provide active frontages and a sense of enclosure to all roads within the site*'.

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- 4.23 In addition to the KCAAP, the draft Churchfields Masterplan Supplementary Planning Document (SPD) has been produced which, following public consultation, is envisaged to be adopted in September 2011. This SPD provides a detailed design framework to guide new development within the Churchfields area, to include the application site, and can help to inform the determination of planning applications. The redevelopment of the application site, in addition to the adjoining former Sladen School site, is identified within the Masterplan. The redevelopment of the application site is viewed as the first phase of regeneration for the whole Churchfields area. It is therefore an extremely important site in terms of kick-starting development and setting the tone for future regeneration within Churchfields. The proposed development layout is in general conformity with the design guide of the emerging Masterplan; providing positive frontages; improving connectivity; and, providing a new central open space which is well overlooked by surrounding development.
- 4.24 In summary, the application site is seen as the first phase, or springboard, for regeneration and the aspirations for investment and the creation of a community within the Horsefair and wider Churchfields area, as recognised within the KCAAP and draft Churchfields Masterplan. The development as proposed is considered to be in accordance with the relevant local Planning Policy framework, both in terms of the relevant adopted policies of the Local Plan and Core Strategy and the emerging DPD and SPD which provide the detailed guidance in respect of the site and its important role in the wider redevelopment aspirations for the whole Churchfields area.

THE DESIGN AND LAYOUT OF THE DEVELOPMENT AND
RELATIONSHIP WITH EXISTING RESIDENTIAL DEVELOPMENT

- 4.25 The design aspirations for the application site are set out within the draft Churchfields Masterplan SPD, as stated above. The SPD states that: *“The development site at Hurcott Road (i.e. the application site and adjoining former Sladen School site) has the opportunity to be developed out for residential development Consideration needs to be given to providing positive frontage to both Stourbridge Road and Hurcott Road. Opportunities also exist to improve connectivity between these important routes”*
- 4.26 The layout as proposed adopts tried and tested design principles, with strong active frontages to the adjoining highway, in many respects reinstating and reinforcing the more traditional form of residential development, which is still in evidence in the vicinity. The removal of the unsightly maisonette blocks provides the opportunity to provide a clearly defined pattern of redevelopment, at a scale and of a design which is considered to be entirely appropriate to the area.

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- 4.27 Two storey semi-detached properties are proposed along the Stourbridge Road frontage, each with their own privately enclosed rear gardens. Given the nature of Stourbridge Road, parking to serve these properties is provided to the rear via a gated communal parking area, accessed via a new access road which also serves further semi-detached and terraced dwellings, as well as parking to serve one of the high rise blocks (Coniston House). This road also provides a potential future opportunity to access the adjoining former Sladen school site, but such a through route is neither indicated nor proposed as part of this application.
- 4.28 At the corner of Stourbridge Road and Hurcott Road the height and scale of development rises to three and then four storey in the form of apartments, providing a focal point at this junction. The apartment buildings are set back from the highway at the junction, before stepping forward on the Hurcott Road frontage to redefine the traditional form of development in this area. Communal parking is provided in the form of an enclosed, gated, parking court, accessed from Hurcott Road.
- 4.29 Continuing along Hurcott Road, further two storey dwellings are indicated, with frontage parking. The existing access road at Grasmere Close is to be retained and redefined, which will provide access to 2 small terraces of dwellings, as well as to the car parks to serve the remaining tower blocks at Windermere House and Derwent House.
- 4.30 The layout provides for good levels of surveillance over communal areas, including open space and car parking, and in this regard the layout is supported by the Crime Risk Advisor. There are rear accesses to the properties along Stourbridge Road, between the communal car park and the rear gardens. In the absence of an opportunity to provide frontage parking to these properties, it is difficult to envisage how else the relationship between the parking area and the properties might be addressed. It should however be noted that the car park would be gated and as such these access routes would be secured, and as previously commented would benefit from good levels of surveillance from the properties which overlook this area.
- 4.31 In terms of finishes, the materials proposed are predominantly traditional brick and tile, with some rendered relief, particularly at either side of the proposed new access road from Stourbridge Road and within the apartment buildings, which will enhance the appearance of these corner buildings at this junction. The use of grey PVCu windows will provide a contemporary touch.

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- 4.32 As the site is located within an established, predominantly residential, area, there are relationships between the proposed development and existing properties to consider. The Stourbridge Road frontage, for instance, currently consists of the blank end walls of the maisonette blocks the frontages and rears (i.e. those elevations with windows) of which are at an angle of some 70 degrees to that of the highway. As such, the existing buildings do not face out towards development on the opposite side of Stourbridge Road, whereas the proposed development would introduce new dwellings along this frontage, set back behind modest fore-gardens, supplemented by metal railings and beech hedges. On the opposite side of Stourbridge Road there are a number of residential dwellings. The separation distances between existing and proposed properties varies, with a minimum of some 15 metres at a pinch-point close to the junction with Larkhill. Even so, this relationship is across a busy highway which is also heavily used by pedestrians and as such the relationship across the highway is considered acceptable.
- 4.33 A similar relationship issue also needs to be considered with regard to the proposed apartments along the Stourbridge Road frontage, especially in light of the additional height of the development in this location (i.e. three and four storey). However, as previously indicated, the apartments are set back from the back of pavement by some 3 metres giving a separation distance of some 19 metres, which again is considered to be acceptable in this location.
- 4.34 Along Hurcott Road, the relationship between the proposed houses and existing is acceptable, aided by the frontage parking and associated set-back. However, there does exist a pinch-point where existing dwellings are at the back of pavement, in the vicinity of The Blue Bell PH, and the proposed three storey apartments opposite, are set back 1 metre from the back of pavement. The resulting building frontage to frontage distance is 15 metres. However, such relationships do exist with Kidderminster between traditional properties and these are accepted as the norm. Furthermore, the nature of Hurcott Road and the junction with Stourbridge Road is such that significant volumes of vehicular and pedestrian movements occur such that levels of privacy to front windows are already affected and it is not considered that the introduction of the new development opposite would further compromise privacy levels, in what is an established urban area.

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- 4.35 At the south–east boundary of the site, with the existing end terraced property at 43 Hurcott Road, the window to window distance between the existing house and proposed (plot 78) is again some 15 metres. This is due to there being 2 no. side facing windows (within what would ordinarily be the blank gable of the existing property) which both appear to serve habitable rooms, and also appear to be the only light source to those rooms. It is not immediately apparent as to whether these are original window openings or have been introduced over time. Notwithstanding this, it is worthy of note that the outlook from these windows is currently over an unsightly garage court which sits below the neighbouring property. With suitable boundary treatment, any concerns regarding the existing ground floor window would be eradicated. As for the first floor window, the proposed new plot 78 would be at a lower level and would feature only 1 no. first floor window. Whilst not ideal, this is considered to be acceptable.
- 4.36 Whilst the development centres upon the built development in the form of the newly created dwellings, there are significant improvements proposed to the quality, and therefore likely future levels of use, of open space, with a public square and play area proposed, which will also form a central role in improving pedestrian (and cycle) accessibility into and through the site. The increased surveillance and accessibility will greatly enhance the area, which allied with the replacement of the unsightly maisonettes will greatly enhance the area, which is currently viewed by many as a “no-go” area. It is therefore envisaged that a greater sense of community will result and help to change the run-down image of the area and assist in encouraging inward investment to further regenerate and enhance the area.

HIGHWAYS ISSUES

- 4.37 In planning policy terms, Policy CP03 of the adopted Core Strategy provides in principle support for the proposals. The site is accessible to local bus routes and local services and the application proposes the creation of a residents travel plan, which will provide all residents with information on walking, cycling, public transport and car share travel options, and promote these sustainable choices. In addition, a Residents Parking Strategy is proposed to actively manage the car parking on the site. This will use a permit system to ensure that best use is made of the spaces provided and prevent residents from parking inconsiderately.
- 4.38 As will have been noted under paragraph 3.1, there are no objections to the proposed development from County Highways, despite an acknowledged shortfall in parking provision based upon the adopted parking standards. There are a unique set of circumstances in place in respect of this application which warrant further explanation, particularly in relation to the levels of parking provision.

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- 4.39 The site currently contains 201 dwellings, consisting of the 69 units contained within the maisonette blocks (to be demolished) and 132 units within the 3 high rise tower blocks (to be retained). At present, whilst the site previously provided 183 parking spaces, whilst the garage court accessed from Grasmere Close is in reasonable condition, the remaining garages within the site are unusable and are boarded-up. The parking area above is also in a poor condition and essentially derelict. On the basis of a recent site survey it appears, therefore, that there are only 66 usable parking spaces to serve the site, with the remaining 117 effectively derelict.
- 4.40 The survey work has also shown that households in the high rise blocks own a total of 22 vehicles. There is also a demand for 3 spaces to serve the Police Base within the flats, making a total existing demand of 25 spaces. This represents an average car ownership per high rise apartment of 0.17 vehicles per dwelling. As these households will remain and do not form part of the redevelopment of the site, it is unlikely that parking demand in this respect will rise.
- 4.41 The proposed development, as previously detailed, will provide 97 new dwellings (an increase of 28 dwellings compared to the maisonettes). This added to the high rise apartments will result in a total of 229 dwellings on the site. The proposed car parking to serve the new development can be broken down as follows:
- New houses – 68 allocated spaces plus 4 shared (visitor) spaces;
 - New apartments – 36 shared spaces;
 - Existing (high rise) flats – 39 shared spaces.
- 4.42 This results in an overall parking provision of 147 spaces, at a ratio of 0.64 spaces per dwelling (including the existing high rise blocks). Whilst this represents a significant improvement in actual terms, the actual total number of spaces does fall short of the usual requirement set out in the adopted parking standards.
- 4.43 For the avoidance of any doubt, setting aside the existing high rise apartments, based upon the proposed new development and applying the current parking standards, the following parking provision would ordinarily be sought:
- 46 x two bed flats would require 1 space per flat (i.e. 46 spaces);
 - 22 x two bed houses would require 1 space per house (i.e. 22 spaces);
 - 18 x three bed houses would require 2 spaces per house (i.e. 36 spaces);
 - 11 x four bed houses would require 2 spaces per house (i.e. 22 spaces).

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- 4.44 Looking at the components of the site, the new houses would require 80 spaces. 68 spaces are to be provided at a ratio of 1.41 spaces per dwelling. However, in reality every house will have at least 1 allocated space. As for the proposed apartments, 46 spaces would be required, with 36 spaces to be provided.
- 4.45 However, it should be noted that these parking standards make no allowance for the effect of housing tenure on car ownership, which based upon the available census data shows that a significant proportion of households in social housing within the Wyre Forest District do not own, or have access to, a car. On this basis, whilst a shortfall in numbers of spaces is acknowledged, in reality it is expected that a significant number of allocated spaces will not be used by the dwellings to which they are allocated.
- 4.46 In addition to the above, the applicants, Wyre Forest Community Housing (WFCH), propose to introduce a residents parking scheme to prevent any potential abuse of visitor, and for that matter, allocated spaces which will assist in managing the available parking provision both fairly and effectively. A detailed breakdown of the proposed parking scheme has accompanied the application, and is essentially based upon a permit scheme which will be managed by WFCH in conjunction with a duly appointed car park management company.
- 4.47 As has been outlined previously, the development of this site is seen as the first phase of the wider redevelopment of the Churchfields area as set out in the KCAAP and the Churchfields Masterplan. It provides an opportunity to deliver a high quality redevelopment of what is currently something of an eyesore site, to the benefit of not only the subsequent occupiers of the new dwellings but the wider community. The site will deliver 100% affordable housing in an area of the District where it is greatly needed and in a sustainable location within easy walking distance of Kidderminster Town Centre and served by existing bus routes. These factors have been clearly acknowledged by the Highway Authority within their consultation response who comment that the circumstances surrounding this proposal are sufficiently unique and exceptional as to warrant support for the proposal. Officers are of the opinion that so unique, and exceptional, are the circumstances in this case that it is difficult to envisage a similar scenario emerging elsewhere within the district and as such any concerns regarding precedence would be unfounded.

AIR QUALITY

- 4.48 There is an existing Air Quality Management Area (AQMA) to the south of the site and, as indicated within the Transport Assessment and Air Quality Assessment which accompanied the planning application, it is acknowledged the development would be likely to result in a slight increase in the amount of traffic passing through the AQMA, in the region of 7 additional trips during the AM peak hour and 10 trips in the PM peak hour. This is clearly an extremely modest increase which is considered to have a negligible impact.

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- 4.49 Worcestershire Regulatory Services agree with the rationale and conclusions of Air Quality Assessment confirming that there will be a very small net increase in traffic movements, due to the nature of the proposed development which substitutes, and increases, the existing development on the site. Even so, it would be appropriate to seek a contribution towards the continued monitoring and management of the AQMA, which is addressed further below.

OTHER ISSUES

- 4.50 It is regrettable that so many of the trees which run around the periphery of the site are proposed to be removed to facilitate the development. However, whilst the Council's Arboricultural Officer has raised objections to the removal of some of the trees, it is acknowledged that many of the trees have defects and could fail or need to be removed in due course. The trees at present provide an effective screen for the existing development on the site, which as previously commented in not particularly attractive. The replacement development is considered to be of such a higher quality that it would require no such screening. On the contrary, it should provide a positive enhancement of the site and the surrounding area. As such, the removal of the trees is considered to be acceptable, subject to appropriate replacement planting in accordance with the proposed landscape scheme and associated conditions.
- 4.51 There are no objections to the proposed development from a biodiversity perspective, as detailed under paragraph 3.8. With regard to cycle and bin storage, suitable provision has been made throughout the site to accommodate suitable levels of provision in suitable locations, and in this regard no adverse comments have been received.
- 4.52 From a sustainability perspective, as has previously been identified, in the absence of HCA grant support the applicants are seeking to develop the site themselves. This has implications for the viability of the scheme, which is deliverable on the basis of 97 units of accommodation. The margins are tight, but even so the development would deliver a betterment in terms of accommodation over and above what is evident on site at present. The development will deliver lifetime homes, with increased energy efficiency delivered through up to date construction methods and materials. However in the absence of external funding, high-profile sustainable features such as photo-voltaic cells for instance cannot currently be delivered.

SECTION 106 OBLIGATION

- 4.53 In accordance with the Planning Obligations SPD, the proposed development could require contributions towards the following:
- Public Open Space and Play Areas;
 - Biodiversity;
 - Sustainable Transport;
 - Education;
 - Sustainable Development;
 - Public Realm.

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- 4.54 With this in mind, taking each of these matters in order, there would be a requirement for a financial contribution towards existing public open space and play areas, which would be calculated as being in the region of £29, 500. This figure takes into account the 50% reduction given to affordable housing schemes such as that which is proposed.
- 4.55 In terms of biodiversity, as previously outlined, the proposed scheme is acceptable and no further mitigation or financial contribution is required. Suitable planning conditions are suggested.
- 4.56 The site occupies a highly sustainable location, in close proximity to existing bus stops and within easy walking distance of both the Town Centre and the local convenience store. Cycle stands and storage are also provided. The County Council have not, therefore, identified a need for a contribution.
- 4.57 The proposed development consists of 100% affordable housing provision and on that basis, and in accordance with the Planning Obligations SPD, no contribution towards Education is warranted. With regard to sustainable development, appropriate levels of bin storage are provided to serve each property in order to accommodate recycling and green waste bins; the properties will be constructed in accordance with Category 2 of the Code for Sustainable Homes and will deliver energy efficient Lifetime Homes. In light of this, no further requirements are considered necessary or warranted in this case.
- 4.58 In terms of the public realm, the proposed development would deliver a high quality development replacing the existing unsightly maisonettes. This in itself is considered to be a positive contribution to the public realm. On that basis, a further contribution is not considered to be warranted on this occasion.
- 4.59 As has been mentioned already, the viability of the scheme in the absence of HCA funding is a real issue in this instance, and in recognition of this fact and in light of the importance of the site in terms of the wider aspirations for the Churchfields area a degree of pragmatism is called for in order to ensure that this development can be delivered not only for the good of the future occupiers but the wider community. It is worthy of note that the enhancements within the development will deliver an improved level of usable, quality, public open space as well as new play area and as such any additional off-site provision appears unwarranted. Furthermore these areas would be managed and maintained by WFCH. On this basis, it is suggested that the calculated contribution for Open Space and Play Areas be waived in the interests of ensuring that the development is deliverable.
- 4.60 It is, however, suggested that a contribution be secured to facilitate continued Air Quality monitoring in the vicinity of the site, given the proximity to the established AQMA. At the time of writing a figure has yet to be agreed, but this will be reported to Members via the Addenda and Corrections Sheet in due course.

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5.0 Conclusions and Recommendations

- 5.1 In assessing the merits of this application, the potential gain in terms of providing much needed affordable housing, which is a District Council priority, in a sustainable location is a primary consideration. Allied to this, the site has previously been identified as the potential first phase of the wider regeneration aspirations for the relatively deprived area of Churchfields, as detailed with the KCAAP and draft Churchfields Masterplan.
- 5.2 The scheme as presented is of a good quality and appropriate design for this location, at a density of development which is consistent with the surrounding area and is supported by existing and emerging local planning policy. The design of the properties has sought to take its influences from the existing traditional development in the area, with a contemporary twist in terms of some of the materials proposed, all of which are considered entirely appropriate.
- 5.3 The development would result in the removal of the unsightly maisonette blocks and provide a more human scale of development. On site open space provision is enhanced, as is accessibility and surveillance. That said the development is not perfect. In an ideal world the high rise tower blocks would also be removed, but for any number of reasons this is clearly not feasible. Against that backdrop, the development layout still works well and would be a positive enhancement in the streetscene.
- 5.4 Parking provision has been an issue, but for the reasons set out under paragraphs 4.35 to 4.43, there appear to be an exceptional set of circumstances in place which require a pragmatic and practical appraisal of the issues. In consideration of all of the evidence presented, the proposed development is capable of achieving a real betterment in terms of usable parking spaces, which will be effectively and actively managed and on this basis, along with the previously stated importance of the site in terms of delivering the wider aspirations of the Council for this area, in accordance with the KCAAP and draft Churchfields Masterplan, the County Council as the Highways Authority have been prepared to support the application in its submitted form
- 5.5 In concluding, and as previously stated, the application site is seen as the first phase, or springboard, for regeneration; investment; and, the creation of a community within the Horsefair and wider Churchfields area, as recognised within the KCAAP and draft Churchfields Masterplan. The development as proposed is considered to be in accordance with the relevant local Planning Policy framework, both in terms of the relevant adopted policies of the Local Plan and Core Strategy and the emerging DPDs and SPD which provide the detailed guidance in respect of the site and its important role in the wider redevelopment aspirations for the whole Churchfields area.

11/0390/FULL

5.6 For the reasons set out in this report and summarised under paragraphs 5.1 to 5.5 above, it is recommended that **delegated authority** to **APPROVE** the application be given, subject to:

- i) the signing of a **Section 106 Agreement** to secure a contribution (figure to be confirmed) towards Air quality Monitoring in the vicinity of the site; and,
- ii) the following conditions and notes:
 - 1. A6 (Full with no reserved matters)
 - 2. A11 (Approved Plans)
 - 3. B1 (Samples of materials)
 - 4. B13 (Levels details)
 - 5. C3 (Tree protection during construction)
 - 6. C8 (Landscape Implementation)
 - 7. C14 (Landscape Maintenance)
 - 8. 100% Affordable Housing only
 - 9. E2 (Foul and Surface water)
 - 10.F5 (Construction Site/Noise Vibration)
 - 11. Construction Method Statement – Construction hours and parking.
 - 12.F12 (No burning of materials)
 - 13.F13 (Control of Dust)
 - 14. Construction traffic – wheel wash
 - 15.H3 (visibility splays)
 - 16.H9 (Driveway gradient)
 - 17.H13 (Access, Turning and Parking)
 - 18. Road Layout details to be submitted
 - 19.J1 (Removal of Permitted Development – Residential)
 - 20. Method statement required in the event of previously unidentified contaminated land being found
 - 21. Development carried out in accordance with approved Flood Risk Assessment
 - 22. Cycle parking provision.
 - 23. Lighting details.
 - 24. Security measures – lockable access gates
 - 25. Residents welcome pack

Notes:

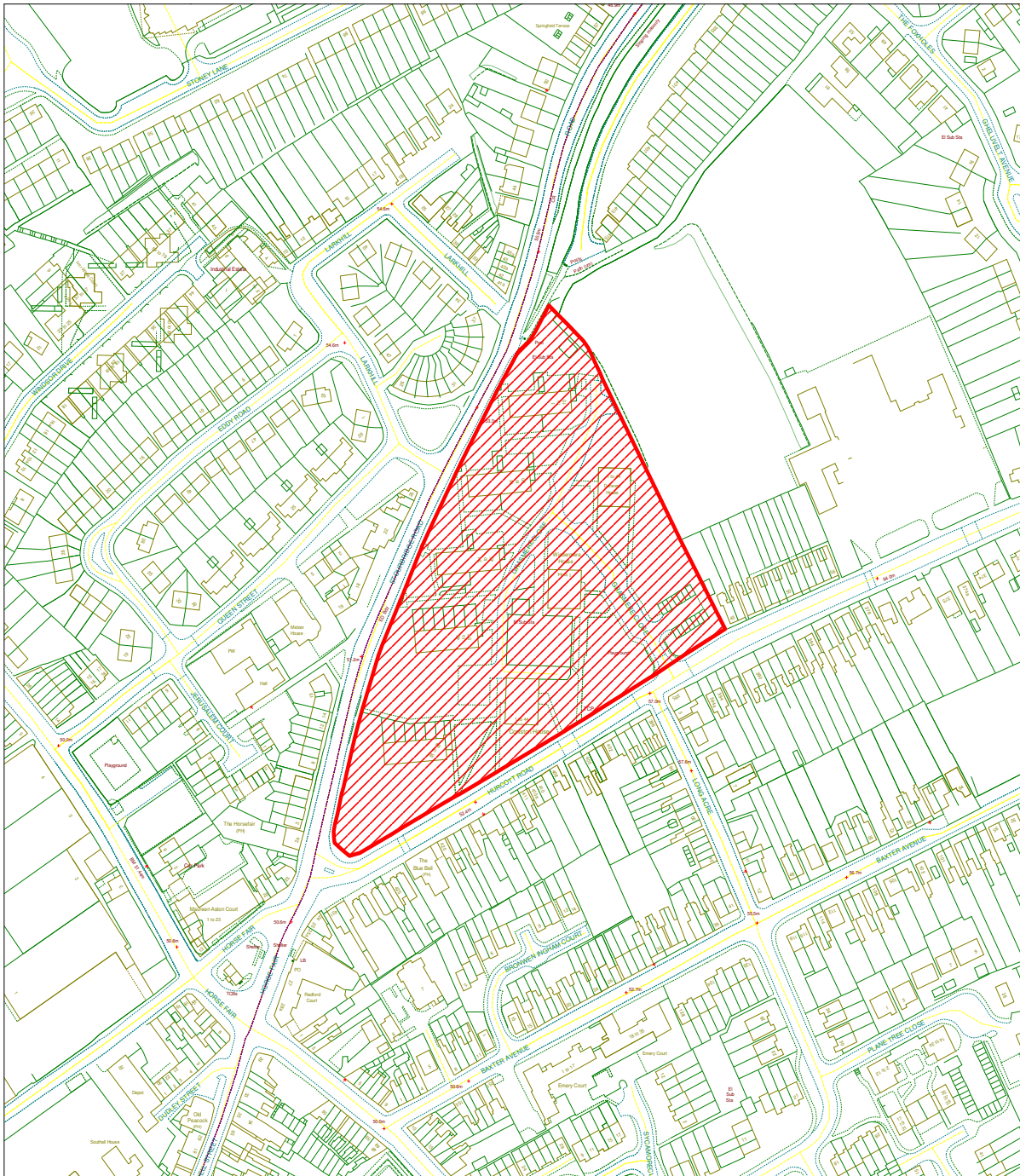
- A. SN2 (Section 106 Agreement)
- B. SN1 (Removal of Permitted Development Rights)
- C. HN1 (Mud on Highway)
- D. HN4 (No Laying of Private Apparatus)
- E. HN7 (Section 278 Agreement)
- F. Section 38 Agreement
- G. Protection of visibility splays
- H. Design of street lighting

11/0390/FULL

Reason for Approval

The proposed development has been assessed against relevant national, regional and local guidance. The application site constitutes previously developed land, based upon the definition given in Annex B of PPS3 – Housing and as such the in principle development of the site for residential purpose is supported by Policy H.2 of the adopted Wyre Forest District Local Plan and Policy DS01 of the adopted Wyre Forest Core strategy. The site is identified within the emerging Kidderminster Central Area Action Plan DPD and Churchfields Masterplan SPD as being suitable for residential development in the form proposed and is recognised as the first phase of the wider redevelopment and regeneration aspirations for the Churchfields area. There is a clear and demonstrable need for affordable housing within Kidderminster and the proposed development would provide a 100% affordable housing development with a net increase of 40% over and above the current level of provision on the site. The development itself has been assessed in terms of the potential impact upon neighbouring properties and other properties within the vicinity of the site, particularly in terms of the design and height of the proposed scheme, in particular the apartment block.

In these regards it is considered that there will be no adverse impact caused by the development. The impact upon the existing highway network has been assessed and no adverse impact has been identified. The density of the development has been carefully assessed, with particular reference to Local Plan policy and PPS3, and it is considered that the proposed development makes an efficient and effective use of the land available and thereby is in accordance with the aims and aspirations of PPS3. Adequate provision has been made for foul and surface water drainage. In light of the above, and being mindful of all other relevant considerations it is considered that whilst the application is compliant with the above Policies.



Wyre Forest District Council

PLANNING AND REGULATORY SERVICES DIRECTORATE

**Corner of Hurcott Road and
Stourbridge Road
Kidderminster DY10 2PJ**



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

Application Reference: 11/0427/FULL **Date Received:** 18/07/2011
Ord Sheet: 384401 279919 **Expiry Date:** 12/09/2011
Case Officer: Stuart Allum **Ward:** Cookley

Proposal: Retrospective application for the erection of detached building to house an historic steam roller

Site Address: 73 CASTLE ROAD, COOKLEY, KIDDERMINSTER, DY10 3TD

Applicant: MS PENNY WARWICK

Summary of Policy	D.17, TR.17 (AWFDLP) CP11 (AWFCS) PPS1
Reason for Referral to Committee	Third party has registered to speak at Committee. Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 No. 73 Castle Road is a detached dwelling located in a set back position from the highway, to the south of Cookley village. The dwelling is located in a large domestic curtilage of some 220 square metres with a set back gated vehicular access. The area leading to the building in question is laid out as hardstanding.
- 1.2 The local area is characterised by mainly detached and semi detached dwellings set in long gardens on generally regular building lines. The site is also virtually opposite the junction of Castle Road and Lionfields Road.

2.0 Planning History

- 2.1 WF.816/77 – 2 detached houses adjacent 75 Castle Road : Approved
- 2.2 WF.400/78 – Detached dwelling : Approved
- 2.3 WF.45/79 – Detached House adjacent 75 Castle Road : Approved

3.0 Consultations and Representations

- 3.1 Wolverley and Cookley Parish Council – Recommend refusal and request a site visit by officers of the Planning Committee. This is a very large building which has an adverse impact on neighbouring properties and is not in keeping with the street scene.

11/0427/FULL

- 3.2 Highway Authority – No objections.
- 3.3 Severn Trent Water Ltd – No objections subject to condition.
- 3.4 Elan Valley Pipeline Authority – Views awaited.
- 3.5 Neighbour/Site Notice : 4 letters of objection received. The main points are summarised below:
- Building looks industrial – makes garden look like a yard. Several commercial vehicles including a low loader, steam roller and caravan also to be seen. Believe steam roller is not the applicant's property. Loss of view from bedroom windows
 - Unsightly building and not in keeping with the road or back garden. Location adjacent to two property boundaries inappropriate. 'Hobby' as it is called looks more like a business every day
 - Building is an eyesore, protruding as it does above the fence line and being in a most unnatural shade of green

One letter of support has been received with the following comments:

No objections whatsoever to the new shed at the side of my house. With long gardens it hasn't taken any light from the sky away. It is the second time there has been a construction up there. I had a large stable for two horses for many years – no-one complained. No paint and oily smells to affect me sitting in the garden.

4.0 Officer Comments

- 4.1 Policy D.17 of the Adopted Wyre Forest District Local Plan makes it clear that proposals involving the extension or alteration to an existing residential property, including curtilage buildings and previous extensions, must:
- i) be in scale and in keeping with the form, materials, architectural characteristics and detailing of the original building;
 - ii) be subservient to and not overwhelm the original building, which should retain its visual dominance;
 - iii) harmonise with the existing landscape or townscape and not create incongruous features; and
 - iv) not have a serious adverse effect upon the amenity of neighbouring residents or occupiers

11/0427/FULL

- 4.2 The background to this case is somewhat unusual and the applicant has submitted a detailed statement in support of the retrospective planning application to retain the building, which in the interests of clarity is set out below:

BACKGROUND

Before purchasing 73 Castle Road, Cookley, in January 2007, I made certain, through my solicitor and surveyor, that there would be no hindrance to the erection of an engine shed in the current position — otherwise I would not have purchased.

When I moved in, my neighbours were informed of what would be kept there, and that they could talk freely to me if they ever had any concerns. At that time No 34 Westhead Road North did not exist, No. 32 did not have the extension overlooking my property and No. 30 was, and still is, completely screened by the trees and bushes on that property.

So far, there have been no complaints about the engine. Indeed, many people in the village take an active interest in it and the rallies it attends.

Until last year, the engine spent the winter in a shed in Brierley Hill. We suffered two major blows in 2010 in that my partner was diagnosed with (a medical condition) and, while he was recovering, the shed in Brierley Hill was broken into by metal thieves. Fortunately the engine was not there, but the thought of what could have happened had it been in the shed set his recovery back badly.

As a result, we moved the engine to Cookley permanently. We bought a large tarpaulin which covered the engine for the winter, but considerable damage was done to the metalwork and paintwork and particularly the wooden canopy by condensation and extremely low temperatures. We decided that it could not suffer another winter like that, and set about getting a shed.

THE SHED

We were advised early on, by a fellow steam enthusiast who works for (a neighbouring local authority planning department) to look at “Exempt Buildings”. We asked about the maximum roof height and were told 13’ 6”. Our design constraints were, therefore, a doorway of 8’ by 11’ to accommodate the engine,, a floor area less than 323 square feet but also long enough and wide enough to allow movement all around the engine, and a maximum roof height of 13’ 6”, and this was what we worked to. The building is over 1 m from my boundaries as allowed by “Exempt Buildings”. We proceeded with the building as we believed we had met all the requirements not to need planning permission.

(Officer Comment: All references made to ‘Exempt Buildings’ are actually in relation to the Building Regulations and not Planning Legislation).

11/0427/FULL

USAGE

The building will be used to store and protect the steam roller during the winter months.

Once a year, the engine will be pulled in to the shed by a hand-operated winch, similar to that on the low-loader, which will be bolted to the floor in the shed. The engine cannot be run into the building under its own power i.e. with a fire in it. As the engine is fully restored, there will only be cleaning and routine maintenance done.

SITING

The building is sited in the only place it can be for three reasons:

- The Elan Valley pipeline crossing my land (the shed is diametrically opposite my house)*
- The need to line up the low-loader with the shed doorway to unload the engine in a straight line with the winch*
- The danger of the low-loader being on a slope while unloading the engine if the shed were any further away from my rear boundary*

MITIGATION

To reduce the visual impact of the building, I am happy to erect trellises on the sides of the building and cover them with climbing plants. This was suggested to me by my neighbour at 71 Castle Road, who has no objection whatsoever to the building, and I believe, following a conversation with her, that it would be acceptable to my neighbour at No. 73A Castle Road.

- 4.3 The footprint represented by the building (31.25 sq. metres) is no larger than an average double garage. However, it is the height of the building which, at 4.15 metres to ridge and, more importantly 3.8 metres to eaves level, sets the context for an evaluation of the proposal and its impact on the residential surroundings.
- 4.4 Neither the size, materials or location of the building detracts in any way from the form, materials, architectural characteristics or detailing of the main dwelling at 73 Castle Road.
- 4.5 With regard to issues of amenity and privacy, the rights enjoyed by the occupiers of neighbouring 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 and scale of the proposal in that context. No potential breach has been identified, which is also the case in relation to the appropriate planning policies.

11/0427/FULL

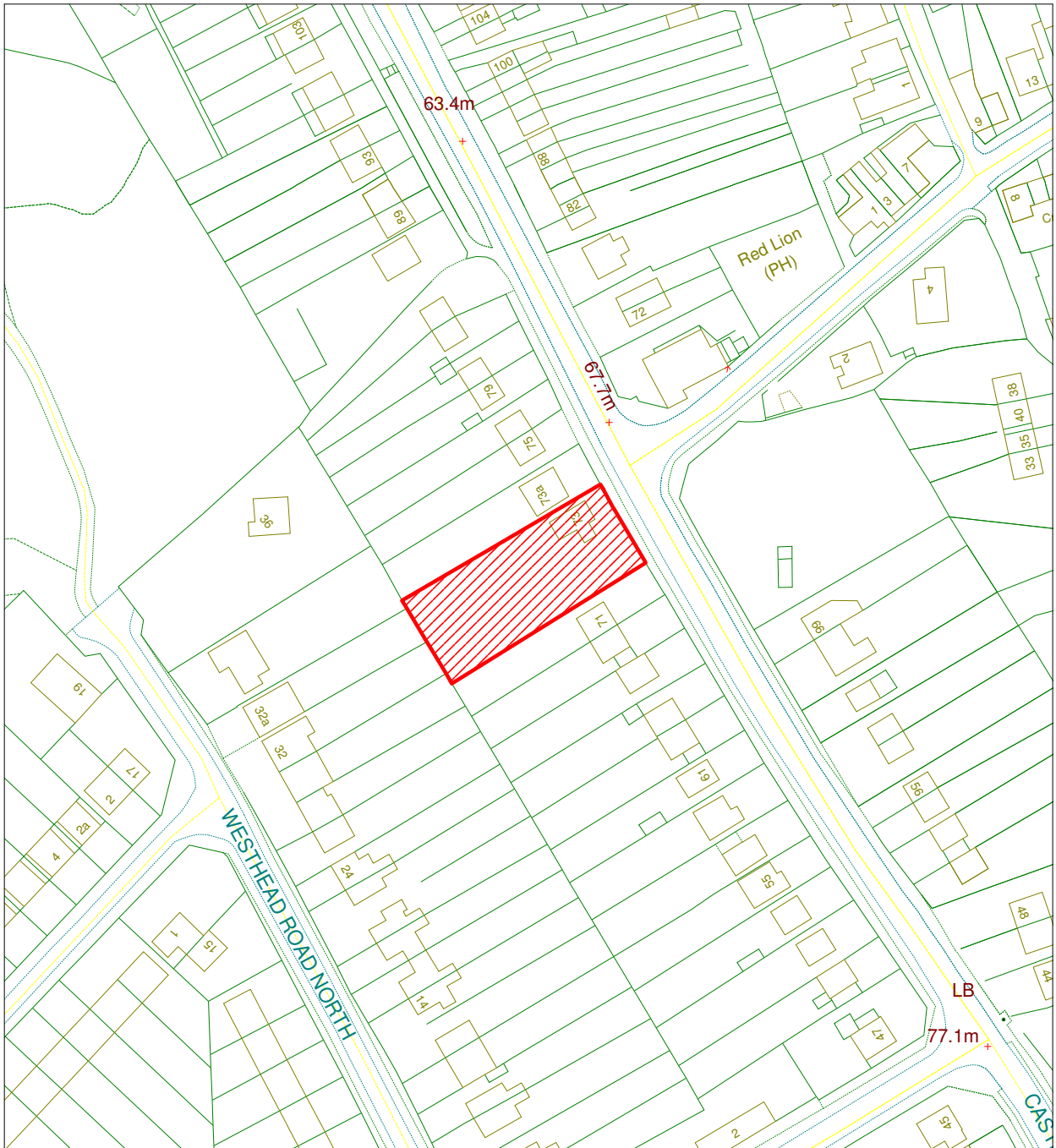
- 4.6 The structure is, to varying degrees, visible from the neighbouring properties to each side of the site, and less so from those to the rear (in Westhead Road North). However, given the generous length of rear gardens in this area, and the generally open residential environment which this creates, the building is not considered to exert a serious loss of amenity or privacy in this context. Loss of view from bedroom windows or any other vantage point is not a material planning consideration.
- 4.7 With reference to the Parish Council's comments relative to the street scene, the extreme set back location of the building exerts minimal visual impact in this regard.
- 4.8 There is no evidence to suggest that the housing of this restored steam roller is anything other than a hobby. The other vehicles stored on site are no more intrusive than those which may be associated with any other pastime, such as the keeping and showing of horses. Under these circumstances, the Local Planning Authority is satisfied that no 'change of use' to a commercial enterprise has occurred.

5.0 Conclusions and Recommendations

- 5.1 This proposal meets the requirements of the appropriate policies and other guidance.
- 5.2 In consideration of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998, it is recommended that this application be **APPROVED** subject to the following conditions:
1. A11 (Approved plans)
 2. No commercial use

Reason for Approval

The building as erected does not detract from the appearance of the original main dwelling, and the surrounding residential environment. Any visual impact upon the street scene of Castle Road, Cookley is minimal. The impact of the building on neighbouring properties has been carefully assessed and it is considered that no undue loss of amenity or privacy has occurred as a result of the development. Accordingly, the retrospective proposal is considered to be in compliance with the policies listed above.



Wyre Forest District Council

PLANNING AND REGULATORY SERVICES DIRECTORATE

**73 Castle Road
Cookley
DY10 3TD**



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

Application Reference: 11/0437/LIST **Date Received:** 19/07/2011
Ord Sheet: 382995 279611 **Expiry Date:** 13/09/2011
Case Officer: James Houghton **Ward:** Wolverley

Proposal: Replacement of existing gates with new wrought iron gates to match existing and installation of automatic opening mechanism

Site Address: ELLIOT HOUSE, WOLVERLEY VILLAGE, WOLVERLEY, KIDDERMINSTER, DY11 5XE

Applicant: Mr Paul Davies

Summary of Policy	LB.2, LB.3, CA.1 (AWFDLP) CP11 (AWFCS) CTC.19 (WCSP) QE.3, QE.5 (WMRSS) PPS5
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	DELEGATED APPROVAL

1.0 Site Location and Description

- 1.1 Elliot House is the south western part of the Grade II* Listed Wolverley House, to the south west are the Grade II listed Lucas Buildings and the gateway to Wolverley House, to the west of the Elliot House, is Grade II listed. The site is washed over by Green Belt and is within the designated Wolverley Conservation Area.
- 1.2 To the front of Elliot House there is a pair of black painted metal gates which cover the width of the drive to the application property.

2.0 Planning History

- 2.1 07/0717/LIST - Installation of rooflights & new french doors to external elevations, internal alterations to re-fit kitchen & installation of new staircase : Approved 14/09/07.

3.0 Consultations and Representations

- 3.1 Wolverley and Cookley Parish Council – Recommend refusal and request a site visit by officers of the Planning Committee. This is a Grade II Listed Building in the Conservation Area and the application is not in keeping with the original property and is inappropriate development.

11/0437/LIST

- 3.2 Conservation Officer - Wolverley House (Grade II*) was historically approached through a formal gateway (the piers of which are now Grade II listed) and up a driveway sweeping around a central landscape feature. This driveway is now shared between Elliot House and The West Wing, relatively modern extensions to the historic building.

The insertion of metal gates across the entrance and exit points of the carriageway has been a somewhat symbolic gesture, essentially serving to identify the front boundary of the driveway shared by Elliot House and The West Wing, and separating that from the access to Lucas Buildings. It has been achieved in a rather understated and informal way, using symmetry and lightweight materials which, to date, has had a minimal impact on the setting of Wolverley House.

The revised proposal introduces stainless steel guide wires between one gate post and the boundary wall, and from the other across the planted area to the centre of the driveway. I understand these guide wires are to lend support to laurel bushes to be planted either side of the gateway.

The impact on the listed building will in my opinion be minimal.

I have no objections to the replacement gates nor to the guide wires.
Two conditions: Blackened guide wire as per sample submitted; Anchor points to be fixed into mortar joints in historic wall.

- 3.3 English Heritage – Awaiting comments.

- 3.4 Neighbour/Site Notice – A total of sixteen letters have been received from the occupants of nine nearby properties. The issues raised through these letters are:

- The gates and associated fence would restrict or prevent access to the front of Wolverley House which is considered a right of way.
- The gates and associated fence would restrict or prevent access for emergency services.
- The gate and associated fence would prevent access to the fire hydrant in Blakeshall Lane.
- English Heritage should have been consulted.
- The gate and fence would impede access for postal workers and others who may need to get to the front door of Wolverley House.
- The proposed gates are larger than those already in place and are not of an identical design.
- The existing gates are constructed of welded metal rather than wrought iron construction.

In addition some of the letters refer to the addition of metal fencing to either side of the gate. This part of the application has been amended and instead guide wires are proposed which will provide support for the planting of a hedge.

11/0437/LIST

4.0 Officer Comments

- 4.1 The applicant seeks approval to replace the existing metal gates currently positioned to the front of Elliot House with similarly sized gates which replicate the design of the existing. In addition guide wires would run from the gate post to the wall which forms a continuation of the front elevation of Elliot House. These guide wires are intended to support a laurel hedge.
- 4.2 The key consideration in determining this application is the impact of the replacement gates and additional guide wires on the setting, character and appearance of the adjacent Grade II* Listed Building.
- 4.3 The Conservation Officer states that the existing gates are of lightweight materials and have a minimal impact on the setting of Wolverley House. The replacement gates mimic the dimensions and form of the existing gates and as such would have no greater impact on the setting of the listed building.
- 4.4 The guide wires which would support a proposed laurel hedge would also have a minimal impact on the setting of the listed building. To ensure any impact is reduced conditions relating to samples of the wire and details of fixings to the wall of the listed building should be added to any permission issued, as suggested by the Conservation Officer.
- 4.5 The issue of rights of way and access for the occupants of neighbouring properties, postal workers and others has been raised by neighbours. This would not form a material in consideration in determining this application. Access across land is a purely legal matter.
- 4.6 The issue of access for emergency services to Wolverley House and to the fire hydrant on Blakeshall Lane has also been raised. This would not form a material consideration in this application. Section 44 of the Fire and Rescue Services Act 2004 entitles an employee of a fire and rescue authority who is authorised to do so to enter premises or a place, by force if necessary, without the consent of the owner or occupier of the premises or place. The application under consideration would not hinder such rights of access.
- 4.7 English Heritage has been consulted on this scheme and comments are awaited.

11/0437/LIST

5.0 Conclusions and Recommendations

5.1 It is recommended that **delegated** authority be given to **APPROVE** this application subject to a 'no objection' response from English Heritage and the following conditions:

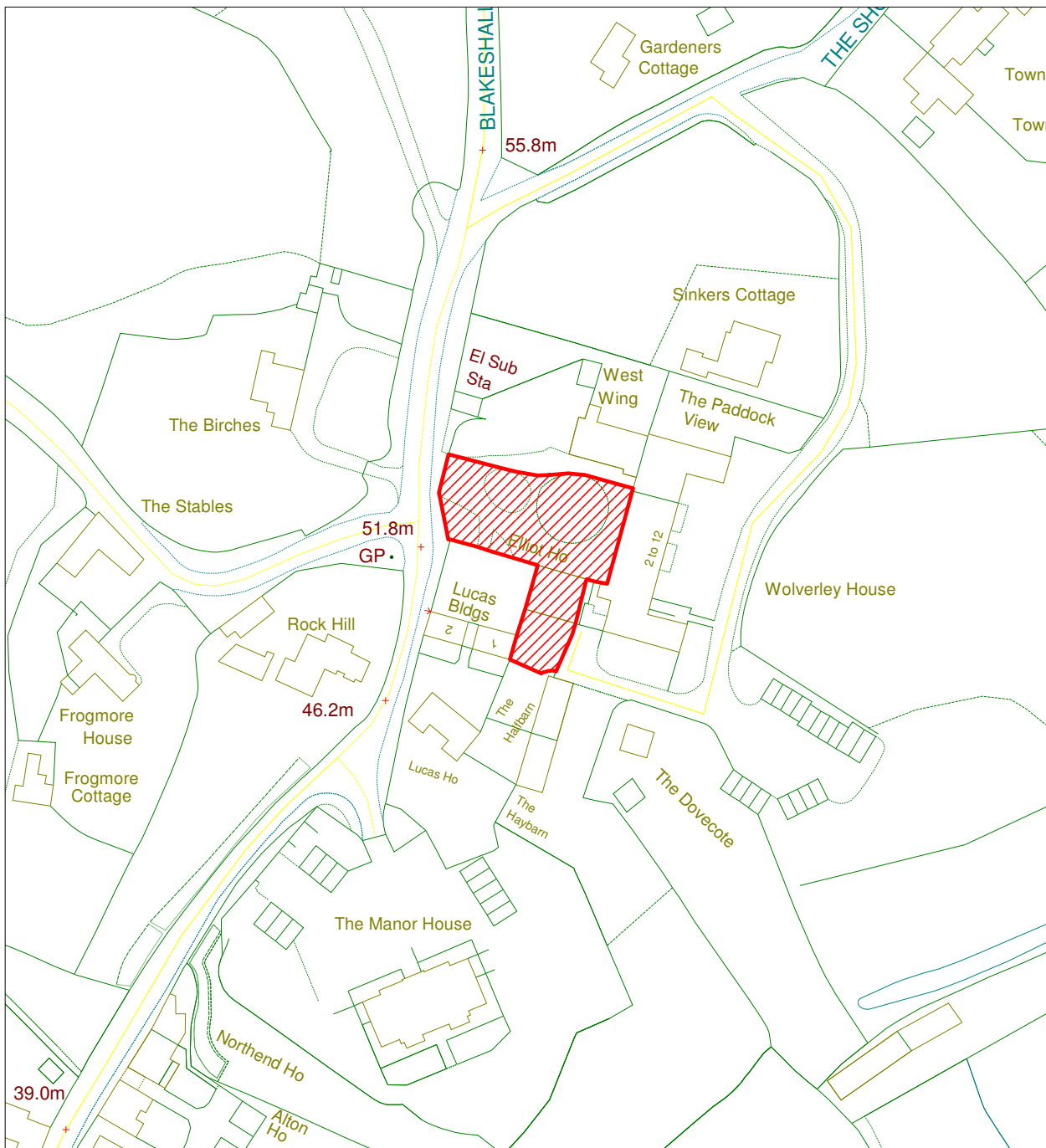
1. A7 (Listed Building/Conservation Area Consent)
2. A11 (Approved plans)
3. B1 (Samples/details of materials)
4. Details of closing mechanism
5. Details of fixings to wall

Note

It should be noted that the planting of a hedge or trees in this location would require no planning permission. Works to or the removal of trees within the Conservation Area requires the submission of an application for tree works under the Town and Country Planning Act 1990. No works should take place without the written permission of the Local Planning Authority.

Reason for Approval

The proposed gates and guide wires are considered appropriate in terms of scale, design and appearance and would not detract from the character, appearance or setting of Wolverley Conservation Area or the adjacent Grade II* and Grade II listed buildings and structures, as such the development would accord with the requirements of Policies LB.2, LB.3 and CA.1 of the Adopted Wyre Forest District Local Plan (2004) and Policy CP11 of the Adopted Wyre Forest Core Strategy (2010).



Wyre Forest District Council

PLANNING AND REGULATORY SERVICES DIRECTORATE

**Elliot House
Wolverley Village
Wolverley DY11 5XE**



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

Application Reference:	11/0483/FULL	Date Received:	04/08/2011
Ord Sheet:	382310 276380	Expiry Date:	03/11/2011
Case Officer:	Paul Round	Ward:	Sutton Park

Proposal: Part demolition of an existing building (known as the 'Old Pathology Block') and provision of additional car parking spaces in several locations around hospital site

Site Address: KIDDERMINSTER GENERAL HOSPITAL, BEWDLEY ROAD, KIDDERMINSTER, DY11 6RJ

Applicant: Worcestershire Acute Hospitals NHS Trust

Summary of Policy	TR.17, CY.3, LB.1. D.4 (AWFDLP) CTC.19, T.4 (WCSP) QE5, T7 (WMRSS) PPS1, PPS5, PPG13 County Council Highway Design Guide (annexed to LTP3)
Reason for Referral to Committee	'Major' planning application
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The site relates to Kidderminster General Hospital which is situated on the south west side of Kidderminster and is bounded by Bewdley Road, Sutton Road, Hume Street, Franchise Street and Crescent Road. The site consists of Hospital buildings and car parking. A previous approval for a new medical centre facing Hume Street is being implemented.
- 1.2 The site is allocated for retention for healthcare purposes within the Adopted Local Plan.
- 1.3 The proposal is for the provision of additional car parking on the site.

2.0 Planning History

Various but of relevance;

- 2.1 WF.617/94 – Additional Car Parking Areas : Approved 11/10/94
- 2.2 WF.0690/95 – Additional Car Parking : Approved 4/3/96

11/0483/FULL

- 2.3 WF.555/98 – Demolition of Pharmacy and Creation of new parking :
Approved 22/9/98
- 2.4 WF.785/04 – Demolition of Medical Centre and creation of new parking :
Approved 15/10/04

3.0 Consultations and Representations

- 3.1 Highway Authority – No objection subject to addition of disabled parking spaces.
- 3.2 Conservation Officer – No objection subject to conditions.
- 3.3 Arboricultural Officer – No objection subject to conditions.
- 3.4 Neighbour/Site Notice : 1 comment received from Disability Action Wyre Forest – Welcome additional parking.

4.0 Officer Comments

- 4.1 Kidderminster Hospital is infamous for difficulties in parking both within the site and on surrounding roads leading to a large of amount of indiscriminate parking.
- 4.2 The hospital management have attempted to provide additional parking as the need arose over the last 16 years, following the construction of the last phase of expansion in the early 1990's.
- 4.3 Members may recall that a new medical centre was approved within the site, which is currently being constructed. The development was sited on the existing staff car park facing Hume Street and although it will be replaced as part of the development, there will be a loss of 27 spaces.
- 4.4 This application seeks to provide an additional 65 spaces across the whole of the site which, when taking into account the 27 spaces lost as part of the medical centre development, equates to a 38 space (9% increase) on the previous car parking provision. These spaces will in the main be provided through formalising verges and other areas which have been used for ad-hoc parking. Added to this, two new car parking areas are provided.

FORMALISING INDISCRIMINATE PARKING

- 4.5 Thirty-two spaces are provided across 5 parking zones by changing verges and planting strips to parking bays.

11/0483/FULL

- 4.6 In zones 1 and 2, which front onto Bewdley Road, the provision of 7 infill car parking within the existing parking bays, whilst removing small areas of green and small ornamental trees, is considered acceptable in the context of the whole site.
- 4.7 New zones 5 and 6 are created in areas sandwiched between D block (The Robertson Centre) and F Block close to the entrance to C block and the access to Sutton Road. These create 20 additional spaces, again formalising areas where cars have previously parked indiscriminately. These are internal areas which are not visible outside of the site and involve the removal of grassed areas and the marking out of spaces on existing tarmac. Three spaces are also proposed outside the entrance to C block which will remove a large landscaping bed. The provision of car parking will enable a more considered landscaping scheme to be provided replacing the existing overgrown landscaping bed. This has not been submitted with the application but can be secured by condition.

NEW PARKING AREA ZONE 3

- 4.8 On the corner of Crescent Road and Woodfield Crescent there is a raised grass area, previously used a children's play area to the rear of B Block, accessed off Franchise Street. It is proposed to utilise this area for 15 additional staff car parking spaces which will be barrier controlled. One existing tree in the centre of the area will be removed, with the four highway trees on Crescent Road to be retained. An extensive landscape plan has been submitted showing 3 Field Maples (Louisa Red Shine) to be planted along Woodfield Crescent, the boundary being demarked by wooden palisade fencing with hedge and shrub planting beyond. This landscaping will ensure that limited visual impact will occur to the street scene on this prominent corner. Whilst neighbouring properties in Crescent Road are in close proximity, given the proposed landscaping and the nature of the surrounding streets, it is considered that the proposal will not have an undue impact on residential amenity. The Arboricultural Officer welcomes the landscaping scheme.

NEW PARKING AREA ZONE 7

- 4.9 The old pathology block on Sutton Road is the oldest part of the hospital still standing. The building is included within the Local List as a building of local architectural and historic value. Unfortunately, this building has been subjected to unsympathetic extensions in the past. It is proposed to remove these extensions and an area of grass and provide 18 additional spaces. Cars already park in this area informally and this will allow this area to be marked out formally to ensure the area is utilised more effectively. It is understood that the building, which is vacant at present, will be refurbished as part of these works. One mature tree will be lost as park of the scheme.
- 4.10 The works will provide an enhancement to the locally listed structure allowing the rear of the historic building to be revealed and restored. The additional car parking that will result will not be harmful to the setting of this building. The views of the Conservation Officer endorse this view.

11/0483/FULL

- 4.11 Again, an extensive landscape plan is submitted, which includes a large amount of shrub planting and the planting of a Scots Pine. This will supplement the existing tree cover along Bewdley Road, and provide an attractive appearance to the internal areas. The Arboricultural Officer supports the landscaping scheme.

POLICY FRAMEWORK

- 4.12 Members will be aware that parking levels for non residential uses are set by the adopted Local Plan and the recent County Council Highway Design Guide (annexed to LTP3) set parking standards as maximums.
- 4.13 It is clear that Kidderminster Hospital has evolved away from the general hospital that it used to be and now provides a range of clinics; day surgery facilities; offices; and, education. The applicants have analysed the facilities on site in conjunction with the latest parking criteria published by the County Council, and such analysis takes account of estimated numbers of patients, their length of stay, whether they will be dropped off and picked up, and provision for all uses across the site. This has resulted in the projected requirement of 566 spaces for the hospital site. The proposed additional parking will result in total provision of 503 spaces which, although providing a shortfall on the basis of the applicant's analysis, is considered reasonable in this context. Whilst I am aware of the desire to reduce parking provision and seek alternative modes of transport in reality, at a hospital site this is unlikely to be achievable. The Highway Authority supports this approach and has no objection to the proposal. The request for additional disabled parking has been agreed by the applicant.

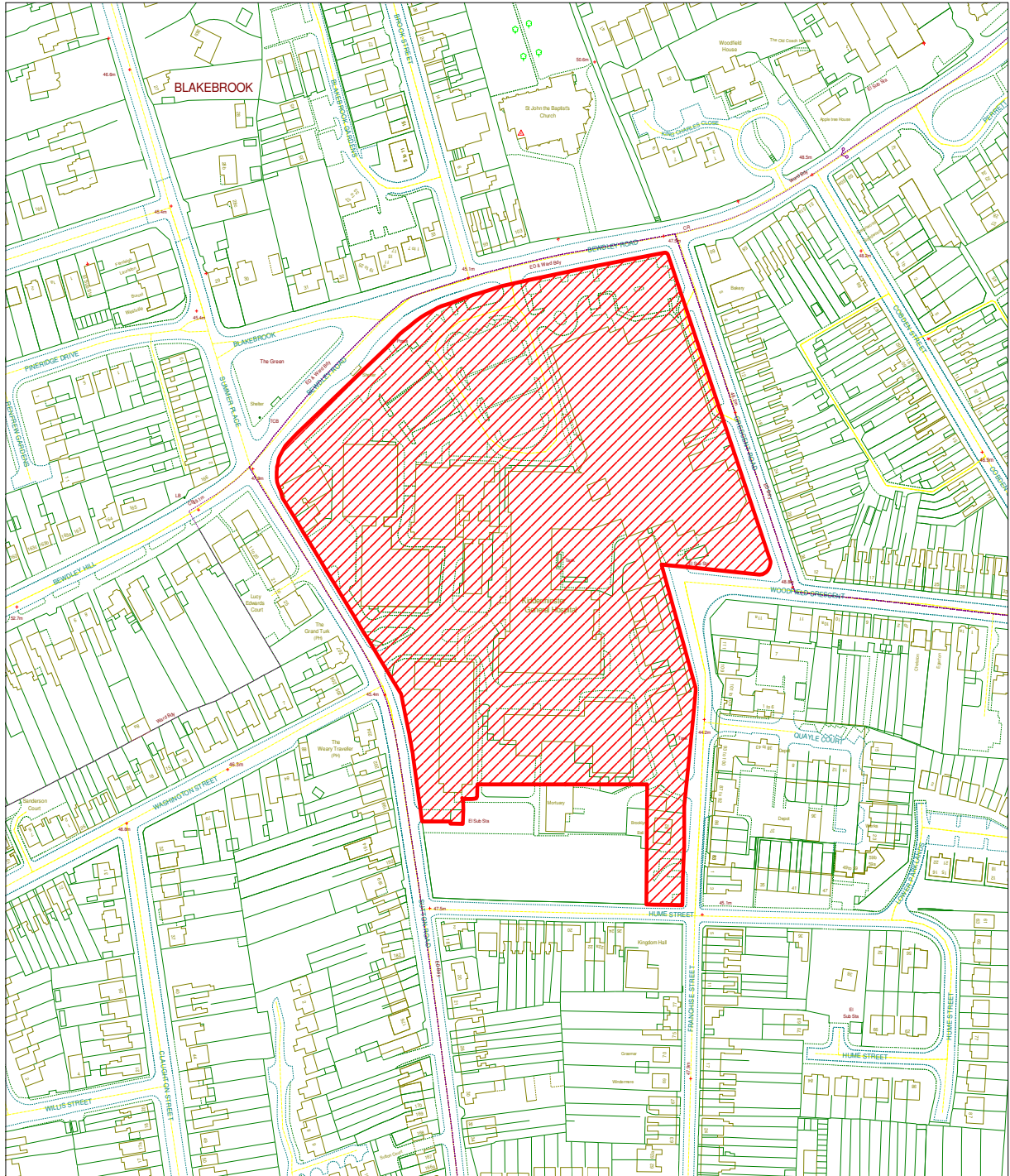
5.0 Conclusions and Recommendations

- 5.1 There is a justifiable need for additional parking at Kidderminster Hospital. The additional spaces have been provided in a way that will not result in harm being caused to the visual amenities of the area or neighbours amenity. The proposed works to the locally listed building will enhance its appearance, and additional park in close proximity will not result in harm. The proposed landscaping is considered to be of a quality that will enhance the visual appearance of the site 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. C3 (Tree protection during construction)
 4. C6 (Landscaping – small scheme; 3 spaces in Zone 5)
 5. C8 (Landscape implementation)
 6. Zone 3 – Landscaping to implemented prior to first use
 7. Details of restoration works to locally listed building
 8. G2 (Protection of existing building)
 9. Zone 3 – Only used as staff parking

11/0483/FULL

Reason for Approval

There is a justifiable need for additional parking at Kidderminster Hospital. The additional spaces have been provided in a way that will not result in harm being caused to the visual amenities of the area or neighbours amenity. The proposed works to the locally listed building will enhance its appearance, and additional parking in close proximity will not result in harm. The proposed landscaping is considered to be of a quality that will enhance the visual appearance of the site as a whole. For these reasons the proposal is in accordance with the policies listed above.



Wyre Forest District Council

PLANNING AND REGULATORY SERVICES DIRECTORATE

Kidderminster General Hospital
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH SEPTEMBER 2011

PART B

Application Reference:	11/0398/FULL	Date Received:	05/07/2011
Ord Sheet:	380181 271538	Expiry Date:	30/08/2011
Case Officer:	Stuart Allum	Ward:	Mitton

Proposal: Modification of Condition No. 3 of Planning Permission reference SU.109/63 to Allow Occupation / Use for 11 months in any one year

Site Address: 7 LICKHILL MEADOW, MOOR HALL LANE, STOURPORT-ON-SEVERN, DY13 8RD

Applicant: Mr J Evans

Summary of Policy	CP02 (AWFCS) PPS25
Reason for Referral to Committee	Development Manager considers that application should be considered by Committee
Recommendation	REFUSAL

1.0 Site Location and Description

1.1 No. 7 Lickhill Meadow is a prefabricated bungalow located within the holiday park environment managed by Stourport Motor Yacht and Bungalow Association. This is to the west of Stourport on Severn town centre and adjacent to the River Severn.

1.2 The site lies within the Green Belt, and is also within Flood Zones 2 and 3. Flood Zone 3 indicates a '1 in 100 year flood event' and Flood Zone 2 indicates a '1 in 1000 year flood event'. Both scenarios are affected by a 600mm increase in predicted flood levels to take account of climate change.

2.0 Planning History

2.1 SU.109/63 – Prefabricated bungalow : Approved, holiday use only between Good Friday and 30 September in any year.

2.2 WF.987/99 – Modification of Condition No. 3 of Planning Permission reference SU.109/63 to allow occupation/use for 11 months in any one year : Refused 14/3/00.

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- 2.3 WF.504/00 – Modification of Condition No. 3 of Planning Permission SU.109/63 to allow occupation/use for 8 months in any one year at no. 7 Lickhill Meadow, Stourport on Severn : Approved 18/7/00.

3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objections to the proposal and recommend approval.
- 3.2 Highway Authority – No objections.
- 3.3 Environment Agency – Application is contrary to PPS25 and may be refused on that basis.
- 3.4 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

- 4.1 The building in question was erected following the grant of planning permission in 1963 by Stourport Urban Council. The reason given for restricting the use of the bungalow to between Good Friday and 30 September in any one year was ‘to preclude the use of the building for permanent residential accommodation and thereby avoid prejudicing the rural character of the area’. There is no reference to flood risk in this decision.
- 4.2 The proposal is considered to be appropriate development in the Green Belt because it represents a use of land which preserves the openness of the Green Belt, and which does not conflict with the purposes of including land within it. Also, the direct interests of the neighbouring properties in terms of amenity and privacy would not be adversely affected.
- 4.3 Following refusal of an application from the previous owners in 1999 to extend the occupation to 11 months (refusal reason based on flood risk), a further application was approved in 2000, establishing 8 months occupation in any one year as being appropriate to the flood risk scenario, and this restriction has remained in place until the present day.
- 4.4 The applicant has submitted a supporting statement, thus:
- “... we do have flood evacuation plans in place, together with flood warning system by telephone, as and when necessary, and a boat for our use in case of flood, so we are all prepared.*”

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We are unable to vacate our premises in the winter months due to health problems and this being our main home we have nowhere else to reside. We are trying to keep within the law by asking for an 11 month period to reside in our home, and hope that as we now have contingency plans in place you will now permit the 11 months, which I understand is the case with all of the other holiday parks in the Stourport flood plain”.

- 4.5 Since the refusal of planning application WF.987/99, and the refusal of permission for two similar applications at the neighbouring bungalows (Nos. 6 and 8), the Local Planning Authority has taken into account in its policy development increasing amounts of information and flood modelling from the Environment Agency. This work took on a particular urgency following the last major flood event in the Stourport on Severn area in November 2000.
- 4.6 Taking this increased awareness into account, coupled with the comparatively recent history of refusals on the application site and its similar immediate neighbours, there are no compelling arguments or evidence to justify an approval at this time.
- 4.7 The Environment Agency in their formal response declined to provide an outright recommendation for refusal. They appeared to offer the Local Planning Authority the opportunity to provide evidence to support an approval. Unfortunately, such evidence cannot be provided, especially given the recent planning history of refusals. Many of the other bungalows on the site are believed to have been erected prior to the first Planning Act in 1948 and are not therefore subject to occupancy restrictions. Again, this cannot be considered as a material consideration.

5.0 Conclusions and Recommendations

- 5.1 This proposal fails to meet the requirements of the appropriate policy and other guidance.
- 5.2 It is therefore recommended that this application be **REFUSED**, for the following reason:
1. Insufficient information has been submitted for an assessment of flood risk to be made. However, based on the flood information available, the site is not shown to be safe during a 1% plus climate change event. The intensification of use for 11 months (majority of the year) would lead to more risk of occupants being isolated in times of flood. This has the potential to place an additional burden on the emergency services given the extent, duration and frequency of flooding that may be experienced in this location. The proposal is therefore contrary to Policy CP02 of the Adopted Wyre Forest Core Strategy and guidance in PPS25.

Application Reference: 11/0403/FULL **Date Received:** 07/07/2011
Ord Sheet: 387763 278669 **Expiry Date:** 01/09/2011
Case Officer: James Houghton **Ward:** Blakedown and Chaddesley

Proposal: First floor side extension, front porch canopy and new pitched roof to ground floor cloakroom and toilet.

Site Address: 16 BROOKSIDE WAY, BLAKEDOWN, KIDDERMINSTER, DY10 3NE

Applicant: Mr & Mrs D Sheffield

Summary of Policy	D.17 (AWFDLP) CP11 (AWFCS) QE3 (WMRSS) Design Quality Supplementary Planning Guidance PPG13
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 The application property is a detached dwelling set back from the road behind a front drive and gardens. The property benefits from a substantial flat roofed double garage which projects to the front of the property and dominates the appearance of the building.
- 1.2 The applicant seeks retrospective approval for the erection of a first floor side extension and a hip roofed porch to the front. The plan indicates a single storey rear extension, which has been constructed under permitted development rights.

2.0 Planning History

- 2.1 10/0004/FULL - Two storey and single storey extensions to front side and rear : Refused 22/03/10.

3.0 Consultations and Representations

- 3.1 Churchill and Blakedown Parish Council – Objection to the proposal. It is considered that the large scale of the proposed porch and the provision of a pitched roof, when all other roof in the locality are gabled, would not be in keeping with the general street scene of Brookside Way.

11/0403/FULL

- 3.2 Neighbour/Site Notice : One letter has been received. The neighbour observes that -
- The original garage has been converted into a room.
 - The extended bed room with en suite appears to benefit from five or six roof lights. Could any further accommodation be provided within the roof space.

In addition to the observations, an objection is raised relating to the size of the porch. It is not considered that the porch complements the 1960s architecture on the estate and does not sit comfortably within the street scene.

4.0 Officer Comments

- 4.1 This application is for the retrospective approval of extensions which are largely complete. The development which forms the subject of this application can be broken down into two main elements, the first floor side extension and the hip roofed porch to the front.
- 4.2 The first floor side extension is approximately 1.9m wide and 7.07m deep, the extension does not project past the rear elevation of the original dwelling. The extension is set back 1.9m from the front elevation of the original dwelling and has a lower ridge height ensuring the extension would appear subservient to the host property. The first floor extension would be considered appropriate in terms of both scale and design and would offer no detriment to the appearance of the property, the street scene or the character of the area. The extension would offer minimal detriment to the outlook, privacy and daylight enjoyed by the residents of neighbouring properties. The 45^o Code and 25^o guidelines would not be breached.
- 4.3 The front porch projects 1.9m from the front elevation of the host dwelling, 4.8m wide and has a maximum height of 3.65m. The eaves height of the porch is 2.6m. The porch, whilst large, would be considered appropriate in terms of both scale and design due to its limited depth, which allows it to be read against the backdrop of the dwelling. Although the majority of porches in the immediate area are finished with flat roofs some have been retrofitted with pitched or hip roofs. In addition more recent extensions benefit from pitched or hip roofs. The porch does not introduce a wholly alien feature to the street scene and would have no significant impact on the character of the area or the street scene.

11/0403/FULL

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. Notwithstanding the approved plans, no first floor windows shall be permitted unless otherwise agreed in writing by the Local Planning Authority

Reason for Approval

The extensions are considered appropriate in terms of scale and design. The development offers no detriment to the character of the area or the street scene and the impact on the amenity currently enjoyed by the occupants of neighbouring properties is minimal. The extension would accord with the provisions of Policy D.17 of the Adopted Wyre Forest District Local Plan (2004) and Policy CP11 of the Adopted Core Strategy (2010).

Application Reference: 11/0404/FULL **Date Received:** 06/07/2011
Ord Sheet: 375425 278150 **Expiry Date:** 31/08/2011
Case Officer: Stuart Allum **Ward:** Bewdley and Arley

Proposal: Additional works following planning permission 11/0184 single storey rear extension addition of pitched roofing external rendering of all elevations

Site Address: SUNNYSIDE, POUND GREEN, ARLEY, BEWDLEY, DY12 3LB

Applicant: Mr D Docker

Summary of Policy	D.17 (AWFDLP) CP11, CP12 (AWFCS) PPS1, PPS7
Reason for Referral to Committee	Statutory or non-statutory Consultee has objected and the application is recommended for approval
Recommendation	APPROVAL

1.0 Site Location and Description

- 1.1 'Sunnyside' is a detached bungalow located in open countryside to the South West of Arley Village, and close to the hamlet of Button Oak.
- 1.2 The site lies within landscape identified as an area of 'Forest Smallholdings and Dwellings' in Worcestershire County Council Landscape Character Assessment.
- 1.3 There is one neighbouring dwelling to the north of the site. The dwelling is set back from the highway and is well screened on all boundaries by mature hedge and tree vegetation.

2.0 Planning History

- 2.1 08/0649/FULL – Single storey extension, modification basement steps, replace flat roofs with pitched roofs (re-submission of 07/0719/FULL) : Approved 2/9/08
- 2.2 11/0184/FULL – Rear extension and re-roofing : Approved 18/5/11

11/0404/FULL

3.0 Consultations and Representations

- 3.1 Upper Arley Parish Council – Objects to the proposal and recommends Refusal. *“The Parish Council approved the original application but feel that this current application will be too big and become too close to neighbouring properties.”*
- 3.2 Neighbour/Site Notice – No representations received.

4.0 Officer Comments

- 4.1 Planning permission was granted in 2008, and in early 2011 for a range of modest extensions, mainly focussed on providing pitched, tiled roofs to replace the existing flat roofs to the side and rear of the dwelling.
- 4.2 Work has started on site to implement the earlier 2011 consent, and the current application seeks to create a 4.5 metre extension to the rear, following demolition of an existing conservatory.
- 4.3 Essentially, this latest application increases the size of the extension which was the subject of the 2008 approval. This pitched roof addition is considered to be proportional in relation to the original building and will not unduly impact on the character of the building.
- 4.4 The rendering and painting of all the existing and proposed external brickwork elevations is appropriate in this landscape setting, and this approach would not lead to any diminution of visual amenity in that context.
- 4.5 Regarding the comments made by the Parish Council, the parts of the dwelling being extended are no closer to the boundary with the neighbouring property than that existing which is considered to be more than adequate to protect their privacy and amenity.
- 4.6 Regarding issues of amenity and privacy, the rights enjoyed by the neighbouring dwelling under the provisions of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998 have been balanced against the scope and scale of the proposal in that context. No potential breach has been identified, which is also the case in relation to the appropriate planning policy.

5.0 Conclusions and Recommendations

- 5.1 This proposal meets the requirements of the appropriate policies and other guidance.

11/0404/FULL

5.2 In consideration of Article 1 of Protocol 1 and Article 8 of the Human Rights Act 1998, it is therefore recommended that this application be **APPROVED**, subject to the following conditions:-

1. A6 (Full with no reserved matters)
2. A11 (Approved plans)
3. B6 (External materials as approved plan)

Reason for Approval

The proposed extension is considered to be of an appropriate scale and design in relation to the original dwelling and will present an acceptable appearance in the lane side scene. No adverse impact would be created relative to neighbour amenity/privacy or the quality of the local landscape. Accordingly, this proposal is considered to be in compliance with Policy D.17 of the Adopted Wyre Forest District Local Plan and Policies CP11 and CP12 of the Adopted Wyre Forest Core Strategy.

Application Reference: 11/0422/FULL **Date Received:** 15/07/2011
Ord Sheet: 383234 276314 **Expiry Date:** 09/09/2011
Case Officer: Paul Wrigglesworth **Ward:** Greenhill

Proposal: Change Of Use and Proposed Alterations to Form Indoor and Outdoor Retail Market Area and Cafe to First Floor.

Site Address: 17-20, NEW ROAD, KIDDERMINSTER, DY10 1AF

Applicant: Mr M Ghoncheh

Summary of Policy	D.1, D.3, D.9, D.18, TC.2, RT.4, RT.13, TR.9, TR.17, CA.6, NR.5, NR.10, NR.11 (AWFDLP) QE.1, QE.3 (WMRSS) Design Quality Supplementary Planning Guidance PPS1, PPS4
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 This property is located in New Road Kidderminster adjacent to Pike Mills car park. The property is the end of a row of terraced properties. The properties that make up the application site are vacant and the retail shop was last used according to the shop sign by Worcestershire Antiques. To the rear is the Aldi supermarket and to the side the application site is adjoined by the Citizens Advice Bureau. There is no on site car parking associated with the development.

2.0 Planning History

2.1 09/0046/FULL - Change of use, refurbishment & extension to form bistro, restaurant and bar : Approved 18/3/09

3.0 Consultations and Representations

3.1 Highway Authority – No objection to the development.

3.2 Worcestershire Regulatory Services (Environment Health) – Views awaited.

3.3 Severn Trent Water Ltd – Views awaited.

11/0422/FULL

3.4 Regeneration and Economic Prosperity – No objection.

3.5 Community and Partnership Services – Views awaited.

3.6 Neighbour/Site Notice – No response to date.

4.0 **Officer Comments**

4.1 The application seeks to retain the existing buildings fronting New Road which are now in a very poor state of repair; to knock out internal walls and to use the ground floor for retail purposes. The upper floor of the main part of the building is proposed to be used as a café. In addition, it is also proposed to convert a long flat roofed single storey structure attached to the shop (a former shooting range) as an indoor retail area. Between this single storey wing and the wall that flanks Pike Mills car park is a court yard area which is shown to be used as an outdoor retail area. It is proposed to reduce the height of the car park boundary wall and to fit railings above the lowered wall to make the retail area more visible. Pedestrian access from the car park will be gained by creating an opening in the wall.

4.2 The main issues can be considered under the following headings:

- The principle of allowing the development
- The impact on neighbouring property
- The effect on the Council car park
- The design of the development
- Highway considerations

THE PRINCIPLE OF ALLOWING THE DEVELOPMENT

4.3 This area of the town centre is allocated as secondary shopping. Policy RT.4 (Edge of centre retail proposals) of the Adopted Wyre Forest District Local Plan allows new retail development in areas affected by this designation provided that the extended retail floor space does not exceed 250 square metres. It is questionable whether the use of part of an existing shop falls within the restricted retail floor space, but in any event the shooting range is only approximately 112 sq metres in floor area. The outdoor retail area is about 162 sq metres but the area of the stalls would be significantly less than this.

4.4 In addition to the retail area at ground floor level a café is proposed at first floor level. This is compatible with both Policy RT.4 and RT13 (Food and Drink) of the Local Plan and it should be noted that planning permission has already been granted for a similar type of use in 2009 (09/0046).

11/0422/FULL

- 4.5 There is no conflict either with Policy TC.2 of the Local Plan (Town Centre Uses) which endorses A1 (Retail), A2 (Financial and Professional Services) and A3 (Restaurants and Cafés) uses within secondary shopping areas and consequently the development is judged to be compliant with policy and acceptable in principle.

THE IMPACT ON NEIGHBOURING PROPERTY

- 4.6 Policy RT.13 amongst other things requires A3 uses to be compatible with residential amenity. In this case there are no residential properties adjacent (Aldi and the Citizens Advice Bureau are neighbouring uses) and it is not anticipated that the Café or the other elements of the scheme will be a source of nuisance to the surrounding area.

THE EFFECT ON THE COUNCIL CAR PARK

- 4.7 Although it will be possible to access the outdoor retail area from the shop fronting New Road the main way of doing so will be from the public car park. On this side of the car park there is a footpath that runs from New Road towards the Aldi store and consequently the proposal would have no implications for the loss of public car parking spaces and it would also be possible for pedestrians to gain access safely from New Road without crossing the car park.
- 4.8 The applicant's agent has commented with regards to the general arrangements as follows:
- *The indoor retail area will consist of market stalls where the goods will be kept in situ and covered on an evening when not in use. The building will obviously be locked for security purposes during this time. The outdoor retail area will consist of small stalls or tables where traders will bring their goods with them or alternatively they will have the option of leaving their goods within a designated area within the locked building.*
 - *The double doors from the outdoor retail area are purely for pedestrian access. There currently exists an unloading point onto the car park and this will remain for traders to gain access to the outdoor area without having to go through the indoor retail area or pedestrian area. On this basis the existing car parking spaces in the public Car Park will not be affected by the proposal.*
- 4.9 The Council's Parking Services Manager has been consulted on the proposal and views are awaited at the time of writing.

11/0422/FULL

THE DESIGN OF THE DEVELOPMENT

- 4.10 The alterations proposed are judged to be sympathetic and principally involve introducing new windows to the side elevation of the building flanking the car park and to the single storey wing. These new openings will improve surveillance of the footpath to the Aldi supermarket and add interest to these bland elevations of the building. New windows and doors will also be added to the rear elevation and in addition the shop front will be renovated which will be of benefit to the street scene.

HIGHWAY CONSIDERATIONS

- 4.11 The Highway Authority has no objections to the development with respect to highway safety concerns and accepts that in view of the town centre location there is no requirement for on-street car parking.

5.0 Conclusions and recommendations

- 5.1 The uses proposed are considered to be compatible with the allocation as a secondary shopping area and there should be no serious adverse impacts on neighbouring property. The property is in need of urgent repair and the proposal would introduce a viable use into the building which should also enliven the surrounding area.
- 5.2 It is recommended that **delegated APPROVAL** be given to approve the development subject to the satisfactory conclusion of the consultation process and the following conditions:
1. A6 (Full with no reserved matters)
 2. A11 (Approved plans)
 3. B3 Finishing materials to match)
 4. B9 (Details of windows and doors)
 5. Retention of existing shop front
 6. Scheme for extraction of fumes and odours to be submitted
 7. Pedestrian access only from the public car park

Note

Neighbours' rights

Reason for Approval

The application has been carefully assessed with regards to the principle of allowing the development, the design and compatibility with the general area, the impact on neighbouring property, highway safety issues including the effect on the Council car park and the application is judged to be acceptable and compliant with the above mentioned policies in the Development Plan.

Wyre Forest District Council

Planning Committee Meeting 13 September 2011

List of Pending Applications

NB This list includes all applications upon which no decision has been issued, including applications proposed to be determined at this Committee

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
WF/0469/05	29/04/2005	24/06/2005	1 OX BOW WAY KIDDERMINSTER DY102LB	Full : Change of use of 3m strip of land, enclosure with timber fence - Variation to Conditions 11 and 12 of WF.222/94; Variation to Section 106 Agreement, 3 metre strip of land to rear of	The Owners of,	Paul Round
08/0034/LIST	17/01/2008	13/03/2008	20, 21 & 22 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of 20, 21 & 22 Horsefair	Wyre Forest Community Housing Ltd	Paul Wrigglesworth
08/0035/FULL	17/01/2008	13/03/2008	20,21,22 & 23 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of existing buildings and erection of 5 No affordable dwellings	Wyre Forest Community Housing Ltd	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
08/0445/S106	01/05/2008	26/06/2008	FORMER STOURVALE WORKS DEVELOPMENT OFF OXBOW WAY KIDDERMINSTER DY102LB	Variation of S106 Agreement to allow alternative access arrangements to Puxton Marsh and non-provision of on site play area.	Cofton Ltd	Paul Round
08/0495/FULL	19/05/2008	18/08/2008	THE OLD POST OFFICE SITE BLACKWELL STREET KIDDERMINSTER DY102DY	Retention/Refurbishment of Old Post Office frontage building, demolition to rear and construction of 54 apartments with undercroft parking.	Regal Executive Homes	Paul Wrigglesworth
08/0500/FULL	22/05/2008	21/08/2008	LAND AT CORNER OF THE TERRACE/TENBURY ROAD CLOWS TOP KIDDERMINSTER DY14 9HG	Erection of 12 dwellings with associated parking & access	Marcity Developments Ltd	Paul Round
08/1044/FULL	12/11/2008	11/02/2009	FORMER VICTORIA SPORTS FIELD SPENNELLS VALLEY ROAD KIDDERMINSTER	Erection of a hotel (C1); public house/restaurant (A4); indoor and outdoor bowling facility (D2), access, car parking, landscaping and associated works (Resubmission of 07/1165/FULL)	Victoria Carpets Ltd	Julia Mellor
09/0156/S106	03/03/2009	28/04/2009	TARN 1-16 SEVERN ROAD STOURPORT-ON-SEVERN	Variation of S.106 agreement attached to WF1208/04 to change tenure of affordable housing units	West Mercia Housing Group	Paul Round
09/0181/FULL	13/03/2009	08/05/2009	LOWER HOUSE BARN ARELEY LANE STOURPORT-ON-SEVERN DY130TA	Retrospective application for the retention of the use of land for inclusion within the residential curtilage including retention of the shed and decking	Mr B Young	Stuart Allum
09/0223/FULL	30/03/2009	25/05/2009	39 LOAD STREET BEWDLEY DY122AS	Change of use from shop (A1) to tattoo studio (Sui Generis)	Etch Body Art	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
09/0575/CERTE	12/08/2009	07/10/2009	30 MALHAM ROAD STOURPORT-ON-SEVERN DY138NR	Storage of motorcycles in own garage for use as motorcycle training establishment	Mr T Meola	Paul Round
09/0598/CERTE	21/08/2009	16/10/2009	STABLE COTTAGE FOXMEAD CALLOW HILL ROCK KIDDERMINSTER DY149XW	Use of existing former stable block building as a dwelling.	Mr & Mrs M Kent	Julia Mellor
10/0056/FULL	05/02/2010	02/04/2010	SAIWEN LOWER HEATH STOURPORT-ON-SEVERN DY139PQ	Change of use of land to the rear of Sai Wen for a gypsy caravan site; for the siting of five static caravans, one mobile home, two touring caravan pitches, the erection of an amenity block and retention of existing dwelling for residential use	Mrs Betsy Wilson	Julia Mellor
10/0121/CERTE	10/03/2010	05/05/2010	THE ORCHARD WORCESTER ROAD HARVINGTON KIDDERMINSTER DY104LY	Use part of site for the storage and sale of motor vehicles	MR N PERRINS	Paul Round
10/0181/CERTE	30/03/2010	25/05/2010	DOVEYS COTTAGE ROCK KIDDERMINSTER DY149DR	Use of land as residential curtilage associated with Doveys Cottage for a period in excess of ten years.	Mr Keith Billingsley	Paul Round
10/0472/CERTP	17/08/2010	12/10/2010	HORSELEY COTTAGE HOBRO WOLVERLEY KIDDERMINSTER DY115TA	Conversion of existing garage to form ancillary accommodation. Proposed garden store	Mr C Fortnam	Paul Round
10/0550/FULL	20/09/2010	20/12/2010	LAND ADJACENT TO SEBRIGHT ROAD KIDDERMINSTER DY115UE	The construction of ten affordable dwellings	Wyre Forest Community Housing	Paul Round
10/0598/FULL	07/10/2010	02/12/2010	LAND ADJACENT TO 35 LONG ACRE KIDDERMINSTER DY102HA	Renewal of Planning Permission 07/0823 to erect a 3 No. bedroom dwelling	Mr S Milward	Paul Wrigglesworth

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
10/0659/RESE	04/11/2010	03/02/2011	SITE ADJACENT TO ROWBERRYS NURSERIES LOWER CHADDESLEY KIDDERMINSTER	Erection of a new primary school, together with caretakers accommodation, swimming pool, car parking, creation of new access off A448, landscaping and associated highway and infrastructure works (Reserved Matters following Outline Consent 07/0482/OUTL)	The Trustees of Chaddesley Corbett Primary School	John Baggott
11/0020/FULL	12/01/2011	09/03/2011	OLD SCHOOL HOUSE STAKENBRIDGE LANE CHURCHILL KIDDERMINSTER DY103LT	Demolition of existing sectional concrete garage, erection of replacement brick double garage and external landscaping works	MR R OWEN	Stuart Allum
11/0061/FULL	03/02/2011	31/03/2011	ARELEY KINGS VILLAGE HALL ARELEY COMMON STOURPORT-ON-SEVERN DY130NB	Installation of solar panels	MR GRAHAM BALDWIN	Stuart Allum
11/0109/FULL	28/02/2011	30/05/2011	CONVEYOR UNITS LTD SANDY LANE TITTON STOURPORT-ON-SEVERN DY139PT	Proposed covered store for use in association with Conveyor Units (use Class B8)	CONVEYOR UNITS LTD	Julia Mellor
11/0110/FULL	28/02/2011	25/04/2011	LAND OPPOSITE THE GATEHOUSE NELSON ROAD SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN DY139QB	Change of use to Gypsy Caravan Park with 8 pitches and amenity block for temporary two year period	Mr & Mrs J Jones	Julia Mellor
11/0136/OUTL	08/03/2011	03/05/2011	26 & 28 LESWELL STREET KIDDERMINSTER DY101RP	Proposed demolition of 26 and 28 Leswell Street and erection of 6No two bed and 2No one bed apartments	Leswell Street Enterprises	Stuart Allum
11/0146/FULL	10/03/2011	05/05/2011	50 STOURPORT ROAD BEWDLEY DY121BL	Part change of use of domestic property to day nursery for up to 16 children	Mrs K Hopkins	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0163/FULL	16/03/2011	11/05/2011	CHURCHFIELDS BUSINESS PARK CLENSMORE STREET KIDDERMINSTER DY102JY	Construction of 223 dwellings and associated roadwork's and landscaping (following demolition of existing buildings) (description of development and site area amended - site to include Red Sands Road)	Bellway Homes (West Midlands) Ltd	Julia Mellor
11/0172/LIST	22/03/2011	17/05/2011	HARVINGTON HALL HARVINGTON HALL LANE HARVINGTON KIDDERMINSTER DY104LR	Installation of a lightweight glass and steel draught lobby	HARVINGTON HALL MANAGEMENT COMMITTEE	James Houghton
11/0177/FULL	22/03/2011	17/05/2011	LAND BETWEEN 3 & 4 PINTA DRIVE STOURPORT-ON-SEVERN DY139RY	Change of use from play area to residential development comprising 2 No. detached dwellings, parking and associated access (Additional Information Received)	Taylor Wimpey North Midlands	Paul Round
11/0195/FULL	31/03/2011	26/05/2011	LAND ADJACENT TO NUNNS CORNER GYPSY SITE G SANDY LANE INDUSTRIAL ESTATE STOURPORT-ON-SEVERN	Change of use to allow extension to existing tolerated gypsy caravan park to create 2 additional pitches (part retrospective)	Mrs W Peacock	Paul Round
11/0252/FULL	26/04/2011	26/07/2011	HOPLEYS CAMPING AND CARAVAN SITE DODDINGTREE CLEOBURY ROAD BEWDLEY DY122QL	Change of use of land for the provision of tent pitches and retention of 4 tepees, associated stoned access ways, minor adjustment of levels and landscaping	Mr J Hopley	James Houghton
11/0261/FULL	03/05/2011	28/06/2011	THE OLD RECTORY RUSHOCK DROITWICH WR9 0NR	Erection of a conservatory at the rear of property	Mr G Silk	Stuart Allum
11/0296/FULL	11/05/2011	06/07/2011	THE DOWER COTTAGE BROOME STOURBRIDGE DY9 0HB	Erection of boundary wall fronting lane (Removal of boundary hedge)	MR P BROWN	Paul Wrigglesworth

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11/0297/LIST	19/05/2011	14/07/2011	KNIGHT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XD	Front stone canopy porch, re-roofing main roof, conversion of existing garage to sitting room. Re-skinning existing rear and side single storey extensions, new balcony guard rail, new windows to rear elevation	Mr G Hawkins	James Houghton
11/0304/FULL	24/05/2011	19/07/2011	47 MANOR ROAD STOURPORT-ON-SEVERN DY139DW	Demolition of original extension at side/rear and erection of replacement extension	Mr G Taylor	James Houghton
11/0305/LIST	24/05/2011	19/07/2011	47 MANOR ROAD STOURPORT-ON-SEVERN DY139DW	Demolition of original extension at side/rear and erection of replacement extension	Mr G Taylor	James Houghton
11/0309/FULL	25/05/2011	24/08/2011	1 FREDERICK ROAD HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER DY117RA	Change of use from wholesale cash and carry and storage and distribution use (Class B8) to bulky goods retail (Class A1), creation of egress onto Edwin Avenue and associated works	Arrowcroft (JB) Limited	Paul Wrigglesworth
11/0310/FULL	25/05/2011	24/08/2011	UNIT 1 FREDERICK ROAD AND LAND TO THE WEST HOO FARM INDUSTRIAL ESTATE WORCESTER ROAD KIDDERMINSTER DY117RA	Change of use from wholesale cash and carry (Class B8) to bulky goods retail (Class A1) and associated works	Arrowcroft (JB) Limited	Paul Wrigglesworth
11/0331/FULL	27/05/2011	22/07/2011	ABRABOND LTD EDWIN AVENUE HOO FARM INDUSTRIAL ESTATE KIDDERMINSTER DY117RA	Extension to existing factory unit to create additional storage	ABRABOND LTD	Stuart Allum
11/0308/FULL	31/05/2011	26/07/2011	KNIGHT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XD	Double detached garage with guest room above. Timber garden room and garden pond	Mr G Hawkins	James Houghton

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11/0322/FULL	31/05/2011	26/07/2011	73 AUDLEY DRIVE KIDDERMINSTER DY115NF	Rear two storey extension, front single storey extension, front lean-to roof	Ms S Price	James Houghton
11/0360/RESE	01/06/2011	27/07/2011	REAR OF 60 STOURBRIDGE ROAD KIDDERMINSTER DY102PR	Erection of a pair of semi-detached houses (details submitted relate to the layout, appearance and landscaping of the development approved under Ref 08/0298/OUTL)	Mr D Reece	Stuart Allum
11/0325/FULL	02/06/2011	28/07/2011	10 STONECHAT CLOSE KIDDERMINSTER DY104JF	Two storey extension with rear utility room	MR M BAKEWELL	James Houghton
11/0342/FULL	06/06/2011	01/08/2011	35 CHESTNUT GROVE KIDDERMINSTER DY115QA	Removal Of Outer Concrete Panel To Existing House and Replace with facing brickwork. Proposed Side Extension To Create Additional Accommodation To Existing House and Ground Floor Bedroom and Shower For Elderly Dependant Relative (Revised car parking layout)	Mr M Aspinall	Julia McKenzie-Watts
11/0345/FULL	06/06/2011	05/09/2011	SIX ACRES CASTLE HILL LANE WOLVERLEY KIDDERMINSTER DY115SF	Demolition and rebuild animal shelter (pig sty)	Mr S Cox	James Houghton
11/0352/FULL	08/06/2011	03/08/2011	ARLEY ARBORETUM ARLEY BEWDLEY DY121SQ	Erect solar photovoltaic panels on existing Tea Room Roof	R D Turner Charitable Trust	Paul Round
11/0358/ADVE	13/06/2011	08/08/2011	18 VICAR STREET KIDDERMINSTER DY101DA	1No internally illuminated fascia sign, 1No internally illuminated projecting sign and application of vinyl adverts to window	Jacobs & Turner T/A Trespass	Stuart Allum
11/0359/FULL	13/06/2011	08/08/2011	90 ST. JOHNS AVENUE KIDDERMINSTER DY116AZ	Rear first floor extension	Ms JULIE HOPKINS	Stuart Allum

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11/0361/FULL	14/06/2011	09/08/2011	2 UPPER BIRCH COTTAGES SHATTERFORD BEWDLEY DY121TR	First floor bedroom extension	Mr D Jones	Julia McKenzie-Watts
11/0375/FULL	22/06/2011	17/08/2011	1 BALDWIN ROAD BEWDLEY DY122BP	Proposed Two Storey Side Extensions. Formation of parking area. (Resubmission of 10/0491/FULL)	Mr & Mrs J Wilks	Stuart Allum
11/0377/ADVE	24/06/2011	19/08/2011	FORMER JACKSONS PH MARLPOOL LANE KIDDERMINSTER DY115DA	Internally illuminated fascia signs, doorway signage, freestanding internally illuminated sign and other non-illuminated window adverts	TATES	James Houghton
11/0378/FULL	27/06/2011	22/08/2011	FORMER JACKSONS PH MARLPOOL LANE KIDDERMINSTER DY115DA	Installation of new air conditioning plant and extract duct ventilation	TATES LTD	James Houghton
11/0390/FULL	28/06/2011	27/09/2011	CORNER OF HURCOTT ROAD AND STOURBRIDGE ROAD KIDDERMINSTER DY102PJ	Demolition of 5No. maisonette blocks and erection of 97 dwellings (Apartments and Dwellinghouses)	Wyre Forest Community Housing	John Baggott
11/0385/FULL	29/06/2011	24/08/2011	LITTLE MAYHILL FARM RANTERS BANK FAR FOREST KIDDERMINSTER DY149DT	Proposed rear extension	MR M STANIER	Julia McKenzie-Watts
11/0388/FULL	30/06/2011	25/08/2011	FORMER JACKSONS PH MARLPOOL LANE KIDDERMINSTER DY115DA	Use of unit no2, approved under planning permission ref 11/0115/FULL for purposes within A1(shops)A2(financial &professional services)A3(restaurants & cafes)A4(drinking establishments)A5(hot food takeaways)	Marstons Estates Ltd	James Houghton

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11/0395/CERTE	04/07/2011	29/08/2011	CHURCH FARM BUNGALOW CHURCHILL KIDDERMINSTER DY103LY	Certificate for occupation of dwelling unfettered by agricultural worker occupancy condition	T F Bache Trust	Paul Wrigglesworth
11/0393/FULL	05/07/2011	30/08/2011	HARVINGTON HALL FARM HARVINGTON HALL LANE HARVINGTON KIDDERMINSTER DY104LR	Change of use and conversion of piggery into ancillary accommodation to Harvington Hall Farm (A garden room and home office)	MR G GALLOP	James Houghton
11/0398/FULL	05/07/2011	30/08/2011	7 LICKHILL MEADOW MOOR HALL LANE STOURPORT-ON-SEVERN DY138RD	Modification of Condition No. 3 of Planning Permission reference SU.109/63 to Allow Occupation / Use for 11 months in any one year	Mr J Evans	Stuart Allum
11/0404/FULL	06/07/2011	31/08/2011	SUNNYSIDE POUND GREEN ARLEY BEWDLEY DY123LB	Additional works following planning permission 11/0184 single storey rear extension addition of pitched roofing external rendering of all elevations	Mr D Docker	Stuart Allum
11/0403/FULL	07/07/2011	01/09/2011	16 BROOKSIDE WAY BLAKEDOWN KIDDERMINSTER DY103NE	First floor side extension, front porch canopy and new pitched roof to ground floor cloakroom and toilet	Mr & Mrs D Sheffield	James Houghton
11/0405/FULL	08/07/2011	02/09/2011	LAND TO SIDE AND REAR OF 49-51 SHRUBBERY STREET KIDDERMINSTER DY102QY	Access and Parking to rear of 49-51 Shrubbery Street with associated boundary treatments and gated access to new estate	CAMERON HOMES LTD	Paul Wrigglesworth
11/0406/LIST	08/07/2011	02/09/2011	BARGE LOCK COTTAGE SEVERN SIDE STOURPORT-ON-SEVERN DY139EN	Addition of Transport Trust Red Wheel heritage plaque to outside wall of building	Mr David Viner	Stuart Allum

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11/0410/FULL	08/07/2011	02/09/2011	45 WOODLAND AVENUE KIDDERMINSTER DY115AN	Extensions and alterations to front of property	Mr D Haywood	Julia McKenzie-Watts
11/0408/FULL	11/07/2011	10/10/2011	THOMAS VALE CONSTRUCTION PLC FIRS INDUSTRIAL ESTATE KIDDERMINSTER DY117QN	Modification (internal and external) of an existing 1 & 2 storey building, with change of use from B8 to B1 to provide business support facilities and a construction technologies training academy, new build start-up business units and associated landscaping and parking	Thomas Vale Construction	Paul Round
11/0412/FULL	12/07/2011	06/09/2011	33 BEWDLEY ROAD STOURPORT- ON-SEVERN DY138XG	Single storey rear and side extension	Mr & Mrs Field	Julia McKenzie-Watts
11/0407/LIST	13/07/2011	07/09/2011	18 VICAR STREET KIDDERMINSTER DY101DA	Internal and external alteration including advertisements	Jacobs & Turner T/A Trespass	Stuart Allum
11/0409/FULL	13/07/2011	07/09/2011	BRIARS HOTEL 100 HABBERLEY ROAD KIDDERMINSTER DY115PN	Conversion of existing derelict former public house/hotel into one residential dwelling, with associated driveway, garage and private garden	Elan Real Estate Ltd	Julia McKenzie-Watts
11/0414/FULL	14/07/2011	08/09/2011	28 SUMMER HILL AVENUE KIDDERMINSTER DY116BY	Changing flat roof to pitched roof on the front elevation	Mr M Howell	James Houghton
11/0415/FULL	14/07/2011	08/09/2011	42 MANOR ROAD STOURPORT- ON-SEVERN DY139DW	Single storey side extension	Mr J Brazier	Julia McKenzie-Watts
11/0417/FULL	14/07/2011	08/09/2011	7 HIGH CLERE BEWDLEY DY122EX	Conservatory to rear elevation plus new extended decking area	Mr R A Jones	Stuart Allum

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11/0419/FULL	14/07/2011	08/09/2011	53 WILDEN TOP ROAD STOURPORT-ON-SEVERN DY139JQ	2 storey front extension and single storey rear extension for additional bedroom, wet room and enlarged kitchen with detached garage	Mr M Yarsley	Stuart Allum
11/0420/FULL/O	15/07/2011	14/10/2011	LAND AT CHURCHFIELDS KIDDERMINSTER	HYBRID APPLICATION: AREA A - FULL DETAILS: PROPOSED FOODSTORE (USE CLASS A1) AND PETROL FILLING STATION; ASSOCIATED PLANT, MEANS OF ENCLOSURE, RECYCLING, PARKING AND HIGHWAY WORKS INCLUDING NEW LINK ROAD BETWEEN THE RINGWAY AND CHURCHFIELDS; DEMOLITION OF EXISTING BUILDINGS, WITH EXCEPTION OF THE 1902 BUILDING (PART DEMOLITION PART RETENTION AND CHANGE OF USE TO CAFE, CUSTOMER AND COLLEAGUE FACILITIES). AREA B - OUTLINE: PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 26 UNITS WITH ASSOCIATED ACCESS AND PARKING; DEMOLITION OF EXISTING BUILDINGS. (LAYOUT AND ACCESS TO BE DETERMINED).	Asda Stores Ltd	Julia Mellor
11/0422/FULL	15/07/2011	09/09/2011	17-20 NEW ROAD KIDDERMINSTER DY101AF	Change Of Use and Proposed Alterations to Form Indoor and Outdoor Retail Market Area and Cafe to First Floor.	Mr M Ghoncheh	Paul Wrigglesworth
11/0424/FULL	15/07/2011	09/09/2011	COOKLEY METHODIST CHURCH LIONFIELDS ROAD COOKLEY KIDDERMINSTER DY103UG	Change of use to domestic dwelling, reduction in ground levels, insertion of new opening and erection of fencing to create amenity area (Amendment to Planning Permission 10/0690/FULL)	Clive Fletcher Developments	Julia Mellor

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11/0425/CERTE	18/07/2011	12/09/2011	COPPICE VIEW, HILL FARM NORTHWOOD LANE BEWDLEY DY121AT	Use of property for permanent occupation in breach of Minister's Decision	MISS B OSBORNE	Paul Round
11/0426/FULL	18/07/2011	12/09/2011	56B HILLGROVE CRESCENT KIDDERMINSTER DY103AR	Proposed single storey side extension, rear decking and double garage	Mr Tildesley	Stuart Allum
11/0427/FULL	18/07/2011	12/09/2011	73 CASTLE ROAD COOKLEY KIDDERMINSTER DY103TD	Retrospective application for the erection of detached building to house an historic steam roller	MS PENNY WARWICK	Stuart Allum
11/0428/FULL	18/07/2011	12/09/2011	8 BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER DY104SQ	Two storey side extension	Mr D Warren	John Baggott
11/0429/FULL	18/07/2011	12/09/2011	UNIT 5 LUPIN WORKS WORCESTER ROAD KIDDERMINSTER DY101JR	Removal of conservatory and construction of orangery to provide additional display area	TWS WINDOW & DOOR SYSTEMS	Julia McKenzie- Watts
11/0430/FULL	18/07/2011	12/09/2011	OAKVALE LITTLE HOBRO LANE WOLVERLEY KIDDERMINSTER DY115SX	Proposed single storey extension	Mr R V Cutler	James Houghton
11/0431/LIST	18/07/2011	12/09/2011	91 WELCH GATE BEWDLEY DY122AX	Proposed internal alterations	Mrs V Marshall	Julia McKenzie- Watts
11/0432/RESE	18/07/2011	17/10/2011	37-38 OLDNALL ROAD KIDDERMINSTER DY103HN	Application for the approval of landscaping details, pursuant to the requirements of conditions 1 & 3 of outline planning permission 07/1025 for a 70 bedroom residential care home	Castleoak Care Developments	Paul Wrigglesworth
11/0433/FULL	18/07/2011	12/09/2011	LITTLE HAYES HOUSE LITTLE HAYES WOLVERLEY KIDDERMINSTER DY115UN	Proposed single storey side extension	MRS J LEIGH	Stuart Allum

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11/0434/FULL	18/07/2011	12/09/2011	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY DY121LF	Demolition of existing Lion House and erection of new house with associated fencing, compounds and septic tank	WEST MIDLAND SAFARI PARK	Paul Round
11/0435/FULL	18/07/2011	12/09/2011	23 & 29 YORK STREET 1 & 1A BRIDGE STREET STOURPORT-ON- SEVERN DY139EH	Internal and external works to create 4 No. 1 bed flats	SUNCREST HOLDINGS LTD	Julia McKenzie-Watts
11/0436/LIST	18/07/2011	12/09/2011	23 & 29 YORK STREET 1 & 1A BRIDGE STREET STOURPORT-ON- SEVERN DY139EH	Internal and external works to create 4 No. 1bed flats	SUNCREST HOLDINGS LTD	Julia McKenzie-Watts
11/0437/LIST	19/07/2011	13/09/2011	ELLIOT HOUSE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY115XE	Replacement of existing gates with new wrought iron gates to match existing and installation of automatic opening mechanism	Mr Paul Davies	James Houghton
11/0438/FULL	19/07/2011	13/09/2011	12 WATERLOO ROAD BEWDLEY DY122JL	Front extension and pitched roof over	Mr K Ramdin	James Houghton
11/0440/FULL	20/07/2011	14/09/2011	58 HAYES ROAD WOLVERLEY KIDDERMINSTER DY115UF	Erection of single storey extensions to front and rear	Mr & Mrs D Palmer	Julia McKenzie-Watts
11/0443/LIST	20/07/2011	14/09/2011	1, 2 & 3 HIGH STREET BEWDLEY DY122DH	Retrospective application for retention and alteration of external render	Mr M Jackson	Stuart Allum
11/0444/LIST	20/07/2011	14/09/2011	5 BEALES CORNER BEWDLEY DY121AF	Resubmission of earlier applications WF/0004/04 & 11/0162/LIST to seek approval of as built timber casement windows to front elevation in lieu of timber framed windows with metal opening casements	MRS G HOLLAND	Stuart Allum

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11/0439/FULL	21/07/2011	15/09/2011	HERONS PARK NURSING HOME HERONSWOOD ROAD KIDDERMINSTER DY104EX	Provision of additional bedroom converted from existing accommodation in association with approved scheme for 24 bedroom extension (09/0731)	ROYAL BAY CARE HOMES	Paul Wrigglesworth
11/0441/FULL	21/07/2011	15/09/2011	224 SUTTON PARK ROAD KIDDERMINSTER DY116LA	Erection of garden wall at front of property	MR K WALTON	Julia McKenzie-Watts
11/0442/FULL	21/07/2011	15/09/2011	COMMON FARM BARN CROWN LANE IVERLEY STOURBRIDGE DY8 2SA	Stable conversion into 1 No. 3 bed dwelling	MR B S GORA	James Houghton
11/0449/FULL	21/07/2011	15/09/2011	2 QUEENS ROAD STOURPORT- ON-SEVERN DY130BH	Variation of condition 3 of Planning Permission 10/0745/FULL to allow alternative extraction scheme to be installed	Mr S Gogna	Stuart Allum
11/0453/FULL	21/07/2011	15/09/2011	OAK TREE FARM KINLET ROAD FAR FOREST KIDDERMINSTER DY149UE	Proposed mobile home for holiday accommodation	Mrs S Dayus	Julia McKenzie-Watts
11/0445/FULL	22/07/2011	16/09/2011	81 BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER DY103JJ	Proposed first floor extension	Mr D Knowlton	Stuart Allum
11/0446/FULL	22/07/2011	16/09/2011	100 BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER DY103JJ	Rear Single Storey Extension, Replacement Garage Extension and Front Porch Modifications - Minor Modifications and New Windows	Mrs R Pass	James Houghton
11/0447/FULL	22/07/2011	16/09/2011	MIDDLE HABBERLEY HABBERLEY ROAD KIDDERMINSTER DY115RJ	External spiral staircase	A Tomkinson	James Houghton

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11/0451/FULL	22/07/2011	16/09/2011	26 WORCESTER ROAD SHENSTONE KIDDERMINSTER DY104BU	Demolition of existing house and erection of detached bungalow and garage, erection of boundary wall	Mr & Mrs Jones	James Houghton
11/0450/FULL	25/07/2011	19/09/2011	THE FINGERPOST CLEOBURY ROAD ROCK KIDDERMINSTER DY149TA	2 Storey side extension	MR C WOODHOUSE	Stuart Allum
11/0454/FULL	25/07/2011	19/09/2011	RUSHMERE BLISS GATE ROAD ROCK KIDDERMINSTER DY149XS	Use of existing stationary caravan by carer for two (2) years	MR J GREASLEY	Paul Round
11/0457/FULL	25/07/2011	19/09/2011	GREEN ACRES THE HOLLOWAY CHADDESLEY CORBETT KIDDERMINSTER DY104QD	Replace existing dilapidated barn with oak frame barn, clad in cedar, for use as boat storage, games room, home office, gym and toilet (External volume of new building no greater than the existing barn)	MR D MATTHEWS	Paul Wrigglesworth
11/0448/OUTL	26/07/2011	20/09/2011	LAND ADJACENT TO 42 BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER DY104SH	Erection of a single storey dwelling	Mr A Gregory	Stuart Allum
11/0452/FULL	26/07/2011	20/09/2011	32 HABBERLEY ROAD KIDDERMINSTER DY115PE	Single storey side extension and garage conversion for garage and additional reception room	MR D MONAGHAN	Stuart Allum
11/0455/ADVE	26/07/2011	20/09/2011	6 CARLTON HOUSE WORCESTER STREET KIDDERMINSTER DY101EL	1 x non-illuminated fascia incorporating internally illuminated Boots lozenge, 1 x internally illuminated Large projection sign mounted on a bracket	THE BOOTS COMPANY	James Houghton
11/0456/CERTE	26/07/2011	20/09/2011	SEVERN LODGE, HILL FARM NORTHWOOD LANE BEWDLEY DY121AS	Use of chalet for full time residential use for over 10 years	Mr J Houlders	Paul Round

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11/0458/FULL	27/07/2011	21/09/2011	THE SALON BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Single storey extension to rear with internal modifications to create separate living accommodation with balcony over; replacement of rear flat roof with pitched truss gable roof; single storey extension to side to provide entrance to flats	MISS V PAVLOVIC	Stuart Allum
11/0459/FULL	27/07/2011	21/09/2011	CASTLE LOCKS APARTMENTS CASTLE ROAD KIDDERMINSTER DY116TH	Minor alterations to roadway junction of site access road and Castle Road to extend the length of dropped kerbs	Great Titchfield Developments Ltd	James Houghton
11/0460/LIST	27/07/2011	21/09/2011	THE SALON BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Single storey extension to rear with internal modifications to create separate living accommodation with balcony over ;replacement of rear flat roof with pitched truss gable roof; single storey extension to side to provide entrance to flats	MISS V PAVLOVIC	Stuart Allum
11/0461/FULL	27/07/2011	21/09/2011	BROOME GROVE WORCESTER ROAD CLENT STOURBRIDGE DY9 0HS	Amendment to Planning Permission 10/0485/FULL substitution of roof pitch (35°) to rebuild tractor shed in order to site solar panels on roof slope	MR B HADLINGTON	James Houghton
11/0462/FULL	28/07/2011	22/09/2011	36 OLIVE GROVE STOURPORT- ON-SEVERN DY138XY	Erection of a new single garage and garden room	Mr Price	Julia McKenzie- Watts
11/0463/FULL	29/07/2011	23/09/2011	19 LINDEN AVENUE KIDDERMINSTER DY103AB	Two storey extension and modifications to existing bedroom suite over garage	P Wood	Julia McKenzie- Watts
11/0464/LIST	29/07/2011	23/09/2011	236 WESTBOURNE STREET BEWDLEY DY121BS	Installation of satellite dish on chimney	Mrs J B Roberts	James Houghton

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11/0465/ADVE	29/07/2011	23/09/2011	COMMUNITY HOUSING GROUP THE FORGE STOURPORT ROAD KIDDERMINSTER DY117QE	2 No. Aluminium non illuminated signs (2.4m x 1.2m) and 4 No. flags on flagpoles	Community Housing Group	Julia McKenzie-Watts
11/0467/FULL	29/07/2011	23/09/2011	LAND AT POWER STATION ROAD STOURPORT-ON-SEVERN DY13 9PF	Change of use from play area to residential development comprising 9 No. dwellings with associated access and parking (Additional Information Received)	Taylor Wimpey North Midlands	Paul Round
11/0468/FULL	29/07/2011	23/09/2011	LAND ADJACENT TO POWER STATION ROAD AND WORCESTER ROAD STOURPORT-ON-SEVERN DY139RP	Change of use from play area to residential development comprising 5No dwellings with associated access and parking	Taylor Wimpey North Midlands	Paul Round
11/0469/FULL	01/08/2011	26/09/2011	RICHMOND ROAD BEWDLEY	Erection of 5 No. affordable dwellings (Renewal of Planning Permission 08/0366/FULL)	Wyre Forest Community Housing	James Houghton
11/0470/FULL	01/08/2011	26/09/2011	16 HANSTONE ROAD STOURPORT-ON-SEVERN DY130HH	Erection of conservatory to front of property	Mr Firkins	James Houghton
11/0471/FULL	01/08/2011	26/09/2011	CLENT AVENUE BIRCHEN COPPICE KIDDERMINSTER	7No Affordable Dwellings (Renewal of Planning Permission Ref: 08/0311/FULL)	Wyre Forest Community Housing	Julia McKenzie-Watts
11/0466/FULL	02/08/2011	27/09/2011	CORNERWAYS DRAYTON ROAD CHADDESLEY CORBETT KIDDERMINSTER DY104QL	Proposed dormer windows at first floor and utility at ground floor level	MR & MRS T BEST	Julia McKenzie-Watts
11/0473/TREE	02/08/2011	27/09/2011	13 SOUTHGATE CLOSE KIDDERMINSTER DY116JN	Fell a Lime Tree	Mr W G Every	Alvan Kingston

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11/0475/FULL	02/08/2011	27/09/2011	1 MUSKOKA BEWDLEY DY122BJ	Single storey side extension	MR R FARMER	James Houghton
11/0476/ADVE	02/08/2011	27/09/2011	10 BRIDGE STREET KIDDERMINSTER DY101BN	3 No. internally illuminated signs, 1 No. non illuminated sign	Mr R Thakarar	James Houghton
11/0478/LIST	02/08/2011	27/09/2011	6 WYRE HILL BEWDLEY DY122UE	Demolition of a single storey extension to the rear of the property and the erection of a new single storey extension	Mrs V Austin	James Houghton
11/0479/LIST	02/08/2011	27/09/2011	SEVERN VIEW 1 KIDDERMINSTER ROAD BEWDLEY DY121AQ	Erection of new street sign to the south-east elevation of No. 1 Kidderminster Road, Wribbenhall, Bewdley	Bewdley Civic Society	Stuart Allum
11/0477/FULL	03/08/2011	28/09/2011	11 YORK ROAD BEWDLEY DY122BN	Insertion of dormer windows to front and rear roof slopes to create additional bedroom	Mr R Walker	Stuart Allum
11/0480/CERTE	03/08/2011	28/09/2011	LING FARM KIDDERMINSTER ROAD BEWDLEY DY121LN	Occupation of dwelling know as 'The Ling Farm' in breach of agricultural occupancy condition No. 3 imposed upon Planning Permission No. WF/0837/85 dated 10/12/1985 (Continuous - 10 years)	Mr B Jolly	Paul Round
11/0483/FULL	04/08/2011	03/11/2011	KIDDERMINSTER GENERAL HOSPITAL BEWDLEY ROAD KIDDERMINSTER DY116RJ	Part demolition of an existing building (known as the 'Old Pathology Block') and provision of additional car parking spaces in several locations around hospital site	Worcestershire Acute Hospitals NHS Trust	Paul Round
11/0481/TREE	08/08/2011	03/10/2011	FINEPOINT FINEPOINT WAY KIDDERMINSTER DY117FB	Various tree works	High Cross Strategic Advisors Ltd	Alvan Kingston

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0482/FULL	08/08/2011	03/10/2011	1 & 2 WHITE HOUSE FARM COTTAGES RIBBESFORD ROAD STOURPORT-ON-SEVERN DY130TF	Demolition of part of property allowing severance to create 2No. detached properties; creation of new gable walls and two storey rear extension to No 1	Mr C Jones	Paul Round
11/0484/FULL	08/08/2011	03/10/2011	ABBOTSFORD BELBROUGHTON ROAD CLENT STOURBRIDGE DY9 0EW	Alterations and extension to detached garage and garden room.	Mr & Mrs R Stringfellow	James Houghton
11/0485/FULL	09/08/2011	04/10/2011	9 DUNLEY ROAD STOURPORT- ON-SEVERN DY130AY	Two storey extensions to front and side	Mr & Mrs J and C Tromans	Stuart Allum
11/0487/LIST	09/08/2011	04/10/2011	SLINGFIELD MILL WEAVERS WHARF KIDDERMINSTER DY101AA	Internal and external alterations to facilitate hotel	PREMIER INN HOTELS LTD	Paul Wrigglesworth
11/0488/FULL	10/08/2011	05/10/2011	THE WOODLANDS RIFLE RANGE ROAD KIDDERMINSTER DY117NN	Extension to sheltered accommodation to provide 3 additional flats, alterations to warden's flat, new security wall to front, 1.8m high fence to sides and extra car parking facilities	Wyre Forest Community Housing	Stuart Allum
11/0490/TREE	11/08/2011	06/10/2011	11 BARNETTS CLOSE KIDDERMINSTER DY103DG	Removal of large tree	Mr Michael Rose	Alvan Kingston
11/0491/TREE	11/08/2011	06/10/2011	7 WANNERTON ROAD BLAKEDOWN KIDDERMINSTER DY103NG	Various tree works	Mrs M Gaynham	Alvan Kingston
11/0492/FULL	12/08/2011	07/10/2011	EASTHAMS FARM LOW HABBERLEY KIDDERMINSTER DY115RQ	Replacement Bungalow	Mr R Jones	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0493/LIST	12/08/2011	07/10/2011	GLENHURST PLEASANT HARBOUR BEWDLEY DY121AD	Erection of rear extension and internal alterations to provide enlarged and improved living accommodation (Amendments to Listed Building Consent 10/0419/LIST)	MR M THORPE	James Houghton
11/0494/FULL	12/08/2011	07/10/2011	GLENHURST PLEASANT HARBOUR BEWDLEY DY121AD	Erection of rear extension and internal alterations to provide enlarged and improved living accommodation (Amendments to Planning Permission 10/0418/FULL)	MR M THORPE	James Houghton
11/0495/ADVE	12/08/2011	07/10/2011	18 VICAR STREET KIDDERMINSTER DY101DA	Signage box fascia sign	Jacobs & Turner T/A Trespass	Stuart Allum
11/0496/FULL	15/08/2011	10/10/2011	OAK TREE COTTAGE DEASLAND LANE HEIGHTINGTON BEWDLEY DY122XQ	Fit Solar P.V Panels to roof of agricultural barn	Mr & Mrs J Fernihough	James Houghton
11/0497/FULL	15/08/2011	10/10/2011	WOODVALE DRAKELOW LANE WOLVERLEY KIDDERMINSTER DY115RY	Retention of use of land for domestic purposes (former agricultural land)	Mr P Whitehouse	Stuart Allum
11/0499/FULL	15/08/2011	10/10/2011	NEW OAK BARN AUSTCLIFFE ROAD COOKLEY KIDDERMINSTER DY103UP	Extension to existing stable block to form 1No. additional stable (Resubmission of 11/0047/FULL)	MR D BORASTON	Stuart Allum
11/0511/FULL	15/08/2011	14/11/2011	MANOR INN 76 MINSTER ROAD STOURPORT-ON-SEVERN DY138AP	Construction of a 70 bed Care Home (Use Class 2) with associated parking (after demolition of existing building)	STOURPORT ON SEVERN CARE LTD	Julia Mellor
11/0500/FULL	16/08/2011	11/10/2011	54 MANOR ROAD STOURPORT-ON-SEVERN DY139DW	Single storey extension to the front	Mrs M Coleman	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0501/FULL	16/08/2011	11/10/2011	84 MOSTYN ROAD STOURPORT-ON-SEVERN DY138PN	First floor extension, carport extension to existing garage and proposed conservatory (Resubmission of 11/0318/FULL)	Mr L Jones	James Houghton
11/0502/FULL	16/08/2011	11/10/2011	112 BAXTER AVENUE KIDDERMINSTER DY102HB	Proposed ground floor wc extension	Mr C Caldwell	Stuart Allum
11/0498/FULL	17/08/2011	12/10/2011	THE HOLLIES TRIMPLEY LANE SHATTERFORD BEWDLEY DY121RL	Change of use of land to site one static caravan for one gypsy family	Mr T Smith	Paul Round
11/0503/TREE	17/08/2011	12/10/2011	7 LUDGATE AVENUE KIDDERMINSTER DY116JP	Remove overhanging branches, thin and balance cedar tree in front garden	Mr L Fisher	Alvan Kingston
11/0504/TREE	17/08/2011	12/10/2011	11 CHURCH WALK STOURPORT-ON-SEVERN DY130AL	Fell leylandii, fell one lime and pollard one lime	Canon Guy H Smith	Alvan Kingston
11/0505/TREE	17/08/2011	12/10/2011	WEST MERCIA CONSTABULARY KIDDERMINSTER POLICE STATION HABBERLEY ROAD KIDDERMINSTER DY116AN	Various Tree works	WEST MERCIA POLICE	Alvan Kingston
11/0506/TREE	17/08/2011	12/10/2011	COMBERTON HALL BUNGALOW COMBERTON ROAD KIDDERMINSTER DY103DU	Removal of epicormic growth in lower part of crown and reduction of crown height of mature common oak and removal of 3 law cypress	Mrs D Maddams-Smith	Alvan Kingston
11/0513/FULL	17/08/2011	12/10/2011	19 GOLDEN HIND DRIVE STOURPORT-ON-SEVERN DY139RJ	Construction of detached dwelling with associated access and parking	Ms I Patrone	Paul Round
11/0508/FULL	18/08/2011	13/10/2011	24 VICARAGE CRESCENT KIDDERMINSTER DY101ND	Removal of an existing utility room and the erection of an orangery extension onto the rear elevation of an existing semi-detached house	Dr R Williams	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0510/TREE	18/08/2011	13/10/2011	64 HILLGROVE CRESCENT KIDDERMINSTER DY103AR	Various tree work	Mr K Budden	Alvan Kingston
11/0512/RESE	18/08/2011	17/11/2011	SUTTON ARMS SUTTON PARK ROAD KIDDERMINSTER DY116LE	Approval of Reserved Matters for access, appearance, landscaping, layout and scale for 14 dwellings (following Outline Planning Permission 08/0538 as amended by Planning Permission 11/0268)	Banner Homes Midlands Ltd	Paul Wrigglesworth
11/0514/FULL	18/08/2011	13/10/2011	SOUTHCOTE FARM TRIMPLEY BEWDLEY DY121PD	Proposed timber cladding to existing building with minor roof alterations and additional door and windows and front canopies.	Mr Peter Smith	Stuart Allum
11/0515/FULL	18/08/2011	13/10/2011	68 KITTIWAKE DRIVE KIDDERMINSTER DY104RS	Re-siting of rear garden fence (Re-submission of 11/0140/FULL)	Mr T Felton	Julia McKenzie-Watts
11/0516/FULL	18/08/2011	13/10/2011	130 ST. JOHNS AVENUE KIDDERMINSTER DY116AU	Side two storey extension, rear orangery and pitched roof over existing garage	Mr M Lewis	Stuart Allum
11/0509/FULL	19/08/2011	14/10/2011	DENORA 100 STOURPORT ROAD KIDDERMINSTER DY117BQ	2 Storey extension to dental practice to provide records storage and a decontamination room	Dr Amit Pandey	Julia McKenzie-Watts
11/0517/ADVE	19/08/2011	14/10/2011	9 BRINDLEY STREET STOURPORT-ON-SEVERN DY138JA	Installation of internally illuminated fascia sign and internally illuminated projecting sign	Mr J Sehmi	Stuart Allum
11/0518/FULL	19/08/2011	14/10/2011	1 BALDWIN ROAD BEWDLEY DY122BP	Proposed Two Storey Extension. Variation to approved scheme under 10/0491/FULL	Mr J Wilks	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0519/ADVE	19/08/2011	14/10/2011	3-6 COVENTRY STREET KIDDERMINSTER DY102DG	Installation of new non-illuminated fascia sign and internally illuminated projecting sign	The Boots Company	James Houghton
11/0520/FULL	19/08/2011	14/10/2011	THE COTTAGE TANWOOD LANE BLUNTINGTON CHADDESLEY CORBETT KIDDERMINSTER DY104NR	Two storey extension to side, providing study, garden room and en-suite	Mrs E J Mack	Stuart Allum
11/0521/FULL	19/08/2011	14/10/2011	44 SUTTON PARK ROAD KIDDERMINSTER DY116LE	Widening of existing access onto Sutton Park Road (Approved under Planning Permission 07/0104/FULL)	Miss V Stewart	Julia McKenzie-Watts
11/0522/FULL	19/08/2011	14/10/2011	THE ROYAL STORES 152 OFFMORE ROAD KIDDERMINSTER DY101SB	Change of use from D1 (Non residential institution) back to B1a (Office use)	MJS IT SERVICES LTD - MR M SIMMS	Paul Wrigglesworth
11/0523/FULL	22/08/2011	21/11/2011	WALSHES FARM CARAVAN PARKS LTD WALSHES FARM DUNLEY ROAD STOURPORT-ON-SEVERN DY130AA	Variation of Condition 1 of Planning Permission WF/0022/95 to change closed period between 5th January and 5th February each year	WALSHES FARM CARAVAN PARKS LTD	Paul Round
11/0524/FULL	22/08/2011	17/10/2011	MOORFIELD HOUSE HEIGHTINGTON BEWDLEY DY122XX	SINGLE STOREY KITCHEN EXTENSION AND REAR PORCH AND SINGLE STOREY DETACHED GARAGE BLOCK	Mr A Black	James Houghton
11/0525/FULL	23/08/2011	18/10/2011	TRIMPLEY VILLAGE HALL TRIMPLEY BEWDLEY DY121NZ	Extensions to village hall (Revised proposal)	TRIMPLEY VILLAGE HALL	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0534/RESE	23/08/2011	22/11/2011	FORMER CARPETS OF WORTH SEVERN ROAD STOURPORT-ON- SEVERN DY139EX	Redevelopment of the site to provide a mix of uses including Residential, Class A Retail Uses, Class B Employment, Class C Hotel and Class D Assembly and Leisure (Reserved Matters following Outline Approval 09/0588/OUTL - Access, Appearance Landscaping, Layout and Scale to be considered)	STOURPORT CORPORATION NV	John Baggott
11/0526/FULL	24/08/2011	23/11/2011	WHARTON PARK GOLF CLUB LONGBANK BEWDLEY DY122QW	Golf Driving Range and Associated Works	WHARTON PARK GOLF CLUB	Paul Round
11/0527/FULL	24/08/2011	19/10/2011	HARTINGTON DOWLES ROAD BEWDLEY DY122RD	Creation of patio area to rear involving excavation and erection of new retaining wall (spoil to be transferred to front and compacted)	Mr & Mrs Hawker	Stuart Allum
11/0528/FULL	25/08/2011	20/10/2011	3 MALVERN VIEW WHITTALL DRIVE EAST KIDDERMINSTER DY117EQ	Side extension with conservatory at rear	MISS L NOYES	Julia McKenzie-Watts
11/0529/ADVE	25/08/2011	20/10/2011	DUNELM MILL (FORMER MORRISONS) OXFORD STREET KIDDERMINSTER DY101AR	7 No internally illuminated flexface signs, 1 No projecting sign, 1 freestanding sign, 7 No non illuminated signs and 1 No set of 17 non illuminated poster signs	DUNELM MILL SOFT FURNISHINGS PLC	Stuart Allum
11/0530/FULL	25/08/2011	20/10/2011	BOURNE COTTAGE BROOME STOURBRIDGE DY9 0HA	Proposed side extension and garden wall	MR S DOWNING	James Houghton
11/0536/FULL	28/08/2011	23/10/2011	4A BROCKTON PLACE STOURPORT-ON-SEVERN DY130LE	Proposed garage	MR & MRS P LYCETT	Stuart Allum

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
11/0533/CAC	30/08/2011	25/10/2011	CLENSMORE STREET KIDDERMINSTER DY102JY	Reduction of front wall of existing Cornmill building and associated wall to canal (to facilitate redevelopment of the site for residential purposes under planning application reference 11/0163/FULL)	Bellway Homes	Julia Mellor
11/0535/TREE	30/08/2011	25/10/2011	47 CARDINAL DRIVE KIDDERMINSTER DY104RZ	Cut down a spruce in rear garden	Mr J Laver - Treefix	Alvan Kingston
11/0537/FULL	30/08/2011	25/10/2011	GREENSLEEVES, HILL FARM NORTHWOOD LANE BEWDLEY DY121AT	Proposed replacement chalet	Mr G Hedges	James Houghton
11/0538/ADVE	30/08/2011	25/10/2011	RED MAN 92 BLACKWELL STREET KIDDERMINSTER DY102DZ	Various new signage (including external illumination) and 4No. 42 w floodlights	Punch Partnerships	Julia McKenzie-Watts

WYRE FOREST DISTRICT COUNCIL

Planning Committee

13 September 2011

PLANNING AND ENFORCEMENT APPEALS

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1388 10/0382/FULL	APP/R1845/A/11 /2148984	Wyre Forest Community Housing	CHESTER ROAD BOWLING CLUB CHESTER ROAD NORTH Erection of 26 No. 2 & 3 bedroom affordable dwellings comprised of 8 flats for shared equity, 8 flats for social rented and 10 houses for social rented	WR 07/04/2011	19/05/2011		26/07/2011	Allowed With Conditions 18/08/2011

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1389 10/0533/FULL	APP/R1845/A/11 /2150005	Mrs K Yardley	LAND AT PONDEROSA REAR OF THE YARD HOUSE Conversion of an existing building for residential use (Retrospective)	WR 08/04/2011	20/05/2011		10/08/2011	Allowed With Conditions 18/08/2011
WFA1390 10/0742/FULL	APP/R1845/A/11 /2150737	Mr N White	12 BRINDLEY STREET STOURPORT-ON-SEVERN DY138JE Subdivision and conversion of existing shop with flat over to form 2 No. one bedroom flats	WR 14/04/2011	26/05/2011			Allowed With Conditions 18/08/2011

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1392 11/0486/ENF	APP/R1845/C/11 /2158124	Mrs I Harding	12 STOKESAY CLOSE KIDDERMINSTER DY101YB Unauthorised erection of boundary wall (Enforcement Case No 10/0048/ENF)	WR 10/08/2011	21/09/2011			
WFA1393 11/0489/ENF	APP/R1845/C/11 /2158189	Mr G Attwood	LAND AT THE ROBIN HOOD PH DRAYTON ROAD DRAYTON Unauthorised erection of a building (Enforcement Case 10/0173/ENF)	WR 11/08/2011	22/09/2011			
WFA1394 11/0153/FULL	APP/R1845/D/11 /2158343	Mrs D Jeavons	11 COLLEGE ROAD KIDDERMINSTER DY101LU Proposed two storey extension	WR 16/08/2011				

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
WFA1395 10/0635/FULL	APP/R1845/A/11 /2158862	Willmar Hire	FIVE ACRES HEIGHTINGTON ROAD BLISS GATE KIDDERMINSTER Replacement storage and agricultural machinery workshop building	WR 23/08/2011	04/10/2011			



Appeal Decision

Site visit made on 26 July 2011

by Elaine Benson BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 August 2011

Appeal Ref: APP/R1845/A/11/2148984

**Chester Road Bowling Club, Chester Road North, Kidderminster,
Worcestershire DY10 1TE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Wyre Forest Community Housing against the decision of Wyre Forest District Council.
 - The application Ref 10/0382/FULL, dated 2 July 2010, was refused by notice dated 14 October 2010.
 - The development proposed is erection of 26 No of 2 and 3 bedroom affordable dwellings, comprised of 8 flats for shared equity, 8 flats for social rented and 10 houses for social rented.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 26 No of 2 and 3 bedroom affordable dwellings, comprised of 8 flats for shared equity, 8 flats for social rented and 10 houses for social rented at Chester Road Bowling Club, Chester Road North, Kidderminster, Worcestershire DY10 1TE in accordance with the terms of the application, Ref 10/0382/FULL, dated 2 July 2010, subject to the conditions on the attached schedule.

Main Issues

2. These are whether the proposed development would harm the character and appearance of the surrounding area and its effect on highway safety.

Procedural matters

3. The Council's decision document refers to policies H2, H5, D1, D3, TR.9, TR.17, and D.9 of the adopted Wyre Forest District Local Plan (LP). However, the Wyre Forest District Core Strategy DPD was adopted in December 2010 after the refusal of the planning application. As a result of its adoption, a number of LP policies were replaced, including those set out above, with the exception of LP policies H2 and TR.17. I have therefore referred to the replacement policies in my decision where appropriate.
4. A Unilateral Undertaking under Section 106 of the above Act in respect of a public open space contribution has been submitted by the appellant. I address this below.

Reasons

5. The appeal site is a bowling club, and does not constitute previously developed land in accordance with the definitions set out in Annex B of PPS 3: Housing. Policy H2 of the LP seeks to prevent development on land which is not previously developed. However, the site is within a predominantly residential area which is washed over by residential land as allocated in the Local Plan Proposals Plan. There is a demonstrable need for affordable housing within Kidderminster. On this basis and having regard to the sustainable location of the site, the Council considers that there are appropriate and exceptional circumstances which outweigh the general requirement of saved LP policy H2 that sites suitable for residential use comprise previously developed land. I see no reason to disagree and give the provision of affordable housing considerable weight.

Character and appearance

6. Core Strategy (CS) Policy CP05 Delivering Mixed Communities sets out an indicative guide for new housing density, emphasising the need for in excess of 50 dwellings per hectare adjacent to the town centre at Kidderminster railway station. The appeal site is more than 500 m from the railway station and town centre and no density is stipulated for such locations. The proposed development would result in a density of just over 60 dwellings per hectare. However, PPS 3 encourages the efficient use of land and density requirements are no longer specified.
7. The area around the appeal site comprises predominantly two-storey houses of a mixture of architectural styles and age along Chester Road North. They are detached and semi-detached dwellings in relatively large plots, whereas smaller more recent dwellings of a higher density are found at the rear of the site in Tabbs Gardens. The inclusion of apartments in the scheme would increase its density and maximise the use of the land. The scheme would provide affordable housing of a mixture of types of housing and tenures.
8. The proposed development would comprise dwellings of differing design, roof detailing and materials, reflecting the design variety found in the surrounding area and its predominantly two-storey development. The flatted units are designed to appear as individual units, including through the use of individual doors, thereby breaking down the massing of the buildings and reflecting the character of the site surroundings. The scheme would replace the bowling club building which has a bland and functional appearance with an interesting and varied attractive form of development and appropriately address the existing gap in the street scene. The design would be appropriate in its context and would improve the quality of the surrounding area.
9. The apartments would have shared gardens and the houses would have private gardens of an adequate depth. The distances between the plots and existing neighbouring properties would be consistent with those approved elsewhere in the District and would maintain neighbours' privacy levels. There is no identified conflict with the Council's Design Quality Supplementary Planning Guidance. There would also be adequate space for the access road, car parking and landscaping.
10. The appeal site is within a sustainable location and having regard to the proposed density, along with the absence of harm to neighbouring occupiers

- through loss of privacy or overlooking and the fact that the site can provide adequate levels of car parking and landscaping; the evidence leads to my conclusion that the proposed development would not be an over intensive development.
11. The density of the proposed development would be greater than that of most development within the vicinity of the site, with the exception of the more intensive development in Tabbs Gardens. There are also recent developments including high density flatted elements in the wider area, at the junction with the Birmingham Road. Nonetheless, in itself, higher density is not an objectionable feature of this development as the layout of the buildings to deliver this density is acceptable within its local context. Furthermore, although the proposed gardens may be smaller than those of the existing neighbours, their size would not be apparent from the public realm.
 12. There is little convincing evidence that the proposed development would harm the character of the area or the appearance of the site within the existing residential context of Chester Road North. The proposed development would make an efficient and effective use of land and is therefore in accordance with the general aims of PPS 3 which indicates that existing densities should not dictate the density of new housing development as imaginative design and layout can lead to more efficient use of land without compromising the quality of the local environment. Furthermore, the proposed development would meet an identified need for various types of affordable housing in a sustainable location which weighs heavily in favour of the development and outweighs any concerns in this regard.
 13. The proposed development does not conflict with CS Policy CP05 or Policy CP11 which requires quality design which reflects local distinctiveness or the similar aims of the adopted Design Quality Supplementary Planning Guidance. The scheme also complies with the aims of Planning Policy Statement 1: Delivering Sustainable Development (PPS 1) and PPS 3. The first refusal reason also refers to policy SD2 of the Worcestershire County Structure Plan which has since been replaced by policy CP.12 of the Core Strategy. However, the Council confirms that this reference to the LP policy was made in error, and the replacement policy is not relevant to the appeal.
 14. The site contains a number of trees at the rear of the site which are protected by a Tree Preservation Order and which would be removed as part of the proposed development. The Council's arboricultural officer indicates that the trees have been inappropriately pruned in the past and are now in a very poor condition. He raises no objection to their removal, subject to replacement planting. Having observed these trees at my site visit, the evidence suggests no reason to disagree with his conclusions. Accordingly, a landscaping condition is imposed, which amongst other things should ensure that appropriate replacement trees are planted.

Highway Safety

15. The appeal site lies on a very busy stretch of the Chester Road North, close to a set of traffic controlled lights. The second refusal reason confirms that the proposal accords with the parking standards set out in Annex 9 of the Local Plan. Of note is LP policy TR.17 which indicates that the maximum level of car parking allowed should not be exceeded.

16. The Council's parking standards do not require specific visitor parking provision to be made as it is incorporated into the standards. However, the application does allow for on street parking on the access road itself as advised by Manual for Streets. This provision would be over and above the allocated provision of parking spaces, which would be located close to the various properties. Apartment parking would be provided in a communal car park.
17. Having regard to the extremely busy road outside the appeal site, the fact that parking restrictions are in place and there is limited availability to park on nearby side roads, I consider it unlikely that future residents or their visitors would generate a parking demand that would result in overspill parking to an extent that would cause highway safety concerns. In any event, the scheme is in a highly sustainable location close to local services and high frequency bus routes and within walking distance of the town centre and railway station where an over- provision of car parking is not required.
18. The Highway Authority raises no objection to the proposal subject to suitable conditions, notwithstanding its consideration of a report prepared by highways consultants acting for local residents. The conclusions set out in this report have been assessed in detail by the Highway Authority and its conclusions disputed or disproved. The author of the report and their qualifications are not stated and there is little evidence that it has been prepared by a transport professional. For these reasons, I give little weight to the local residents' report.
19. There is little convincing evidence that the proposed development would result in a shortfall of parking spaces that would harm highway safety considerations. The Council's parking standards have been prepared in accordance with the guidance in Planning Policy Guidance Note 13: Transport and PPS 3. I conclude that the development would not conflict with CS Policies CP03 Promoting Transport Choice and Improving Accessibility, CP11 Quality Design and Local Distinctiveness and saved LP policies TR17 and CD9 which in summary seek to accommodate anticipated parking needs in a safe environment.

Unilateral Undertaking

20. In accordance with the Council's Planning Obligations Supplementary Planning Document, the development attracts a financial contribution towards existing public open space and play provision. The contribution is reduced by 50% to £6,766.68 as the proposed development is for affordable housing. On the basis of the information presented, this contribution is necessary to make the development acceptable in planning terms. The obligation meets the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

Other matters

21. The appeal site is not protected by planning policies in respect of safeguarding playing fields and sports pitches or as an area of open space. Consequently, there is no planning policy reason to support refusal of the scheme on the grounds of the loss of the bowling club. Notwithstanding this, the club intends to relocate to a purpose-built facility when finances allow it.
22. The evidence indicates that there would be no impact on the living conditions of neighbouring occupiers. In respect of concerns that school spaces and children's play areas are deficient in the locality, the submitted evidence states that contributions towards educational facilities are waived in respect of

affordable housing schemes and therefore there is no requirement for a financial contribution towards existing schools in the area. The requirement for a Section 106 agreement in respect of a financial contribution towards existing play facilities is dealt with above.

23. There is no evidence that any protected species occupy or roost at the appeal site. This has been demonstrated through the submission of a bat survey which has been considered by the Council's countryside and conservation officer. Concerns about the effect of the proposed development on drainage issues are matters that are appropriately controlled under the Building Regulations and Severn Trent Water have raised no objections. Whether or not there are legal covenants on the land is a legal matter which is not before me.
24. I have taken account of the views of local residents and other interested parties in reaching this decision and have had regard to all other matters raised. However, none outweigh my conclusions on the main issues.
25. I conclude that the appeal should be allowed.

Conditions

26. The development has only been allowed on the basis that it provides 100% affordable housing, to be provided by a Registered Social Landlord. It would have otherwise conflicted with policy H2 of the Local Plan. It is therefore necessary to impose a condition requiring the approved dwellings to be occupied as affordable housing in perpetuity. For the avoidance of doubt and in the interests of proper planning, I have indicated which are the approved drawings. In the interests of the visual amenity of the area I have required by conditions details of materials, levels, hard and soft landscaping and its implementation. Having regard to the restrictive nature of the site and density of the proposal, I consider it reasonable and necessary to withdraw permitted the rights in respect of any alterations or additions to the approved dwellings, erection of outbuildings or enclosures, hard surfaces, chimneys or flues and minor operations relating to means of enclosure and construction of any additional means of accesses.
27. To encourage bat roosting at the site in the interests of biodiversity I have required details of the roosting boxes. I have imposed a construction method statement to protect the living conditions of neighbouring occupiers during construction and require details of noise attenuation to protect the living conditions of future occupiers of the approved dwellings. A condition is required in respect of drainage details to ensure satisfactory drainage of the site. Lastly, a condition is required to ensure that adequate access, turning and parking facilities are provided and thereafter retained.
28. In some instances, I have amended the Council's suggested conditions to more closely reflect the guidance within Circular 11/95.

Elaine Benson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The dwellings hereby permitted shall only ever be occupied as affordable housing throughout the lifetime of the development, in accordance with the definition of Affordable Housing as it appears within Annex B of Planning Policy Statement 3 Housing (PPS3) or any subsequent guidance revoking or modifying PPS3.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 51837 -D01, -D02 Rev E, -D03 Rev I, -D04 Rev A, -D05 Rev A, -D06 Rev A, -D07 Rev A, -D08 Rev A, -D09 Rev A, -D10 Rev A, -D11 Rev D, D12 and P654/101 Rev A.
- 4) No development shall take place until samples and colours of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall take place until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).
- 7) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.
- 8) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.
- 9) No development shall take place until a schedule of landscape maintenance for a minimum period of five years, including details of the arrangements for its implementation has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved schedule.

- 10) Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.
- 11) The development hereby permitted shall not be occupied until the access, turning space and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.
- 12) Construction work shall not begin until a scheme for protecting the proposed residential accommodation from noise from the Chester Road North has been submitted to and approved in writing by the local planning authority in accordance with the recommendations of the PPG 24 Noise Survey Report No 8682 a by noise.co.uk. All works which form part of the scheme shall be completed before any part of the development is occupied.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development as specified in Part 1 Classes A, B, C, D, E, F and G and/or Part 2 Classes A, B and C, other than those expressly authorised by this permission shall be carried out without express planning permission first being obtained from the local planning authority.
- 14) No development shall commence until details have been submitted to and approved in writing by the local planning authority for the provision to be made for accommodating bat roosting/nesting boxes within the development. Such agreed details shall be implemented prior to the development first being brought into use.
- 15) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) measures to control the emission of dust and dirt during construction
 - v) a scheme for protecting neighbouring dwellings from noise and vibration.



Appeal Decision

Site visit made on 10 August 2011

by Sue Glover BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 August 2011

Appeal Ref: APP/R1845/A/11/2150005

Land at Ponderosa, Rear of The Yard House, Heightington, Bewdley, Worcestershire DY12 2XN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs K Yardley against the decision of Wyre Forest District Council.
 - The application Ref 10/0533/FULL, dated 15 August 2010, was refused by notice dated 8 November 2010.
 - The development is the conversion of an existing building for residential use.
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Decision

1. I allow the appeal, and grant planning permission for the conversion of an existing building for residential use at Land at Ponderosa, Rear of The Yard House, Heightington, Bewdley, Worcestershire DY12 2XN in accordance with the terms of the application, Ref 10/0533/FULL, dated 15 August 2010, and the plans submitted with it, subject to the following conditions:
 - 1) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the exterior of the building (including the insertion of windows/dormer windows) other than those expressly authorised by this permission shall be constructed.
 - 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages or other building or structure, fence, wall or enclosure, shall be erected other than those expressly authorised by this permission.

Main Issues

2. The main issues are the effect of the development on firstly, the character and appearance of the building and its countryside setting and secondly, the living conditions of the residents of The Yard House in respect of privacy, noise and disturbance.
-

Reasons

Character and appearance

3. The development is the conversion of a small agricultural building in the countryside. This part of the countryside is no longer designated as a Landscape Protection Area as the relevant local plan policies are now superseded by *Core Strategy (2006-2026)* (CS) Policy CP12. The area is now classified as "Timbered Plateau Farmlands" in accordance with the County Council's Landscape Character Assessment. It is a hilly, open, high quality landscape with fields interspersed by hedges and trees.
4. The appeal site sits on a brow of a hill with far reaching views in a south-westerly direction. The road and public footpaths, including the well used Worcestershire Way, are visible in the distance. The appeal building is a small simple building with a modest roof profile, which positively contributes to the character and appearance of the countryside. With the exception of a single roof light, it uses former openings. It is set back from the hill top against the backdrop of a stable building and vegetation, so that it does not appear prominent or out of place in the rural landscape. On account of its scale and simple form, it does not appear unduly conspicuous from distant public vantage points.
5. The defined curtilage of the dwelling is open land of a modest size and quite flat with remnants of rubble from former agricultural structures. Any small domestic equipment within the curtilage would not be readily apparent in the wider landscape, although any larger structures, buildings or extensions would add to the volume of building and detract from the openness and quality of the landscape. Conditions could be imposed to prevent the enlargement, improvement or other alteration to the exterior of the building, and garages or other buildings or structures, fences, walls or other enclosures to protect the character and appearance of the building and this high quality landscape.
6. The existing building has been little altered externally from its original form. The walls appear as though they were substantially intact before refurbishment took place, and the openings have been re-used. A bed space has been created in the loft. Although small, the habitable space appears to be of sufficient size as a modest single person dwelling, as confirmed by the appellant herself. There is no substantive evidence that it is not a viable residential unit in its current form and therefore vulnerable to pressure for extensions and alterations or other new development, or that there are insufficient openings to provide adequate daylight and ventilation. The former roof has been replaced with a tiled roof, but roof replacements are routinely undertaken in the conversion of agricultural buildings that are in other respects of a substantial and permanent construction.
7. Taking all these matters into account, I conclude that there is no demonstrable harm from the appeal development to the character and appearance of the building and its countryside setting. In this respect, there is no conflict with the objectives of CS Policies CP11 and CP12, and Saved Policies H.9, RB.1 and RB.4 of the *Wyre Forest District Adopted Local Plan* (LP).

Living conditions

8. The Yard House adjoins the roadside with windows and a porch facing the shared narrow access track that leads to the appeal site. Vehicles therefore pass in close proximity to the dwelling, its garden and paddock. However, I am mindful that the number and frequency of vehicle movements to and from a modest sized dwelling would be small. Although there may be some limited noise from vehicle engines, and disturbance from lights at night, these would not be of a sufficient frequency or intensity to cause material harm to the living conditions of the residents of The Yard House. I am mindful too that there are passing vehicles accessing the land, stables and kennels at the appeal site.
9. The Yard House is sufficiently set back from the track that there would be no unreasonable overlooking into windows from passing vehicles. Whilst there are close views into the garden and paddock, these are sizeable areas overall so that much of the land is distant, or screened from passing viewpoints.
10. I conclude on this issue that there is no material harm to the residents of The Yard House in respect of privacy, noise and disturbance. In this respect, there is no conflict with the objectives of CS Policy CP11 and LP Saved Policy H.2.

Other matters

11. I find no substantive evidence to indicate that there would any material risk to security from the appeal development. Although visibility at the access is substandard, there would be no significant increase in the number of vehicles using the access, and therefore no material additional risk to highway safety.
12. I have taken into account all other matters raised but I find none that justify dismissal of this appeal. I have imposed conditions restricting permitted development at the appeal site in respect of new buildings and structures, and extensions and alterations to protect the character and appearance of the building and the countryside.

Sue Glover

INSPECTOR



Appeal Decision

Site visit made on 10 August 2011

by Sue Glover BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 August 2011

Appeal Ref: APP/R1845/A/11/2150737

12 Brindley Street, Stourport-on-Severn, Worcestershire DY13 8JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Neil White against the decision of Wyre Forest District Council.
 - The application Ref 10/0742/FULL, dated 11 December 2010, was refused by notice dated 14 February 2011.
 - The development is the subdivision and conversion of an existing shop with a flat over to form 2 one bedroom flats.
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Decision

1. I allow the appeal, and grant planning permission for the subdivision and conversion of an existing shop with a flat over to form 2 one bedroom flats at 12 Brindley Street, Stourport-on-Severn, Worcestershire DY13 8JE in accordance with the terms of the application, Ref 10/0742/FULL, dated 11 December 2010, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, and drawing nos. 2479-01 and 2479-02B.
 - 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) No development shall take place until details of facilities for the storage of bicycles have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and thereafter retained.

Main Issue

2. The main issue is the effect of the proposal on highway safety.
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Reasons

3. The appeal site is located in a predominantly residential area, although there is a nucleus of local shops in the vicinity. These include a good sized local store, a fish and kebab house, and a barber's shop as well as the vacant shop at the appeal site. The area is not too distant from the town centre, and there is a regular bus route between Stourport and Kidderminster nearby.
4. My site visit was during off peak hours when there was on-street parking capacity, although there were comings and goings of vehicles to and from the local store. Parking on the street is curtailed by the creation at many properties of vehicle parking areas in front gardens and restrictions around junctions. I am told that at peak times there is parking congestion and no spare on-street parking capacity in the area, which has the potential to place vehicles in inappropriate locations on the highway network.
5. However, notwithstanding these matters I am mindful that the conversion of the former shop to a ground-floor 1 bedroom flat with bicycle storage would be likely to create at most a demand for 1 vehicle parking space. Policy TR.17 of the *Wyre Forest District Adopted Local Plan (LP)* requires parking provision to be in accordance with the parking standards set out in the local plan appendix, which are regarded as a maximum standard. I have no copy of the local plan appendix, but the County Council's *Local Transport Plan (LTP)* is a material consideration. In general, the off-street parking capacity required in the LTP for a 1 bedroom unit is 1 parking space, but may be negotiable such as in town centre locations where there are local facilities and good public transport access.
6. Although not in the town centre, the site is in an accessible location with access to public transport and local facilities, so that it would be feasible to live here without access to a car. Moreover, the parking of 1 additional vehicle on the street would be of limited significance in the area as a whole, and in any event would be more than balanced by traffic likely to be generated by the continued use of the ground floor as a shop. I therefore conclude taking all these matters into account that there is no substantive evidence of any material risk to highway safety from the appeal proposal. I am also mindful that the relevant authorities have measures at their disposal to control inappropriate parking in the street.
7. The revision in January 2011 to *PPG13, Transport* allows parking standards to be set to reflect local circumstances. However, I find no conflict with the objectives of the LTP, with LP Policy TR.17, or with Policy CPO3 of the *Core Strategy (2006-2026)*, which seeks to promote transport choice and accessibility.
8. I have taken into account all other matters raised but I find none that justify the dismissal of this appeal. I have imposed a condition requiring details of external materials to ensure a satisfactory finished appearance. There is also a condition requiring details of bicycle storage to encourage sustainable travel choices. Otherwise than as set out in this decision and conditions, it is also necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper

planning. However, there is no need for a condition to close the existing access, as the proposed access would be in a similar position.

Sue Glover

INSPECTOR

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE
13TH SEPTEMBER 2011

**Monthly progress report on performance against NI 157 targets
for determining planning applications**

OPEN	
DIRECTOR:	Director of Planning and Regulatory Services
CONTACT OFFICER:	John Baggott – Extension 2515 John.Baggott@wyreforestdc.gov.uk
APPENDICES:	None

1. PURPOSE OF REPORT

- 1.1 To provide Members with a monthly progress report on performance against national indicators (NI 157, formerly BV 109).

2. RECOMMENDATION

- 2.1 **That the report be noted.**

3. BACKGROUND

- 3.1 At Full Council in May 2006, it was agreed as part of the Recovery Plan that a report on the performance against best value performance indicators (BVPI 109, now NI 157) be reported to the Planning (Development Control) Committee on a monthly basis.
- 3.2 The national targets for determining planning applications are as follows:

NI 157 a (Major applications)	-	60% within 13 weeks.
NI 157 b (Minor applications)	-	65% within 8 weeks.
NI 157 c (other applications)	-	80% within 8 weeks.

3.3 In addition to these national targets there are Local targets set out within the Business Plan for 2011/12. These are as follows:

- Major applications - 65% within 13 weeks.
- Minor applications - 75% within 8 weeks.
- Other applications - 85% within 8 weeks.

4. PERFORMANCE

Major applications

4.1 The following table shows the quarterly performance figures for major applications for the period from 1st January 2009 to 30th June 2011. It also shows the performance at the time of compiling the report within the 2nd Quarter of 2011/12 although the relevant period does not end until 30th September 2011 and as such these figures may be subject to further change.

4.2 As previously advised, due to the continued low number of new major applications that have been received over recent months, performance in this area has been affected due to the number of older, more complex, major applications which have reached final determination and which have already gone beyond 13 weeks. Whilst every effort has been made to manage these applications effectively, performance in this category is becoming increasingly difficult and performance during the 1st Quarter of 2011/12 has regrettably fallen below the National target. Performance is likely to continue to be affected in the current and future quarters.

Quarter	No. determined	No. determined within 13 weeks	% determined within 13 weeks
1 January – 31 March 2009	4	4	100%
1 April – 30 June 2009	3	2	66.67%
1 July – 30 September 2009	5	2	40%
1 October – 31 December 2009	9	8	88.89%
1 January – 31 March 2010	5	3	60%
1 April – 30 June 2010	9	6	66.67%
1 July – 30 September 2010	3	2	66.67%
1 October – 31 December 2010	13	9	69.23%

1 January – 31 March 2011	6	4	66.67%
1 April – 30 June 2011	5	2	40%
1 July – 30 September 2011 (figures taken 31 August 2011)	4	2	50%

Minor applications

4.3 The following table shows the quarterly performance figures for minor applications for the period from 1st January 2009 to 30th June 2011. It also shows the performance at the time of compiling the report within the 2nd Quarter of 2011/12 although the relevant period does not end until 30th September 2011 and, as such, these figures may be subject to further change. Performance within this category has consistently met the national targets. However, with the continued relatively low numbers of new minor applications having been received, added to older more complex applications reaching final determination, performance in this category is now proving to be a real challenge.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
1 January – 31 March 2009	41	31	75.61%
1 April – 30 June 2009	56	47	83.93%
1 July – 30 September 2009	40	31	77.50%
1 October – 31 December 2009	50	37	74.00%
1 January – 31 March 2010	33	24	72.73%
1 April – 30 June 2010	29	23	79.31%
1 July – 30 September 2010	36	27	75.00%
1 October – 31 December 2010	36	27	75.00%
1 January – 31 March 2011	26	19	73.08%
1 April – 30 June 2011	39	26	66.67%
1 July – 30 September 2011 (figures taken 31 August 2011)	19	12	63.16%

Other applications

- 4.4 The following table shows the quarterly performance figures for other applications for the period from 1st January 2009 to 30th June 2011. It also shows the performance at the time of compiling the report within the 2nd Quarter of 2011/12 although the relevant period does not end until 30th September 2011 and, as such, these figures may be subject to further change.

Quarter	No. determined	No. determined within 8 weeks	% determined within 8 weeks
1 January – 31 March 2009	99	89	89.90%
1 April – 30 June 2009	129	114	88.37%
1 July – 30 September 2009	135	115	85.19%
1 October – 31 December 2009	94	80	85.11%
1 January – 31 March 2010	84	72	85.71%
1 April – 30 June 2010	124	111	89.52%
1 July – 30 September 2010	119	94	78.99%
1 October – 31 December 2010	109	91	83.49%
1 January – 31 March 2011	97	84	86.60%
1 April – 30 June 2011	109	88	80.73%
1 July – 30 September 2011 (figures taken 31 August 2011)	71	47	66.20%

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There are no legal or policy implications.

7. RISK MANAGEMENT

- 7.1 There are risk management issues if performance continues to fail to meet the national targets.

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8. EQUALITY IMPACT ASSESSMENT

- 8.1 This report relates to the analysis of performance levels against national and local indicators. There are no equality impact issues to be addressed.

9. CONCLUSION

- 9.1 Members are advised of continued concerns in respect of the performance against major applications targets, due to the relatively low number of new major applications being received which would offset the older, more complex, major applications which are nearing determination. Similarly, performance against minor applications continues to suffer, and every effort is being made, insofar as is possible, to manage new applications within all categories effectively to ensure that performance in this area shows an improvement during future quarters.
- 9.2 Members are also advised that the number of planning case officers was reduced by 1 FTE, with effect from 1st January 2011. The impact of this lost post is now being felt within Development Control which in turn is having an adverse impact upon performance in all categories of applications.
- 9.3 The Council has no control over the number and timing of applications being submitted for determination, but undoubtedly the economic climate has had an impact upon the number of new applications, in all categories, which have been received over recent months.

10. CONSULTEES

- 10.1 None.

11. BACKGROUND PAPERS

- Report on Recovery Plan (Full Council) – May 2006.
- Monthly progress reports – Planning (DC) Committee (June 2006 – May 2009).
- DCLG : Planning Performance Statistics – Planning (DC) Committee (August 2006 – May 2009).
- Monthly progress reports – Planning Committee (June 2009 – August 2011).
- DCLG : Planning Performance Statistics – Planning Committee (August 2009 – May 2011).