

Open

# Planning Committee

## Agenda

6.00pm  
Tuesday, 11th June 2013  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster



## Planning Committee

### Members of Committee:

	<b>Chairman: Councillor S J Williams</b>
	<b>Vice-Chairman: Councillor G C Yarranton</b>
<b>Councillor C Brewer</b>	<b>Councillor N Gale</b>
<b>Councillor B T Glass</b>	<b>Councillor D R Godwin</b>
<b>Councillor J A Greener</b>	<b>Councillor I Hardiman</b>
<b>Councillor P B Harrison</b>	<b>Councillor M J Hart</b>
<b>Councillor H J Martin</b>	<b>Councillor B McFarland</b>
<b>Councillor C D Nicholls</b>	<b>Councillor F M Oborski</b>
<b>Councillor M Price</b>	<b>Councillor N J Thomas</b>

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### 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 Sue Saunders, Committee/Scrutiny Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732733 or email [susan.saunders@wyreforestdc.gov.uk](mailto:susan.saunders@wyreforestdc.gov.uk)

## **Declaration of Interests by Members – interests of members in contracts and other matters**

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct (“the Code”) requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members’ Code of Conduct as set out in Section 14 of this constitution for full details.

### **Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)**

DPI’s and ODI’s are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council’s Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

## **WEBCASTING NOTICE**

This meeting is being filmed for live or subsequent broadcast via the Council’s website site ([www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk)).

At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. The footage recorded will be available to view on the Council’s website for 6 months and shall be retained in accordance with the Council’s published policy.

**By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.**

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

**If you have any queries regarding this, please speak with the Council’s Legal Officer at the meeting.**

## 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 Community Assets & Localism or Director of Economic Prosperity & Place 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 Economic Prosperity & Place.
- 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, 11th June 2013

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Director of Community Assets & Localism, together with the name of the Councillor for whom he/she is acting.	
<b>3.</b>	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
<b>4.</b>	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 14th May 2013.	7
<b>5.</b>	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	15
<b>6.</b>	<b>Applications Pending Decision</b>  To receive a schedule of planning and related applications which are pending.	78

7.	<p><b>Planning and Related Appeals</b></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>	99
8.	<p><b>Recent Changes to Permitted Development Rights and Associated New Prior Approval and Notification Procedures</b></p> <p>To receive a report from the Director of Economic Prosperity and Place which advises Members of very recent changes to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), which introduce a range of amendments, and thereby new or amended categories of “Permitted Development” which the Government has introduced with the intention of assisting with economic growth.</p>	107
9.	<p><b>To consider any other business, details of which have been communicated to the Director of Community Assets &amp; Localism 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.</b></p>	
10.	<p><b>Exclusion of the Press and Public</b></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><b>Live Enforcement Cases</b></p> <p>To receive a report which lists live enforcement cases as at 29<sup>th</sup> May 2013.</p>	115
12.	<p><b>To consider any other business, details of which have been communicated to the Director of Community Assets &amp; Localism 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.</b></p>	

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,  
KIDDERMINSTER**

**14TH MAY 2013 (6.00PM)**

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**Present:**

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

**Observers:**

Councillors C Brewer, J-P Campion, H E Dyke and J A Shaw.

**PL.115 Apologies for Absence**

Apologies for absence were received from Councillor E Davies.

**PL.116 Appointment of Substitutes**

Councillor G W Ballinger was appointed as a substitute for Councillor E Davies.

**PL.117 Declarations of Interests by Members**

Councillor M A Salter declared in respect of application number 13/0124/FULL – 37 Areley Court, Stourport-on-Severn that he had visited the property and had spoken with the neighbour but came to the meeting with an open mind.

**PL.118 Minutes**

**Decision: The minutes of the meeting held on 9<sup>th</sup> April 2013 be confirmed as a correct record and signed by the Chairman.**

**PL.119 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 509 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 509 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.120 Applications Pending Decision**

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

**Decision: The schedule be noted.**

**PL.121 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.122 Section 106 Obligation Monitoring**

The Committee considered a report from the Director of Economic Prosperity & Place that gave details of the most current Section 106 Obligations which required monitoring.

**Decision: The details be noted.**

The meeting ended at 7.56 pm.



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**14<sup>th</sup> May 2013 Schedule 509 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 Economic Prosperity and Place, Wyre Forest House, Fine Point Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

<b>Application Reference:</b> 13/0116/FULL
<b>Site Address:</b> 2 OLD SCHOOL HOUSE, ROCK CROSS, ROCK, KIDDERMINSTER, DY14 9SF
<b>APPLICATION DEFERRED PENDING A SITE VISIT.</b>

<b>Application Reference:</b> 13/0124/FULL
<b>Site Address:</b> 37 ARELEY COURT, STOURPORT-ON-SEVERN, DY13 0AR
<p><b>APPROVED</b> subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters).</li> <li>2. A11 (Approved plans).</li> <li>3. B1a (Samples/details of materials).</li> <li>4. Scheme for obscure glazing.</li> <li>5. No change in levels.</li> <li>6. Connection to drainage prior to occupation.</li> <li>7. Details of any changes to boundary treatment.</li> <li>8. Vehicle access construction.</li> <li>9. Access close – occupation – vehicular.</li> <li>10. Driveway gradient.</li> <li>11. Access, parking, turning.</li> <li>12. Removal of Permitted Development Rights.</li> </ol> <p>Notes</p> <ol style="list-style-type: none"> <li>A. SN12 (Neighbours' rights).</li> <li>B. HN4 (Private apparatus within the highway).</li> <li>C. HN5 (Alteration of highway to provide new or amend vehicle crossover).</li> </ol> <p><u>Reason for Approval</u></p> <p>The proposed replacement bungalow is considered acceptable in respect of design and siting. The impact on neighbouring properties has been assessed and it is concluded that no significant impact will occur over and above the existing situation. Access and parking will be provided in line with the adopted standards. The application is considered to be in accordance with policies H.2, D.10, TR.17 of the Adopted Wyre Forest District Local Plan, DS01, DS03, CP01, CP02, CP03, CP11 of the Adopted Wyre Forest Core Strategy, DPL1, CC1, CC2, CC7, UP7 of the SAP DPD, and QE1, QE3 of the West Midlands regional Spatial Strategy.</p>

**Application Reference:** 13/0120/OUTL

**Site Address:** FORMER VICTORIA SPORTS GROUND, SPENNELLS VALLEY ROAD, KIDDERMINSTER INDUSTRIAL ESTATE, KIDDERMINSTER

**DELEGATED AUTHORITY TO APPROVE** subject to the following:

- a) The Secretary of State deciding not to call the application in;
- b) The signing of a Section 106 Agreement for a contribution of £10,000 to provide an additional bus stop; and
- c) the conditions as listed below:
  1. A1 (Standard outline {Development shall be begun either before the expiration of 3 years from date of outline permission or before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is the later}).
  2. A2 (Standard outline - Reserved matters [appearance, layout, landscaping]).
  3. A3 (Submission of reserved matters within 3 years).
  4. A5 (Scope of outline permission (maximum gross floorspace 5,100 sq.m; maximum height of any part of the building not to exceed 15m).
  5. First reserved matters application to be accompanied by the following:
    - a) Noise assessment to demonstrate the impact of the proposals upon residential amenity;
    - b) Details of lighting including a luminance plan and details of the potential impact of the lighting upon ecology;
    - c) Details of a proposed pedestrian and cycling access into the site from Chester Road South;
    - d) A bat survey of tree T12 and details of mitigation measures to ensure no harm;
    - e) Plans to show which trees are proposed to be retained and which are to be lost.
  6. A11 (Approved plans).
  7. Any further reserved matters application submitted on or after 1 January 2014 shall be accompanied by an update to the submitted Phase 1 Habitat Survey & Protected Species Survey Assessment;
  8. All trees surveyed as part of the submitted Arboricultural Assessment shall be retained on site unless shown to be removed in the detailed plans to be submitted at the reserved matters stage).
  9. Tree T12 to be retained in its current form with no lopping or topping with no works or development within root zone of tree.
  10. Travel Plan to be implemented in accordance with the 'Management of Travel Plan' section of the submitted Framework Travel Plan, with the results of the proposed annual review and travel plan targets agreed by the Local Planning Authority.
  11. Site contamination.
  12. Finished floor levels no lower than 33.46m AOB unless otherwise agreed.
  13. Drainage scheme to be submitted and agreed.
  14. This permission shall enure for the benefit of the applicants only (requirement of the Town and Country Planning General Regulations 1992).
  15. Highway improvements / offsite works - engineering details of the right turn lane.
  16. Travel Plan Condition – applicant to submit a full travel plan that promotes sustainable forms of access to the site.

17. Parking for Site Operatives.

Notes -

- A. Mud on highway.
- B. Private apparatus within the highway.
- C. Section 278 Agreement.
- D. No drainage to discharge to highway.
- E. Design of street lighting for Section 278.
- F. Section 106 Agreement.

Reason for Approval

Whilst the site has an out of centre location the local planning authority has applied the sequential and impact tests and found that the proposed site to be acceptable. The site is currently designated as open space and outdoor sports pitches and playing fields the within Adopted Local Plan and the emerging Draft Site Allocations and Policies DPD and these policies seek to resist the loss of such space. However it is considered that by providing a betterment in terms of leisure provision and assisting the delivery of a facility which is needed to serve the wider public, the proposals accord the NPPF at paragraph 74, the Adopted and emerging open space local planning policies in this regard. The site is considered to be acceptable in terms of highway safety and suitably accessible by transport modes other than the private car. The illustrative layout of the site indicates that an appropriate form of development could be achieved with the maximum and minimum heights proposed that would not significantly adversely affect the amenity currently enjoyed by neighbours. The impact upon the existing trees, some of which are protected, upon ecology and flood risk have been found to be acceptable with no significant adverse harm. The application is in accordance with policies D4 D10 D11 D15 NR11 TR17 LR1 LR9 of the Adopted Wyre Forest District Local Plan, DS01 DS02 CP01 CP02 CP03 CP07 CP10 CP11 CP14 of the Adopted Wyre Forest Core Strategy, PFSD1 CC1 CC2 CC6 CC7 UP3 UP4 UP5 UP7 UP9 of the SAP DPD, PFSD1 GPB3 GPB5 GPB7 of the KCAAP DPD, UR2 PA11 QE3 QE5 T1-T5 T7 of the West Midlands Regional Spatial Strategy, Sections 1, 2, 4, 7, 8, 11 of the National Planning Policy Framework, ReWyre Prospectus and WFDC SPD – Planning Obligations.

**Application Reference:** 12/0733/FULL

**Site Address:** HAMLET PLACE, BEWDLEY ROAD, STOURPORT-ON-SEVERN, DY13 8QR

**APPROVED** subject to the following revised condition:

- (25) No more than 13 dwellings shall be occupied until the right turn facility and a pedestrian refuge on Bewdley Road have been completed to the written satisfaction of the Local Planning Authority and in accordance with drawings and specifications approved in writing by the Local Planning Authority.

The remaining unchanged conditions will be repeated.

Reason for Approval

The developer has secured technical approval for the road works to serve the dwelling and is now progressing through the legal route. The partial relaxation to allow up to 13

dwellings to be occupied is considered acceptable in these circumstances. The application is in accordance with policies CP03 of the Adopted Wyre Forest Core Strategy, SAL.CC1 of the SAP DPD, Highway Design Guide and Section 4 of the National Planning Policy Framework.

**Application Reference:** 12/0777/FULL

**Site Address:** HOBRO VILLA, HOBRO, WOLVERLEY, KIDDERMINSTER, DY11 5SZ

**APPROVED** subject to the following conditions.

1. A6 (Full with no reserved matters).
2. A11 (Approved plans).
3. B6 (External details – approved plan).
4. Use for domestic vehicles and equipment for Hobro Villa and land edged red and blue on the approved plan.

Reason for Approval

The proposed development, although being inappropriate development, is considered acceptable due to the Very Special Circumstances in this case. The building would have no impact on the amenity enjoyed by the residents of properties nearby; the design of the replacement dwelling is considered acceptable and appropriate, the development would offer no detriment to the street scene and would offer no significant detriment to the character and openness of the Green Belt. The proposed development would accord with the provisions of Policies GB.1, GB.2 and GB.6 of the Adopted Wyre Forest District Local Plan (2004), Policies CP11 and CP12 of the Adopted Wyre Forest Core Strategy (2010) and Policies SAL.UP1, SAL.UP6 and SAL.UP7 of the Pre-submission Publication Version of the Draft Site Allocations and Policies DPD, D.39 of the Worcestershire County Structure Plan, QE3, QE6 of the West Midlands Regional Spatial Strategy and Sections 7, 9 of the National Planning Policy Framework.

**Application Reference:** 13/0098/FULL

**Site Address:** 49 BIRCHFIELD ROAD, KIDDERMINSTER, DY11 6PQ

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters).
2. A11 (Approved plans).
3. B3 (Finishing materials to match).

Reason For Approval

The proposed extension is considered to be of an appropriate size and design in relation to the original dwelling. The impact of the extension upon the neighbouring properties has been carefully assessed and it is considered that the amenity of the neighbours will not be affected. The application is in accordance with policies D.17 of the Adopted Wyre Forest District Local Plan, CP11 of the Adopted Wyre Forest Core Strategy, SAL.UP7, SAL.UP8 of the SAP DPD, Design Quality Supplementary Planning Guidance and Section 7 of the National Planning Policy Framework.

<b>Application Reference:</b> 13/0130/FULL
<b>Site Address:</b> 269 CHESTER ROAD NORTH, KIDDERMINSTER, DY10 2RR
<b>APPROVED</b> subject to the following conditions: <ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters).</li> <li>2. A11 (Approved plans).</li> </ol> <p><u>Reason for Approval</u></p> <p>The proposed drop kerb is considered acceptable; the access would not appear atypical or incongruous in the context of the street scene or the character of the area. It has been demonstrated that sufficient space exists within the site to provide a parking space and as such it is considered that the development would have no significant impact on highway safety. The development would be considered to accord with the requirements of Policy CP11 of the Adopted Wyre Forest Core Strategy (2010), QE3 of the West Midlands Regional Spatial Strategy and Worcestershire County Council Highways Design Guide Section 4 of the National Planning Policy Framework.</p>

<b>Application Reference:</b> 13/0135/FULL
<b>Site Address:</b> DELTA PRINT, WORCESTER ROAD, STOURPORT-ON-SEVERN, DY13 9AS
<b>APPROVED</b> subject to the following conditions: <ol style="list-style-type: none"> <li>1. A6 (Full with No Reserved Matters).</li> <li>2. A11 (Approved plans).</li> <li>3. B6 (External Details – Approved Plan).</li> <li>4. Limit the use of the extension to storage only to ensure that any impact on highway safety through the possible displacement of parking is minimised.</li> </ol> <p><u>Reason for Approval</u></p> <p>The proposed extension would be considered appropriate and would have no significant impact on the appearance of the building, the character of the area or the street scene. The development would be considered to accord with the requirements of Policies E.2, D.18 of the Adopted Wyre Forest District Local Plan, Policy CP11 of the Adopted Wyre Forest Core Strategy and Policies SAL.UP7 and SAL.UP8 of the Pre-submission Publication Version of the Draft Site Allocations and Policies DPD.</p>

<b>Application Reference:</b> 13/0186/FULL
<b>Site Address:</b> FORMER SUTTON ARMS PH, SUTTON PARK ROAD, KIDDERMINSTER, DY11 6LE
<b>DELEGATED AUTHORITY TO APPROVE</b> subject to <ol style="list-style-type: none"> <li>a. A Legal Agreement being signed for S106 contributions; and             <ol style="list-style-type: none"> <li>1. A6 (Standard time).</li> <li>2. A11 (Approved plans).</li> </ol> </li> </ol>

3. Single access – new – footway.
4. Vehicle access construction.
5. Driveway gradient.
6. Cycle parking (multi unit).
7. Parking for site operatives.
8. Landscaping scheme to be submitted.
9. Materials as per the details submitted.
10. Foul and surface water drainage details to be submitted.
11. Tree retention.
12. Tree protection measures.
13. Method statement of no dig construction for the entrance at Parry Road to ensure no adverse effect on existing trees.
14. Method statement detailing construction of the main entrance off Sutton Park Road to ensure no adverse effect on existing trees.

Notes

- A Highway notes.
- B SN2 (Section 106 Agreement).

Reason for Approval

The principle of residential development on this site has been agreed under Planning Permission 08/0538/OUTL and 11/0512/RESE. The number of plots remains as approved and the impact upon the amenity of neighbours, highway safety and the overall layout and appearance of the site is considered acceptable. Therefore, the application is in accordance with policies H2, D.4, D.10, D.11, TR.17 of the Adopted Wyre Forest District Local Plan, DS01, CP05, CP07 of the Adopted Wyre Forest Core Strategy, SAL.DPL1, SAL.UP7, SAL.UP9 of the SAP DPD, CF.2, QE.3 of the West Midlands Regional Spatial Strategy, Design Quality Supplementary Planning Guidance, PPS1; PPG3 and National Planning Policy Framework.

## EXECUTIVE SUMMARY TO REPORT OF DEVELOPMENT MANAGER

Planning Committee

11/06/2013

### PART A Reports

Ref.	Address of Site	Recommendation	Page No.
13/0050/FULL	BARN OPPOSITE THE STABLES COLDRIDGE FARM WITNELLS END SHATTERFORD BEWDLEY	APPROVAL	16
13/0116/FULL	2 OLD SCHOOL HOUSE ROCK CROSS ROCK KIDDERMINSTER	APPROVAL	24
13/0168/FULL	NORTHWOOD LANE MAGGS MEADOW BEWDLEY	APPROVAL	29
13/0192/FULL	LAND ADJACENT TO 60 STOURBRIDGE ROAD KIDDERMINSTER	APPROVAL	36

### PART B Reports

Ref.	Address of Site	Recommendation	Page No.
13/0187/FULL	PORTLAND HOUSE DORHALL CHADDESLEY CORBETT KIDDERMINSTER	APPROVAL	50
13/0193/FULL	78 MILL STREET KIDDERMINSTER	DELEGATED APPROVAL	54
13/0215/FULL	LAND ACCESSED FROM FINEPOINT WAY KIDDERMINSTER	APPROVAL	64
13/0253/REGS3	AREA OF SSSI MARSHLAND ADJACENT TO ALDER AVENUE KIDDERMINSTER	APPROVAL	76

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**11<sup>TH</sup> JUNE 2013**

**PART A**

<b>Application Reference:</b>	13/0050/FULL	<b>Date Received:</b>	30/01/2013
<b>Ord Sheet:</b>	379517 281766	<b>Expiry Date:</b>	27/03/2013
<b>Case Officer:</b>	Paul Round	<b>Ward:</b>	Bewdley and Arley

**Proposal:** Change of use of rural building to dwelling and associated work

**Site Address:** BARN OPPOSITE THE STABLES, COLDRIDGE FARM,  
WITNELLS END, SHATTERFORD, BEWDLEY, DY12 1TH

**Applicant:** Mr J Jones

<b>Summary of Policy</b>	GB1, GB2, GB6, RB1, RB2, RB3, RB4, RB6, H2, H9, TR17, D10 (AWFDLP) DS01, DS04, CP11, CP12, CP14 (AWFCS) DPL2, CC1, CC2, CC7, UP1, UP7, UP9, UP11 (SAP DPD) Landscape Character Assessment Supplementary Guidance Sections 3, 4, 6, 7, 9, 11 (NPPF)
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 The site forms an agricultural field located opposite Coldridge Farm and adjacent to Witnells End Farm and Underhill Farm at Witnells End, Shatterford. Access is gained via a driveway, which is a bridleway, that serves the three farms, although Coldridge Farm is not in agricultural use.
- 1.2 The site is within the West Midlands Green Belt and within the open countryside.
- 1.3 The proposal seeks to convert a building, measuring approximately 63 sq. m, to residential accommodation.



13/0050/FULL

**2.0 Planning History (of relevance)**

- 2.1 None on the site but of relevance at Underhill Farm  
WF.0965/03 – Erection of one holiday chalet : Refused 11/11/03 (Green Belt, Landscape and Highway Grounds)

**3.0 Consultations and Representations**

- 3.1 Upper Arley Parish Council –The application was considered and discussed at last night's Parish Council meeting and the overall opinion was that the building was totally unsuitable for conversion to residential use and that any extension to the property would be to increase the height which is usually considered inappropriate with a barn conversion. The property overlooks neighbouring properties and will interfere with their privacy and it is only a couple of feet away from a very busy bridle path. We also understand that the ownership of the access path to the property is under dispute. Therefore the overall opinion is that the Parish Council is opposed to this development.
- 3.2 Highway Authority – No objection subject to conditions.
- 3.3 Worcestershire County Council Countryside Service – No objection subject to note.
- 3.4 Countryside and Conservation Officer – No objection in principle, although there may be potential for Greater Crested Newts could migrate to the site if they inhabit the lower pools.
- 3.5 Neighbour/Site Notice – Three letters received objecting to the proposal, raising the following issues:
1. Highway access is unsuitable both in respect of access track and junction which is a blind bend (application refused on highway ground previously at Underhill Farm);
  2. Loss of privacy to existing residential units through direct overlooking;
  3. Conversion would be unacceptable as it would increase opening and raise height of roof;
  4. Impact on existing farms, not compatible and could impact on business through increase complaints;
  5. There is a complete lack of services (water, electricity etc);

13/0050/FULL

#### 4.0 Officer Comments

- 4.1 Planning policy within the Local Plan, Site Allocations and Policies DPD and NPPF allows for the conversion of rural buildings within the Green Belt, with such proposals constituting appropriate development subject to the building being of "...permanent and substantial construction".
- 4.2 The application is accompanied by a structural survey which concludes that "*...the building appears in reasonable structural condition with little evidence of movements within the foundations. It is therefore suitable for conversion to a habitable building.*" Whilst there are other policy tests within the Local Policy it is clear that the principle is acceptable and as such, the proposal is appropriate development in the Green Belt.
- 4.3 The detailed consideration falls to be determined via Site Allocations and Policies DPD Policy SAL.UP11 as being the most relevant and up-to-date policy given its advancement in adoption terms and conformity with the NPPF. The relevant criteria in the policy are as follows:
- i. The building(s) are permanent structures which are in keeping with their surroundings and they are of a size which makes them suitable for conversion without the need for additional extensions, substantial alterations or the addition of new buildings within the curtilage;
  - ii. The building(s) can be converted without significant building works or complete reconstruction and the conversion works would have no significant detrimental effect on the fabric, character, significance or setting of the building;
  - iii. That suitable access arrangements can be made, without the need for extensive new access roads;
  - iv. That there is no adverse impact on the countryside, landscape and wildlife or local amenities;
  - v. That appropriate drainage and flood risk mitigation, including safe development requirements, are available for the lifetime of the development can be provided.

In addition when considering residential conversions additional consideration must be given to:

- i. Justification that the building is unsuitable for economic uses;
- ii. The proposal does not lead to the dispersal of economic activity, which would have an adverse impact on the local economy, or prejudice the vitality of nearby town centres or villages;

13/0050/FULL

iii. The buildings to be converted are not domestic outbuildings.

On this basis consideration of the application will be linked to these policies tests, with additional considerations of residential amenity and 'other issues'.

#### SIZE, STRUCTURE AND RESIDENTIAL USE

- 4.4 The proposed building is a permanent structure built of brick with a corrugated sheet roof. The structural report has demonstrated its suitability for conversion without significant building works or re-building. The size of the building, although small, enables the provision of at least a one bedroom unit with associated bathroom, kitchen and living room/dining area. Access can be gained to the upper level of the building to provide an additional bedroom or study area. It has been aptly demonstrated that the building is of a size that can provide accommodation within the building without the need to extend. Storage and cycle parking is to be located within a garden shed that is to be provided adjacent to the barn and behind the existing hedgerow. Whilst normally it would be expected to provide storage within the building to be converted given its size I feel that this alternative solution is appropriate in this case. Although consideration must be given to economic uses prior to residential, it is considered that given its location and the size of the building economic uses would not be appropriate in this instance.

#### ACCESS AND HIGHWAY ISSUES

- 4.5 The proposed access is to be provided via the access track with a new access through the existing fencing. The access track is a bridleway and serves access to Coldridge Farm (and its associated Annex accommodation), Witnells End Farm and Underhill Farm. The new access will not be dissimilar to existing access points along the lane. Visibility is suitable and given the anticipated trip generation it is not considered that an additional residential dwelling will result in harm being caused to highway safety on the lane. In addition, when taking account of the nature of the junction with the classified road, it is concluded that the network is capable of accommodating this development. This conclusion has taken into account the activities of the farm and the existing residential units along the track. The Highway Authority is satisfied that the development will not be detrimental to highway safety. Adequate parking and cycle storage can be provided within the proposed curtilage, in line with County Highways standards.

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- 4.6 One of the neighbours has highlighted a 2003 application for a single holiday chalet that was refused on highway grounds. The application referred to (WF.0965/03) was amongst other things refused on highway grounds particularly around egress and ingress of the access road from the junction. The Highway Authority has reconsidered the proposal in light of the history and has provided the following additional comments:

*“The NPPF considers the site to be acceptable unless there are good reasons why it is not and that following mitigation the residual impact must be severe in order to have a defensible refusal reason. The application will generate approximately 8 movements per day (car, walking, cycling) and being a residential property there would be expected to be an outbound movement in the morning and inbound in the evening. The modest and predictable traffic flow patterns associated with this unit are limited and as the road only serves limited number of properties and farm that in my opinion it would not be possible to demonstrate severe residual impact.*

*The previous highway reason for refusal cannot be maintained in the light of the increased use of manual for streets and manual for streets 2 and the limited traffic generation.*

*The alterations in approach due to changes in the national arena and the more welcoming approach to development for the social and economic drivers has changed the opinion of the highway authority since 2003”.*

I am in agreement with the Highway Authority that access is suitable and notwithstanding the previous refusal, decisions should be based on current policies and advice. Given the response from the Highway Authority, it is concluded that highway access is acceptable.

#### IMPACT ON SURROUNDING LANDSCAPE

- 4.7 The changes to the building are sympathetic and are limited within the envelope of the structure. There will be some uplift of the ridge height but this has been justified by the Agent who states that “...*the only additional roof height is created because we are omitting the roof sheets and adding insulation, tiling battens, plain clay tiles and ridge tiles, to improve the thermal performance and more importantly the appearance of the barn, the height increase is approximately 180-200mm*”. Given this justification and the minor increase of the height it is considered that improved visual appearance will offset and minor harm caused. Taking all the changes into account I do not feel that there will adverse harm caused to the surrounding landscape or the visual amenity of the Green Belt.

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#### DRAINAGE AND SERVICES

- 4.8 The scheme included adequate drainage facilities within the curtilage which are appropriate for the size for the dwelling. Whilst there are no existing services to the site, this is not a planning matter and will be dealt with by the relevant utility companies.

#### IMPACT OF RESIDENTIAL AMENITY

- 4.9 Within close proximity of the barn there lies Underhill Farm (approximately 28m to the west); The Stables (annex accommodation to Coldridge Farm) (approximately 10m to the north); and, Coldridge Farm (approximately 30m to the north-west). Whilst all of these buildings have windows that overlook the site, due to the distances and angles involved Coldridge Farm and Underhill Farm will not be directly overlooked from the windows of the Barn. The Stables, however, have a habitable room window at close quarters opposite the proposed large windows serving the living area of the proposed dwelling. It is appreciated that the staircase within the barn will prevent some views into The Stables and that the window can be viewed from the Public Bridleway but these factors do not rule out loss of privacy to this room. The Applicant's Agent has accepted the need to mitigate against this loss of amenity and as such, has proposed that the windows in this elevation will be treated with 'Satin Glass'. This treatment, which is high quality obscure glazing, will allow maximum light penetration into the room without compromising privacy beyond. This approach is considered to be acceptable and enables the development to proceed without having any undue impact upon the privacy of the occupiers of The Stables, or the occupiers of the proposed dwelling.
- 4.10 It is accepted that the site boundary of the proposed dwelling will be close to Underhill Farm although at a lower level. Any harm that could be caused due to this relationship will be dealt with and minimised through boundary treatment. This can be satisfactorily addressed via an appropriate condition.
- 4.11 On this basis I consider that there will be no undue impact on residential amenity and the scheme is acceptable on this basis.

#### OTHER ISSUES

- 4.12 Some concern has been expressed regarding the alleged impact of a new residential unit on the viability of the existing farms, on the basis that their working practices could result in complaints from the future occupiers of the proposed dwelling. No evidence has been supplied to substantiate this fear and indeed residential properties that are not related to agriculture already exist in close proximity. I can see no reason why this proposal would have any adverse impact on the farm such as to warrant the refusal of the application.
- 4.13 In respect of ecology caution is expressed due to the nature of the surrounding area as there could be Greater Crested Newts on the site. However, their presence is assessed as being of low probability and as such a suitable condition prior to commencement would satisfactorily deal with this issue.

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## 5.0 Conclusions and Recommendations

5.1 The conversion of the existing building is considered to be appropriate development in the Green Belt and of a design that is appropriate to the rural area. The resulting traffic generation would not conflict with highway safety. Protected species have been taken into account as part of the proposals. Full consideration of the potential impact on neighbouring properties has been undertaken and it is concluded that no undue or unacceptable levels of impact will occur.

5.2 It is therefore recommended that **APPROVAL** be granted subject to the following conditions:

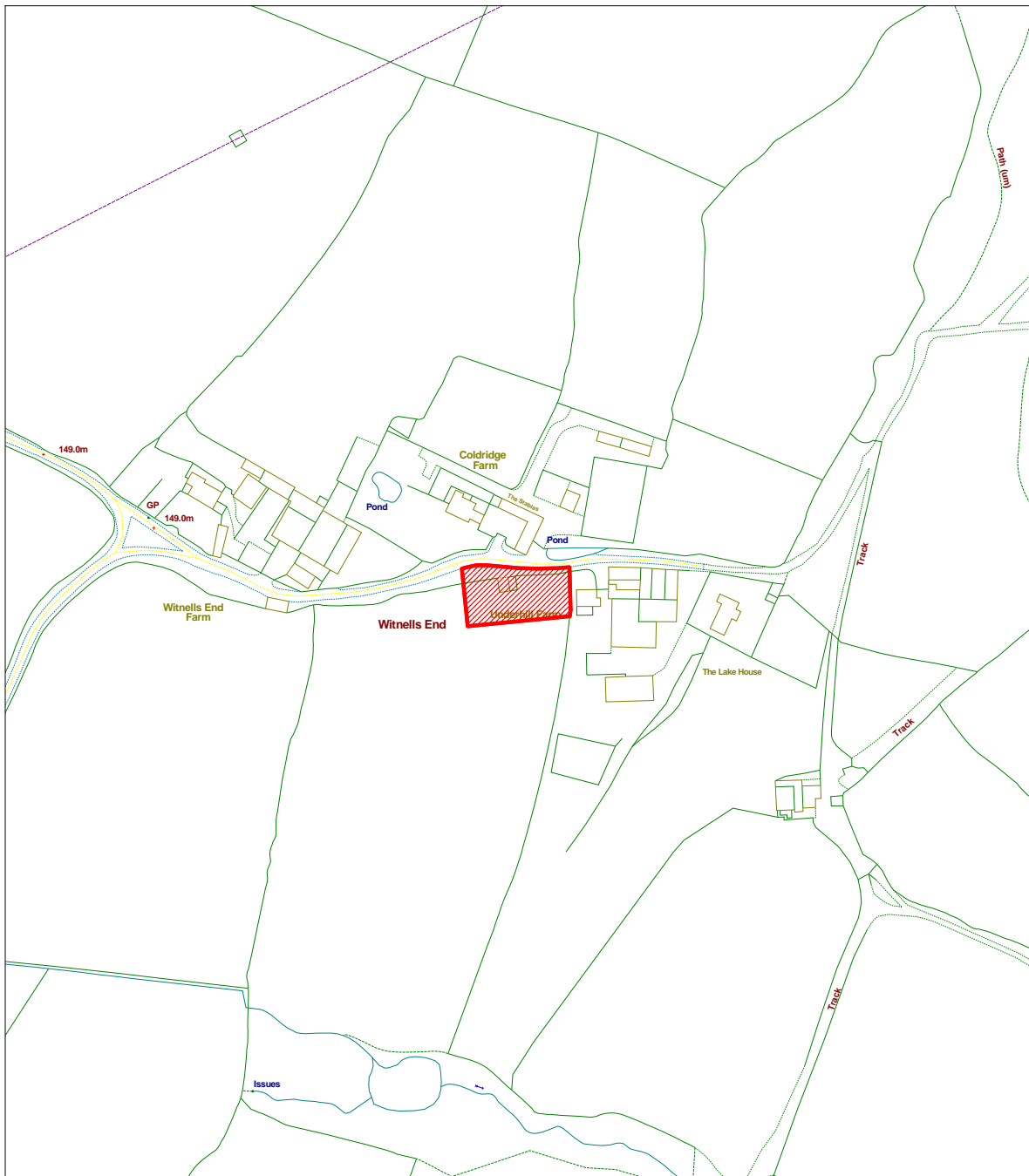
1. A6 (Full with no reserved matters).
2. B1 (Samples/Details of Materials) including rainwater goods.
4. No Demolition.
5. B9 (Details of Windows and Doors).
6. B11 (Details of Enclosure).
7. Obscure Glazing.
8. Ecology Mitigation.
9. Re-survey in not commenced within 12 months.
10. J1 (Removal of Permitted Development – Residential).
11. Drainage.
12. Highways.

### Notes

- A. SN1.
- B. Highways.

### Reason for Approval

The conversion of the existing building are considered to be appropriate development in the Green Belt and are proposed to be of a design appropriate to the rural area. The traffic generation proposed would cause no conflict with highway safety. Protected species have been taken into account as part of the proposals. Full consideration of the impact on neighbouring properties has been undertaken and it is concluded that no undue impact will occur. For these reasons the proposal is compliant with the policies above.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Barn opposite The Stables,  
Coldridge Farm, Witnells End  
Shatterford DY12 1TH**



Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556

<b>Application Reference:</b>	13/0116/FULL	<b>Date Received:</b>	04/03/2013
<b>Ord Sheet:</b>	373599 271289	<b>Expiry Date:</b>	29/04/2013
<b>Case Officer:</b>	James Houghton	<b>Ward:</b>	Rock

**Proposal:** Proposed side two storey and rear first floor extensions

**Site Address:** 2 OLD SCHOOL HOUSE, ROCK CROSS, ROCK,  
KIDDERMINSTER, DY14 9SF

**Applicant:** Mrs S Riefler

<b>Summary of Policy</b>	D.17 (AWFDLP) CP11 (AWFCS) SAL.UP7, SAL.UP8 (SAP DPD) Design Quality SPG Section 7 (NPPF)
<b>Reason for Referral to Committee</b>	Previously considered by Committee and deferred for a site visit
<b>Recommendation</b>	<b>APPROVAL</b>

THIS APPLICATION WAS DEFERRED FROM THE 14<sup>TH</sup> MAY 2013 PLANNING COMMITTEE MEETING FOR A MEMBERS' SITE VISIT

### **1.0 Site Location and Description**

1.1 The application property is a semi detached, pitch roofed dwelling set off a shared private drive within the village of Rock. The application property benefits from a flat roofed rear extension and a monopitch roofed conservatory to the side. The adjacent property benefits from substantial extensions including a two storey rear extension and a single storey side extension.

1.2 The relationship between this pair of semi-detached properties is unusual in that a first floor side window to No. 1 Old School House is located directly on the boundary with No. 2 (the application property) and faces out over the existing flat roof extension of No. 2.

### **2.0 Planning History**

2.1 None relevant.

### **3.0 Consultations and Representations**

3.1 Rock Parish Council – Recommend refusal on the basis that the extension represents overdevelopment of the site.



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3.2 Highway Authority – No objection.

3.3 Neighbour/Site Notice – Letters of objection have been received from the occupants of two neighbouring dwellings. The issues raised comprise:

- The proposed extensions may have a detrimental impact on the privacy enjoyed by the occupant of a neighbouring property. In particular the correspondent believes the development will affect the privacy enjoyed in the kitchen, a bedroom, garden and drive.
- The proposed first floor rear extension would be approximately 2.85m from a side facing window at the neighbouring property which serves a bedroom. The extension would have a significant impact on the levels of light experienced in this room and would also have a detrimental effect on the outlook.
- The occupants of a neighbouring property believe Rock Village was previously designated as a 'Landscape Protection Area' and an area of 'Great Landscape Value'. It is believed that this should apply to the village and this proposal would have an adverse effect on neighbouring properties and the surrounding area if planning permission were to be granted.
- The plans neglect to show the neighbouring dwelling and the existing side facing window to the bedroom at first floor facing into the study/roof extension.
- It is believed that the proposals are in conflict with WFDC guidance 'A Guide to House Extensions' requiring care to be taken with rear extensions in their relationship to neighbours, respecting the neighbour's privacy; outlook and causing no harm. The proposals are not in keeping with the general design of the original house or nearby properties. The proposal does not respect the privacy and outlook from houses neighbouring the proposal. The proposed study extension creates an unacceptable imbalance to the rear elevation.
- The bedroom, affected by the proposal, has another window to the East but views and daylight are limited due to the close proximity of trees some 4-5 metres from the windows. The window to the south is the primary source of daylight and ventilation to the bedroom.
- The new extension to the Study will be sited approximately 2.7m from the bedroom window and will block the existing view to the south, which the property has enjoyed and benefitted from for 40 years plus. It will block the sunlight being south faced. In effect it is affecting visual amenity, privacy and enjoyment plus less sunlight/light into a neighbouring conservatory.
- The proposals also have a detrimental effect on the Landscape protection area increasing the height of the property and obstructing views onto the Countryside that exist from our property. If this goes ahead our window visual will be blocked by a solid brick wall. This has caused anxiety and stress to us both equally causing us to reach the point of not wanting to live in our house anymore if it goes ahead. Planning policy we believed was to safeguard residential property from this intrusion, why should we have to block our window up?

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- The neighbour queries why the applicant needs the study given the size of house and its occasional use. As the planning authority controlling development plans and policy, it is believed that the LPA could and should advise the applicant that the study is considered too much and suggest the applicant changes it.
- The gable end extension of the building would also stop light and affect the view from a neighbouring property due to it being south facing. The correspondent would not object to this going ahead but would prefer it not going ahead at all.

In addition a letter has been received from another user of the shared drive. The letter offers no objection but expresses concerns as to the impact of construction traffic on the driveway and seeks assurances that any damage will be repaired.

#### **4.0 Officer Comments**

- 4.1 The applicant seeks approval for the addition of a two storey side extension and a first floor rear extension atop half of the existing flat roofed element. The extensions would provide an enlarged lounge and shower room on the ground floor along with enlarged bedroom and en suite and a study at first floor. The proposed side extension would replace an existing conservatory.
- 4.2 The proposed two storey side extension would be considered appropriate in terms of both scale and design and would offer no detriment to the character of the property or the immediate area. The first floor element of the development is set back 0.75m from the front elevation of the host property, with the ridge line set down and set back accordingly, the extension would be clearly subservient to the original property.
- 4.3 The 45° Code guidance provides a means to quantify the impact of a given extension on the levels of light enjoyed in habitable rooms at neighbouring properties. The guidance specifically states that the 45° Code applies to side facing windows where those side facing windows “provide the only source of light to a habitable room.” Notwithstanding the advice in the 45 degree Code, additional plans have been submitted showing that the proposed first floor rear extension meets the 25° requirement of the 45° Code Guidelines. The extension would have no substantial impact on the amenity enjoyed by the occupants of neighbouring properties in terms of privacy, outlook or daylight. The 45° Code guidelines would not be breached.
- 4.4 The proposed first floor rear extension is also considered acceptable in both scale and design. The extension is to be relatively small in scale and the eaves and ridge line of the extension have been kept as low as possible in order to minimise any impact on the neighbouring property. The extension would have no significant impact on the appearance of the dwelling or the street scene.

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- 4.5 The concerns of the neighbour regarding the proposed first floor rear extension are noted. The two storey rear extension at no. 1 was erected following application WF.45/78, at that time the sole source of light to the first floor bedroom would have been through a rear (east) facing window. The side facing window, which matches the size of the rear facing window, appears to have been added at a later date to take advantage of the views to the south and is within a wall forming the boundary between the application and neighbouring dwellings, the opening lights of the window would, when opened, overhang the site boundary. The roof of the proposed extension is relatively low when compared to the side facing bedroom window. The window cill height is 3.85m above ground level and is 2.85m away from the eaves of the proposed extension and 4.5m away from the ridge line.
- 4.6 The principal impact of the extension on the neighbouring property is the loss of view from this window. The impact on view does not constitute a material consideration in determining a planning application.
- 4.7 The applicant has supplied additional information following the previous appearance of this application at Committee. The position of the site boundary has been confirmed and the applicant has agreed to finish the extension in white painted render which would serve to enhance the levels of light reflected back towards the neighbour's window.

## 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. B6 (External details – approved plan).

### Reason for Approval

The proposed extensions are considered to be of an appropriate scale and design in relation to the host dwelling and would have no detrimental impact on the street scene. The impact of the extensions on the occupants of neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to accord with Policy D.17 of the Adopted Wyre Forest District Plan (2004) and Policy CP11 of the Adopted Wyre Forest Core Strategy (2010) as well as Policies SAL.UP7 and SAL.UP8 of the Pre-submission Publication Version of the Draft Site Allocations and Policies DPD.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**2 Old School House  
Rock Cross  
Rock DY14 9SF**



Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556

**Application Reference:** 13/0168/FULL      **Date Received:** 26/03/2013  
**Ord Sheet:** 378541 275715      **Expiry Date:** 21/05/2013  
**Case Officer:** Paul Round      **Ward:** Wribbenhall

**Proposal:** Change of use of park to private garden and associated change of use of garden land to park (partially retrospective)

**Site Address:** NORTHWOOD LANE, MAGGS MEADOW, BEWDLEY, DY12 1AB

**Applicant:** Wyre Forest District Council

<b>Summary of Policy</b>	LR.1, NC.7 (AWFDLP) CP02, CP07, CP10, CP11, CP13, CP14 (AWFCS) CC7, UP4, UP5, UP7, UP9 (SAP DPD) Section 8 (NPPF)
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

1.1 The proposals relate to areas of land around three properties namely, Fairholm, Riverside No.19 Northwood Lane and No.33 Northwood. The proposals relate to change of use of land to garden land and the change of use of some garden land to open space.

1.2 The site forms a wider area of Public Open Space bounded by the north bank of the River Severn and properties in Northwood Lane and Nursery Road. The site is allocated as Public Open Space and falls within the flood plain. The area is diverse providing differing levels and quality of land along with play equipment and paddling pool.

**2.0 Planning History**

2.1 None of relevance.

**3.0 Consultations and Representations**

3.1 Bewdley Town Council – No objection and recommend Approval though as with all applications that are retrospective or partially so, the Committee would wish to express its disapproval that consent was not obtained prior to the works being carried out.

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- 3.2 Senior Watercourse Management Officer – There is a minor watercourse here that falls out into the Severn. There are two short culverts present. The day of my site visit there was a discharge into the river Severn which indicates that the outfall is not completely obstructed. According to records the watercourse is fed near the boundary with No 19 by a Severn Trent public surface water sewer, but I could not locate this outfall in the field due to wetness of the ground and vegetation present. The watercourse could I believe benefit from some maintenance. It is possible that the wet nature of the ground is caused by the surface water sewer not effectively discharging into this watercourse. However it is also possible that the wet nature is simply caused by the fact that it is low lying.
- 3.3 Countryside and Conservation Officer – No objections. No physical impact on protected species.
- 3.4 Crime Risk Advisor - No objections.

In relation to your concerns over anti-social behaviour, I have checked our incident logs for the last six months and very little has been reported which tends to indicate that there isn't a problem.

As far as the police are concerned, the park is for the public, young people form part of the public....There is little/no evidence that they are committing criminal offences (damage etc). If under age drinking takes place it is dealt with appropriately.

At the moment this area is not considered to be an anti-social behaviour 'hot spot'.

- 3.5 Neighbour/Site Notice – No representations received.

#### **4.0 Officer Comments**

- 4.1 Policies within the Local Plan and emerging Site Allocations and Policies DPD protect Public Open Space from development. Policy UP4 of the Site Allocations and Policies DPD states that these sites should not be built on. Whilst this application is not for any built development I feel that the principles of the policy still apply. The Policy continues to set out the circumstances where Public Open Space can be lost, these are set out below where:
- i. An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - ii. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - iii. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

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The public space, the subject of this application, is not surplus to requirements and is part of the Council's strategy for retention and enhancement; and, it is not for alternative sports facilities. As such it falls to consider each area that is part of this application for change of use on the basis of whether it provides an equivalent level of provision in terms of quantity or quality. It should be noted that the NPPF supports such an approach in providing and protecting high quality Public Open Space.

LAND AT FAIRHOLM

- 4.2 The proposals involve the provision of two slithers of land either side of the dwelling's curtilage of 2m and 4m in width respectively and both being the length of the existing plot. In order to regularise some incursions into the Public Open Space and to compensate for land which the District Council has reclaimed.
- 4.3 The 104.5 sq.m extension of garden curtilage is considered to be a negligible loss in the context of the park as a whole. It is located in area which is regarded as the riverside walk. It will provide greater separation between the Open Space and the dwelling and provide some definition to the curtilage of the dwelling which is currently exposed and is not visually pleasing. The fencing proposed is post and wire fencing supplemented with hedgerow planting. This will provide a softer appearance than exists at present and in this context will provide a better quality environment.
- 4.4 The extension of the curtilage is considered to be appropriate and would not undermine the integrity of the Open Space but will in fact visually improve the visual appearance of the area.

LAND AT NO. 33 NORTHWOOD LANE

- 4.5 The land lies to the north west of the property and measures 9m at the widest point forming a triangular shape to the edge of the rear boundary. Again this is partly to correct an incursion (0.83m) but also to provide an enlarged curtilage. As with the land at Fairholm, this is a small loss in the context of the open space as whole and is located in area set above and away from the main area of open space. This loss will not be significant or to the detriment of the quality of the space. A similar approach to boundary treatment will be adopted with post and wire fencing supplemented with hedgerow planting. This will also provide an enhancement through a green edge to the end of the residential curtilage and the start of the open space.
- 4.6 Once more this is not considered to be of detriment to the open space as a whole and provides a visual enhancement. The associated loss of space is small.

LAND AT NO.19 NORTHWOOD LANE

- 4.7 This part of the proposal is retrospective in that the land has been exchanged and the fencing erected, although I am advised that the formal land transfer has not yet occurred.

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- 4.8 The boundary of No.19 Northwood Lane, previously extended by some 60m into the public open space and being approximately 5m wide, acted as a visual barrier intersecting the space. The strategy of the Parks and Green Spaces Manager was to seek to negotiate the transfer of this land to the Council and thus incorporating it into the Public Open Space. These negotiations involved a land swap with other land that was part of the park to become garden land for No.19. This land swap was considered essential in order to create the desired vista across the park as intended within the 10 year management plan.
- 4.9 The area of land to be transferred to the Council included a stream which is culverted in part and it is intended to cultivate this area to create seasonal ponds and enhanced wetland to foster ecology and the diversity of the area. The land transferred away from Public Open Space is land which lies beyond an area of marsh land and sloping land on the other side. This is not considered to be a valuable area of amenity that is fundamental to the space. It is acknowledged that the land swap is not directly comparable in area. However, the improvements that have been facilitated are essential in creating a high quality environment in line with the long term aspirations for the park.
- 4.10 Concerns have been expressed that the useable open space has been exchanged for land which is wet and unusable. In addition it is stated by residents that the wet nature of the ground is spreading across the park land, making more and more land unusable. The views of the Council's Senior Management Watercourse Officer have been sought in this respect and the comments received are reported above. It is clear that the land is prone to be wet due to the stream that runs through it; the surface water outfall; and, being within the flood plain. Some maintenance of the outfall and stream would help its flow and stop some overflow, but these matters are as a result of taking the land off No. 19 and will form part of the management of the wider open space. It is evident that in order to create seasonal ponding some water will be present at times, as it is at present due to the recent wet months. Overall, I have no evidence to demonstrate that the land exchange alone has caused the increase in wet land or made it unusable and there may be other contributing factors. The land given to No.19 is not considered to be of high significance to the overall function of the park.
- 4.11 Other concerns expressed relate to allegations of anti-social behaviour, due to an area being created behind the new fencing behind Nos. 21 and 22 Northwood Lane. Secluded areas have been in existence in this location since prior to the works taking place; indeed the previous 'dog leg' to the south west created a similar situation. In these situations where housing boundaries adjoin open space there is always the potential for such behaviour or the fear of anti-social behaviour.



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- 4.12 Basing consideration on the facts in this case it is clear that the police do not share the same concerns and that if such alleged incidents are occurring, they are not being reported to the Police. Indeed they state that according to Police records, this is not a 'hot spot' for anti-social behaviour. Taking all aspects into account it is not considered that the land exchange has created an unsuitable situation that would in itself lead to increased anti-social behaviour.
- 4.13 The final concern is that of the visual appearance of the fencing that has been erected. The fencing that defines the boundary is approximately 5ft (1.5m in height) being of a close board finish and unstained. It is planned to stain the fence in an appropriate colour and plant the boundary with hedging. This has not taken place to-date and will not occur until the planning process has been concluded. The final finish of the fencing will be appropriate to the location and will not be visually prominent as at present in its untreated appearance. Whilst it is acknowledged that the fencing position has removed some views that were achieved from the Northwood Lane properties, Members will be aware that the loss of a view is not a planning matter. Indeed it should be noted that the fencing itself does not require the benefit of planning permission as it falls within permitted development rights and is only a consideration in this case as part of the change of use application.
- 4.14 When taking into account the amount of land that has been exchanged and the nature of the land, Officers are of the opinion that the works are to the overall benefit and enhancement of the open space in its entirety in the long term and that the visual enhancements are of greater weight than the concerns over the current management of certain specific elements and aspects of the overall plan.

## 5.0 Conclusions and Recommendations

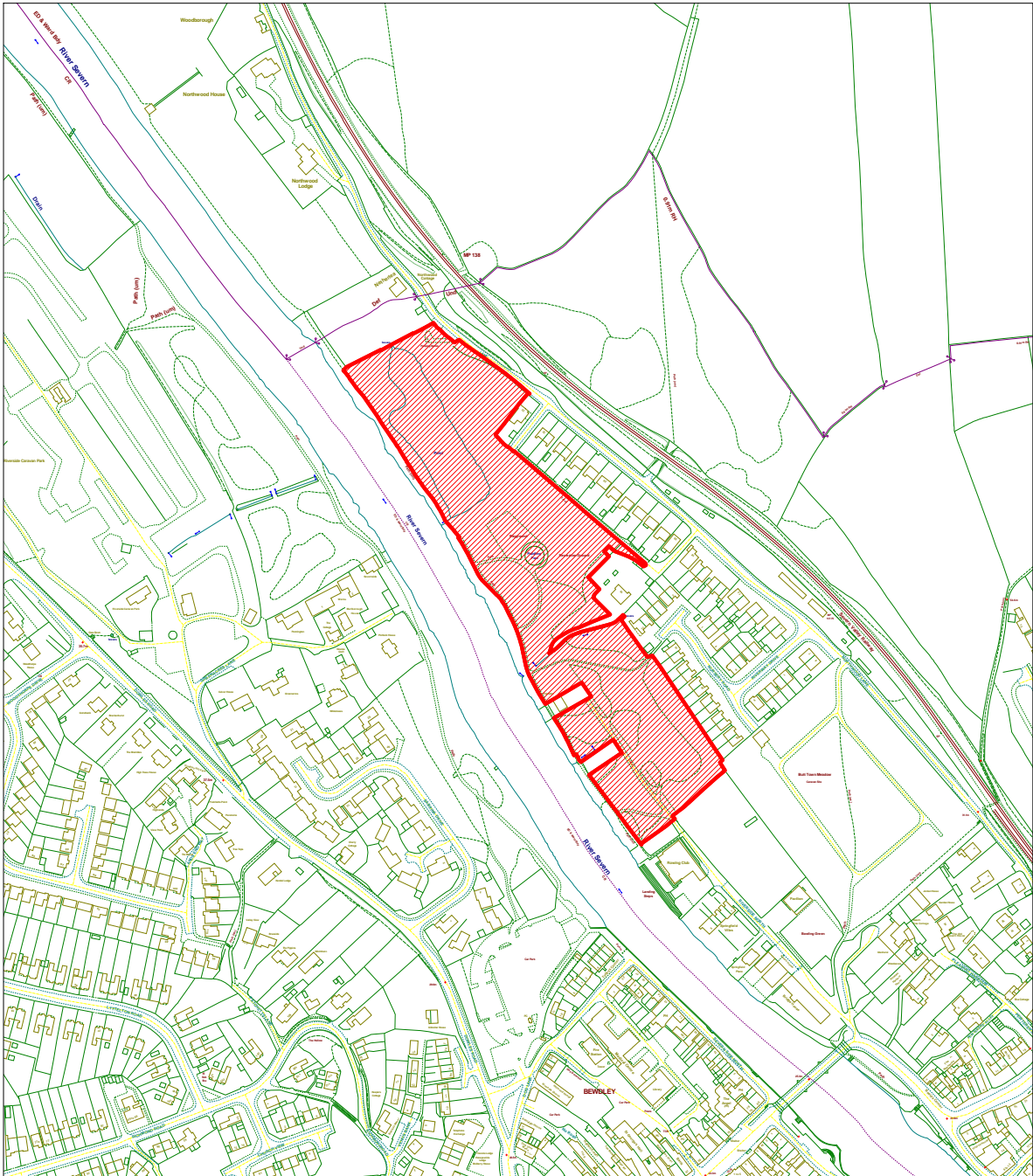
- 5.1 The proposed change of use and associated boundary works are considered acceptable and when taken together provide a positive enhancement to the overall visual appearance of the open space. The net loss of land will not prejudice the function of the Public Open Space nor cause detriment to residential properties. Overall, the benefits that will ensue outweigh any minor concerns that have been raised.
- 5.2 It is therefore recommended that **APPROVAL** be given subject to the following conditions:
1. A6 (Full with no reserved matters).
  2. A11 (Approved plans).
  3. Fencing to be stained within 3 months of permission / construction in accordance with details to be submitted and agreed in writing.
  4. Hedging to be provided within 6months of permission / construction.
  5. Hedge retention.

13/0168/FULL

Note  
Watercourse management.

Reason for Approval

The proposed change of use and associated boundary works are considered acceptable and when taken together provide an overall enhancement to the visual appearance of the open space. The net loss of land will not prejudice the function of the Public Open Space nor cause detriment to residential properties. Overall, the benefits that will ensue are considered significant enough as to outweigh the concerns that have been raised. For these reasons the proposal is in accordance with the policies listed above.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Northwood Lane  
Maggs Meadow  
Bewdley DY12 1AB**



Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556

<b>Application Reference:</b> 13/0192/FULL	<b>Date Received:</b> 12/04/2013
<b>Ord Sheet:</b> 383505 277613	<b>Expiry Date:</b> 07/06/2013
<b>Case Officer:</b> Emma Anning	<b>Ward:</b> Broadwaters

**Proposal:** Proposed 6 no. One bedroom dwellings. Resubmission of withdrawn application 12/0695/FULL

**Site Address:** LAND ADJACENT TO, 60 STOURBRIDGE ROAD, KIDDERMINSTER, DY10 2PR

**Applicant:** Mr & Mrs Humphries

<b>Summary of Policy</b>	H.2 D.10 TR.17 NR.11 (AWFDLP) DS01 DS02 CP01 CP03 CP05 CP11 (AWFCS) SAL.PFSD.1 SAL.DPL1 SAL.CC2 SAL.CC6 (SAP DPD) Design Quality SPG Sections 6, 7 (NPPF)
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

## 1.0 Site Location and Description

- 1.1 The application site is a vacant parcel of brownfield land between 60 Stourbridge Road (a bungalow) to the south-west; Tesco Express to the north-east; Stoney Lane to the west and Stourbridge Road to the east. The land once formed part of the curtilage of the Old Bear public house which previously occupied the existing Tesco store building.
- 1.2 The site slopes down from Stourbridge Road towards Stoney Lane, with a difference in levels of 2m and falls away from west to east by 1m along the Stoney Lane boundary. To the south west boundary sits 60 Stourbridge Road which occupies an elevated position relative to the application site of approximately 2.5m.
- 1.3 A separate parcel of vacant land sits to the rear of 60 Stourbridge Road, along the south west boundary of the site on which planning permission exists for a pair of semi-detached residential properties.
- 1.4 The site is identified on the Local Plan Proposals Map as being in an area suitable for residential development.

## 2.0 Planning History

- 2.1 12/0695/FULL - Proposed two semi-detached dwellings and six 1 bedroom flats with associated access and parking : Withdrawn.

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### 3.0 Consultations and Representations

3.1 Highway Authority - No objection subject to conditions.

3.2 Countryside and Conservation Officer - There are no biodiversity protected species / habitat concerns, as the site is cleared. The ecologist has recommended the following mitigation enhancement;

- 2 bat access tiles on the roofs of the 3 properties overlooking Stoney Lane.
- 3 bat access tiles on the roofs of the properties overlooking Stourbridge Road.
- 4 hole bird boxes suitable for house sparrows to be mounted into the buildings over looking the garden area.

This is good and we should insure these actions get entrenched into the application.

3.3 Crime Risk Advisor - No comments received.

3.4 Worcestershire Regulatory Services - Verbally advise that they do not object to the scheme following detailed negotiations with the applicant and the acoustic engineer. The following mitigation measures should be provided;

- Acoustic fencing to the Tesco boundary and around all rear gardens to minimise external noise levels.
- First floor bedrooms of dwellings fronting Stourbridge Road are to be located at the rear.
- Windows fronting Stourbridge Road to be sound insulating with trickle ventilation.

3.5 Planning Policy Manager - This application is a resubmission of planning application 12/0695/FULL. Given the similarities in the two applications (in terms of the principle of the development), my comments from the previous application still remain largely valid. However, some of my comments have been amended to reflect the alterations in relation to the amount of units proposed and the design of the scheme.

#### OVERVIEW

The site in question is located to the north of Kidderminster town centre and comprises a former public house car park. The site appears to be an un-required part of the recent redevelopment of the former pub into a new retail store and given the characteristics of the site it is considered to be previously developed in nature. The proposal is seeking to redevelop this existing, fairly unmaintained area for residential purposes.

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Given the location of the site and the uses being proposed, it is considered that the following documents are of relevance to the determination of the application:

- National Planning Policy Framework (NPPF).
- Wyre Forest District, Adopted Core Strategy (December 2010).
- Site Allocations and Policies DPD – Publication Version (July 2012).

These are discussed in turn below.

#### NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The NPPF provides a positive platform for considering new development proposals. The NPPF identifies that Council's should follow the presumption in favour of sustainable development and that planning should act to encourage sustainable growth. The application is generally considered to be consistent with the aims of the NPPF, as this would enable new residential development to be provided on a previously developed site.

#### WYRE FOREST DISTRICT, ADOPTED CORE STRATEGY (DECEMBER 2010)

The Adopted Core Strategy identifies in DS01 that development of smaller infill brownfield sites within Kidderminster are acceptable development locations. The Core Strategy also identifies at DS02 that Kidderminster will be the strategic centre for, amongst other use, new housing developments. It is therefore considered that the principle of residential development is acceptable in this location. It should also be noted that the proposal falls under the threshold identified for affordable housing (Policy CP04) and therefore no contribution would be required from this scheme.

#### SITE ALLOCATIONS AND POLICIES DPD

As part of the process of preparing the Site Allocations and Policies DPD a number of sites were considered for residential development. This particular site was not considered through the development of the plan due to the smaller size and therefore there are not any site specific policies that can be attributed to this location. However, the site allocations help to reaffirm the Core Strategy position in terms of the acceptability, in principle, of the proposed site for residential purposes (Policy SAL.DPL1).

- 3.6 Severn Trent Water - No objection subject to a condition requiring details of foul and surface water drainage to be submitted.
- 3.7 Arboricultural Officer - No objections in principle, however the species proposed would not add much interest to the site. There are other preferable species that would be suitable and far more interesting. Also, a 3 year establishment plan (watering, weeding and stake and tie monitoring) and a planting specification is required.

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3.8 Neighbour/Site Notice - Five letters of objection have been received. The main points raised are summarised below:

1. Highway Impact

There is an accident waiting to happen. The delivery lorries to the adjacent Tesco Express store pull up on the Stourbridge Road completely blocking visibility. This will cause a serious risk to the safety of occupiers of the proposed properties when entering or exiting the site.

2. Overlooking and loss of privacy

Four of the objection letters received referred to potential for overlooking and the resultant loss of privacy as a concern. The extent to which this was applicable to each property is as follows:

21 Lyndhurst Drive – Potential for overlooking of rear of property

23 Lyndhurst Drive – Concerns that general privacy will be affected

25 Lyndhurst Drive – Claims of direct overlooking of lounge, kitchen and rear garden.

27 Lyndhurst Drive – Potential for overlooking of bedroom and garden.

3. Design and layout

It is stated that the proposed properties are obtrusive and are not in keeping with the area. The height, size and proximity to existing properties is out of keeping and will result in a loss of privacy.

4. Loss of Light

The scale of the buildings and the height of the site will lead to a loss of light to the garden of 21 Lyndhurst Drive.

5. Existing landscaping

The site previously benefited from trees and hedges to the boundary with Stoney Lane, these have been removed and therefore the privacy afforded by them has also gone.

6. Other Concerns

The introduction of six new houses will result in a loss of peace and quiet.

Within the objections received, it has been suggested that the Planning Committee should visit the site prior to making a determination.

**4.0 Officer Comments**

4.1 Planning permission is sought for the erection of two blocks of three terraced properties with associated amenity and car parking areas. The dwellings would be arranged in two blocks of three with one terrace fronting Stourbridge Road and the other fronting Stoney Lane. The site would have one shared vehicular access off Stourbridge Road which exists at present.

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#### PRINCIPLE OF DEVELOPMENT

- 4.2 In considering whether the principle of the proposed development is acceptable the primary policy considerations are Policy H.2 of the Adopted Local Plan and Policy SAL.DPL1 of the Pre-submission Publication version of the Site Allocations and Policies Development Plan Document which set out locations in which residential development is acceptable. Both policies allow for residential developments on sites within areas allocated for residential purposes on the Proposals Map provided that the site would comprise 'previously developed land' (PDL). As detailed above the site is within a residential area therefore it remains to be considered whether the site meets the definition of 'previously developed land'.
- 4.3 A definition of PDL is set out in Annex 2 of the National Planning Policy Framework and includes land which is occupied by a permanent structure including the curtilage of the developed land. As detailed in the comments of the Planning Policy Manager, the site was formerly part of the curtilage associated with the Old Bear public house and it is therefore considered that the site does comprise previously developed land. As such the principle of residential development on this site is acceptable in accordance with Policy H.2 of the Adopted Local Plan and Policy SAL.DPL1 of the Pre-submission Publication version of the Site Allocations and Policies Development Plan Document.

#### LAYOUT

- 4.4 The site is L-shaped in form, wrapping around the rear of the Tesco store and extending the full length of the boundary with 60 Stourbridge Road and the parcel of vacant land to its rear on which is an extant consent for a pair of semi-detached dwellings. Residential development is proposed to be concentrated along this boundary, as separated as possible from the adjacent retail store.
- 4.5 As previously mentioned, the proposed layout would see two blocks of three terraced properties, one block fronting Stourbridge Road and other fronting Stoney Lane. Properties fronting Stourbridge Road would be arranged so as to respect the established building line of the adjacent properties and as a result would sit comfortably in the street scene in this respect. Properties fronting Stoney Lane would adopt a staggered frontage which would respect the curved nature of the northern boundary of the site to Stoney Lane and would reflect the existing building line as well as the likely building line were the extant consent for two properties to the rear of 60 Stourbridge Road implemented. The proposed layout, by virtue that it would respond sensitively to the pattern of development in the locality is considered to be acceptable.



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- 4.6 A dedicated shared parking area for occupiers and visitors is proposed to the rear of the adjacent Tesco store on the northern boundary of the site closest to the rear service area of the store. To utilise this area for car parking is considered to be a sensible layout option as it allows the residential properties to be located remotely from the retail outlet so as to minimise the potential for disturbance and conflict between the two different adjoining land uses.
- 4.7 The application site measures 0.1 hectares, the development therefore represents a proposed residential density of 60 dwellings per hectare. Adjacent residential density is varied given the mix of property ages and styles. For comparison the following calculations have been made:
- Highest adjacent density = **70 dwellings/hectare** (52-58 Stourbridge Road)
  - Lowest adjacent density (typical) = **43 dwellings/hectare** (98-112 Stoney Lane)
- 4.8 Policy CP05 of the Core Strategy states that 'in areas adjacent to the town centre, new development should incorporate housing densities of at least 50 dwellings per hectare'. In considering the policy requirements and the development proposal in the context of the site's surroundings it is considered that the proposed density of development is acceptable in this location.
- 4.9 The layout proposed would result in each property having a private rear amenity space of between 8.2m and 10.2m. Whilst it is normal accepted practice for garden lengths to be a minimum of 10m it is acknowledged that there is flexibility to be had. In this instance given the modest size of the dwellings it is considered that the smallest proposed garden of length 8.2m is acceptable and would afford sufficient amenity space for an occupier of the proposed property. With gardens of the lengths described there would be window to window distances of between 18.2m and 20.2m at the first floor of the proposed dwellings. Whilst 20m between first floor habitable windows would normally be desirable it is considered that the lesser distance of 18.2m between the proposed rear first floor windows would not be so significant as to warrant a reason for refusal in this instance. Given that any potential occupiers would be aware of the relationship between the buildings this would not give rise to a situation which would compromise the amenity and privacy of any future occupiers.
- 4.10 It is therefore considered that the proposed layout responds sensitively to the form and context of the site and as such represents an acceptable footprint of buildings and spaces which would harmonise with the established pattern of development in this area of Kidderminster.

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#### SCALE AND DESIGN

- 4.11 The proposed dwellings would be two storey in height and of a typical modern design. The proposed dwellings would include features and detailing such as window cill brick detailing and a dentil course at eaves height to add interest to the appearance of the properties. Overall the design is considered to be acceptable, as it would blend with the locality which is characterised by a mix of dwelling, styles, sizes and designs. The two terraces are not of an identical form but instead have been designed to adapt to the individual characteristics of Stourbridge Road and Stoney Lane.
- 4.12 The proposed terrace of properties fronting Stourbridge Road is proposed to be a flat-fronted design with a hipped roof, set back from the edge of carriageway by just over 11m. The hipped roof design has been introduced due to the proximity of the neighbouring property at 60 Stourbridge Road, a detached bungalow which is 4m from the shared boundary and which sits on ground which is higher than the application site.
- 4.13 The difference in levels between the two sites would mean that the two storey dwellings would sit just 0.6m higher than the existing bungalow at the ridge. With a separation distance of 5m this would result in the proposed dwellings not being visually or physically overwhelming compared with the existing bungalow. Similarly the hipped roof design of the proposed terrace would ensure that the visual bulk of the proposed dwellings would be reduced when viewed from the adjacent property. As such the scale of the proposed dwelling relative to the neighbouring property is considered to be acceptable and would not present an overbearing feature which could be considered to compromise the amenity of occupiers of 60 Stourbridge Road.
- 4.14 No. 60 Stourbridge Road has its rear entrance and two windows facing the application site and they would therefore face onto the side elevation of the proposed dwellings. One window serves a bathroom and the other is a secondary light source to a kitchen and as such the likelihood of any significant loss of light to these windows adversely affecting the amenity of occupiers is minimal. Notwithstanding the above, an assessment of the impact of the development on daylight to 60 Stourbridge Road has been made. The 45 degree rule is not considered to be applicable in this instance given that the proposed development sits to the front of the windows and the 45 degree rule lends itself more usefully to assessing the impact of development located to the side of a property. In this instance the 25 degree tilt is most effective in determining any possible implications for loss of light to these windows.

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- 4.15 As is demonstrated on the drawings submitted with the application the hipped roof design of the properties fronting Stourbridge Road allows for the 25 degree tilt, when measured from the cill height of windows at 60 Stourbridge Road, to be respected and for this reasons Officers are satisfied that there would be no undue loss of light to these windows. In addition, the north-east facing orientation of the windows would mean that direct sunlight to the windows is limited as the sun's trajectory would see it pass over the property and around from east to west thus avoiding direct sunlight to this elevation. The proposal will therefore not diminish the amount of direct sunlight to these windows and as such there will be no significant loss of light for occupiers of this property. Members are advised that no adverse comments from the occupier of the property have been received.
- 4.16 The proposed terrace of properties fronting Stoney Lane would consist of three dwellings with a staggered footprint following the curve of the application site. The design of the dwellings with a gable end roof would be consistent with the design of the dwellings approved on land to the rear of 60 Stourbridge Road and the existing properties on Stoney Lane. In this respect officers are satisfied that the design of the proposed dwellings would harmonise with the street scene.
- 4.17 In terms of scale, the properties would measure 7m in height (to the ridge) and would be a two-storey design. Concern has been raised by objections that the scale of the properties would be out of keeping with the area and would, by virtue of their proximity to existing properties, result in a loss of amenity to their occupiers as a result of being visually overbearing. Occupiers of properties along Lyndhurst Drive currently enjoy a semi open aspect looking south towards Stoney Lane by virtue of the derelict nature of the application site and the plot of vacant land to the rear of 60 Stourbridge Road. Officers accept that the redevelopment of either of these sites will clearly impact on the view which is currently enjoyed, however in being mindful that the loss of a view is not a planning consideration then it remains to be considered whether the proposed development would be overbearing in its impact on existing dwellings. It is considered that the design of the proposed dwellings fronting Stoney Lane are of modest proportions and would benefit from a shallow 25 degree roof pitch which would help minimise the visual bulk of the buildings. When coupled with the acceptable separation distances between properties as outlined below it is considered that the proposal would not result in a development which would have an overbearing and therefore unacceptable impact on the amenity of occupiers of adjacent dwellings.

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- 4.18 A concern raised by objectors is whether the proposed development would lead to a loss of amenity to neighbours by virtue of overlooking. The proposed properties fronting Stoney Lane would be in close proximity to existing properties 21, 23 and 25 Lyndhurst Drive which runs to the north of Stoney Lane and the rear gardens of which extend up to the boundary with Stoney Lane. Concern has been raised by occupiers of these dwellings that the proposed development would lead to a detrimental impact on their amenity due to direct overlooking of rear gardens and/or rear habitable rooms. In this regard, Members are advised that the respective separation distances between the proposed dwellings and the rear elevation of existing properties (at their closest point) are as follows:

27 Lyndhurst Drive – 51m.  
25 Lyndhurst Drive – 40m.  
23 Lyndhurst Drive – 31m.  
21 Lyndhurst Drive – 23m.

- 4.19 Typically the District Council would seek to achieve a separation distance in excess of 20m between first floor windows. Clearly the separation distances outlined above exceed this level, however it is acknowledged that the change in levels between Lyndhurst Drive and the application site of 1.5m, with the existing properties on Lyndhurst being at the lower level, would increase the potential for overlooking. In light of this, in order to minimise any potential overlooking the internal layout of the proposed properties has been amended since the application was initially submitted so that no habitable room windows will look out at the first floor towards properties on Lyndhurst Drive. With only a bathroom and a study at the first floor and where separation distances in excess of 30m exist Officers consider that there will be minimal realistic prospect for direct overlooking. Where there is a lesser separation distance, between 21 Lyndhurst Drive and the proposed dwellings it is considered that the orientation of the properties which sit at a 35degree angle to each other would not allow for direct overlooking to occur.
- 4.20 Notwithstanding the objections received, for the reasons detailed above Officers are satisfied that the proposed properties are of an acceptable scale and design that would not lead to the deterioration of the amenity of neighbouring occupiers by virtue of overlooking or result in a development which would have an overbearing impact on occupiers of those properties.

#### LANDSCAPING & BOUNDARY TREATMENT

- 4.21 Several areas of soft landscaping are proposed within the development site most notably at the boundary with Stourbridge Road, to the rear of the adjacent Tesco Express store and along the boundary of the proposed car park fronting Stoney Lane. The proposed plans show planting in the form of silver birch trees, a proposal which has been considered by the District Council's Arboricultural Officer who has commented as detailed above. In view of the comments of the Arboricultural Officer it is proposed that a condition requiring a full and comprehensive landscaping scheme should be submitted and approved by the Local Planning Authority prior to commencement of works.

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- 4.22 Officers note the third party comment that the site has recently been cleared of landscaping, namely some large trees and shrubs which has removed the privacy afforded by them to occupiers of nearby properties. Given that none of the trees were subject to a Tree Preservation Order then their removal was lawful and as such, the loss of the vegetation is not a material consideration in the determination of this application. It would however be possible, through a planning condition, to ensure that a landscape scheme referred to above includes suitable replacement tree planting to mitigate for the loss of the trees which have been removed.
- 4.23 The site currently benefits from some varied boundary treatment, with the Stourbridge Road elevation having a low level brick wall on either side of the existing access. The Stoney Lane boundary is a mix of palisade fencing and timber fence panels on concrete base boards. The boundary shared with 60 Stourbridge Road is a brick retaining wall topped with close-board timber fencing, and the boundary shared with Tesco Express has relatively new close-boarded fencing along its length. It is proposed that all existing boundary treatment would be retained save for the existing fencing along the Stoney Lane boundary. As originally submitted it was proposed to erect 0.9m close boarded fencing along the boundary to Stoney Lane however officers were concerned that this would offer little aesthetic gain to the Stoney Lane street scene. Following negotiations with the applicants it is now proposed that 0.9m high railings will be installed which would improve the visual amenity of this part of the Stoney Lane street scene. The boundary treatment proposed is therefore considered to be acceptable.
- 4.24 Additional fencing is proposed to the boundary with the adjacent Tesco store in the form of 1.8m high acoustic fencing, as discussed below. Similarly acoustic fencing would be installed to all rear amenity areas.

#### ECOLOGY & BIODIVERSITY

- 4.25 During the consideration of the previous and subsequently withdrawn applications, local residents raised a concern that the site is used regularly by the local bat population. Accordingly an ecological assessment has been carried out and was submitted with the current application. The report has been considered by the District Council's Countryside and Conservation Officer who comments as detailed under paragraph 3.2 of this report. Whilst the site does not appear to be used by a protected species, the report does propose the following ecological enhancement measures;
1. 2 bat access tiles on the roofs of the 3 properties overlooking Stoney Lane.
  2. 3 bat access tiles on the roofs of the properties overlooking Stourbridge Road.
  3. 4 hole bird boxes suitable for house sparrows to be mounted into the buildings over looking the garden area.

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- 4.26 These measures have been assessed and are welcome as a form of ecological enhancement for this development. The proposed plans show the location of the bat access tiles however no detail of the bird boxes has been provided at this stage. It would be necessary to include a condition on any consent requiring details to be submitted prior to first occupation.

#### AMENITY & NOISE

- 4.27 Given that the application site sits adjacent to a Tesco Express retail outlet, which has air conditioning units installed on its rear elevation, there was some concern that the noise generated by the air conditioning units could potentially adversely affect the amenity of occupiers of the proposed dwellings. A noise assessment was carried out by the applicants and was subsequently considered by Worcestershire Regulatory Services. The initial report was considered to have omitted some information which has since been updated. At the request of Worcestershire Regulatory Services the following noise mitigation measures have been incorporated into the scheme:

- Acoustic fencing to the Tesco boundary and around all rear gardens to minimise external noise levels.
- First floor bedrooms of dwellings fronting Stourbridge Road are to be located at the rear.
- Windows fronting Stourbridge Road to be sound insulated with trickle ventilation.

- 4.28 The applicants have agreed to the above measures and have provided revised plans showing the measures being part of the scheme. Officers are therefore satisfied that with these inclusions there would be no loss of amenity to future occupiers of the proposed properties as a consequence of their proximity to the Tesco store. The comments of Worcestershire Regulatory Services support this view.

#### ACCESS, TURNING & PARKING

- 4.29 It is proposed that all properties would gain vehicular access to the development via the existing site entrance from Stourbridge Road. The access road would take the form of a private driveway serving the six dwellings, it would run to the north-east of properties fronting Stourbridge Road, between them and the Tesco store, and would lead to a shared parking area accommodating six car parking spaces. Three further car parking spaces are proposed to the front of the development fronting Stourbridge Road. In terms of car parking provision the development plan would require that six spaces be provided, with nine being proposed in total the scheme more than meets the required parking standards. With sheds being provided in the rear garden of each property the scheme could also accommodate the required cycle parking provision as set out in Worcestershire County Council's 'Local Transport Plan 3'.

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- 4.30 Members will have noted that the Highway Authority do not object to the proposal but do recommend that conditions relating to the surfacing and consolidation of the access and parking areas prior to the first use of the development are included on any consent. For the reasons set out above officers are satisfied that the proposal would provide satisfactory parking provision and would not therefore give rise to a situation which would be detrimental to highway safety.
- 4.31 A highway safety concern was raised by a neighbour that the safety of motorists leaving the site may be compromised by the large Tesco delivery vehicles and other similar visiting vehicles which currently park on Stourbridge Road across the site entrance. Whilst accepting this as a valid concern it is considered that once the site is clearly used for housing then the likelihood of vehicles parking over the entrance to visit the adjacent store would be minimised.
- 4.32 Pedestrian access points are from Stourbridge Road and Stoney Lane. The properties fronting Stourbridge Road will be accessed via the existing site entrance whilst those fronting Stoney Lane will see a new pedestrian access created, via the pedestrian walkway which runs from the head of Stoney Lane to Springfield Avenue. This would be a public access and would serve to provide the principal pedestrian access to the three properties proposed to Stoney Lane as well as to provide pedestrian access through the site connecting Stoney Lane and Stourbridge Road. Officers consider that the proposed pedestrian entrance and exits to the site are acceptable and will serve to provide a development which is well connected to its surrounding streets and spaces.

#### OTHER MATTERS

- 4.33 Given the modest separation distances and size of the curtilage of each of the proposed properties, Officers consider it would be appropriate to remove 'permitted development' rights for extensions to the rear of the properties and for extensions in the roofspace. This is to ensure that adequate amenity space would be retained in perpetuity and that no additional opening in the roofspace are introduced which could have an adverse impact upon neighbour amenity.

### 5.0 Conclusions and Recommendations

- 5.1 For the reasons outlined above the proposed development is considered to be acceptable. Officers therefore recommend that the proposed development is **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters).
  2. A11 (Approved plans).
  3. B1 (Samples/details of materials).
  4. Details of windows and doors.

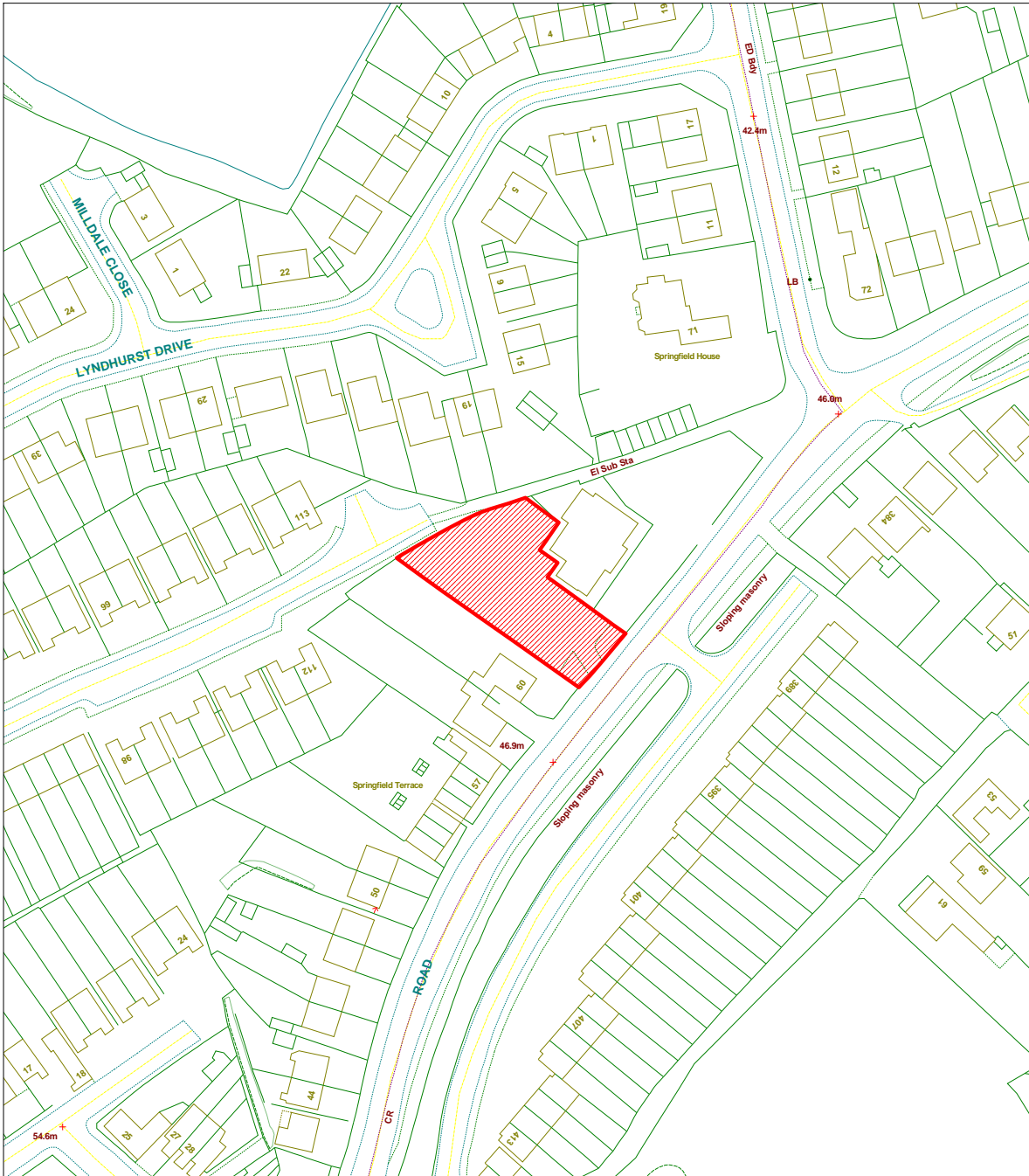
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5. Details of all boundary treatments.
6. Landscaping scheme.
7. Landscape implementation in accordance with the relevant British Standard.
8. Landscape maintenance schedule (3 years).
9. Foul and surface water drainage.
10. Access, turning and parking.
11. Cycle Parking (Multi Unit).
12. Removal of Permitted Development Rights.

Reason for Approval

The proposed dwellings are well designed and will have an acceptable appearance in the street scene. The scheme is also acceptable in terms of highway safety. The impact of the dwellings upon neighbouring properties has been carefully assessed and it is considered that there will be no undue impact upon their amenity. For these reasons the proposal is considered to be in accordance with the policies listed above.





ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Land adjacent to 60 Stourbridge Road  
Kidderminster  
DY10 2PR**



Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF Telephone: 01562 732928. Fax: 01562 732556

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**11<sup>TH</sup> JUNE 2013**

**PART B**

<b>Application Reference:</b>	13/0187/FULL	<b>Date Received:</b>	11/04/2013
<b>Ord Sheet:</b>	389518 274612	<b>Expiry Date:</b>	06/06/2013
<b>Case Officer:</b>	Julia McKenzie-Watts	<b>Ward:</b>	Blakedown and Chaddesley

**Proposal:** Demolition of existing garage and erection of new detached double garage

**Site Address:** PORTLAND HOUSE, DORHALL, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4QJ

**Applicant:** Mr R Neale

<b>Summary of Policy</b>	GB.1, GB.2, G.B6 (AWFDLP) CP03, CP11, CP12 (AWFCS) SAL.UP1, SAL.UP7 (SAP DPD) Design Quality SPG Sections 7, 9 (NPPF)
<b>Reason for Referral to Committee</b>	Statutory or non-statutory Consultee has objected and the application is recommended for approval
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 Portland House is a large detached property located on Woodrow Lane in Doorhall, a small settlement to the north of Chaddesley Corbett.
- 1.2 The site is within the West Midlands Green Belt. There is a neighbouring property and one opposite the site with other large properties further to the east and west.
- 1.3 It is proposed to erect a detached double garage to the side of the site after removal of an existing double garage which is located nearer to the dwelling.

**2.0 Planning History**

- 2.1 None.

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### **3.0 Consultations and Representations**

- 3.1 Chaddesley Corbett Parish Council – Objection to the proposal and recommend refusal. The Parish Council is concerned about the design and height of the roof of the proposed new garage which is out of keeping with the property.
- 3.2 Neighbour/Site Notice – No representations received.

### **4.0 Officer Comments**

- 4.1 The current application is for the erection of a detached brick built double garage with tiled roof, with storage area and WC to the rear.
- 4.2 The current garage which is to be demolished is located immediately adjacent to main property. The new garage building would measure 6.2 x 8.8m to a maximum height of 5.6m located 5.6m from the side elevation of the dwelling to replace the existing. The plans state that the existing garage is to be removed from site; however, a condition attached to the approval will ensure that this is carried out within three months of the erection of the new structure. It is also proposed to extend the existing driveway at the property in order to provide a hardcore parking area.
- 4.3 The agent has stated that the existing house has a paddock area that is approximately 4 acres and that the current garage contains equipment needed to maintain these two areas of land and cannot be used for the parking of cars. The new larger garage facility would provide internal storage for garden machinery and equipment and allow the remainder of the garage to be utilised as secure parking for two vehicles. The location of the new garage, in line with the building line of the main house would ensure a greater degree of natural surveillance of the front forecourt to Portland House as security issues have been present with the garage being positioned so far back from the side of the house. It is hoped that the storage area to the rear of the garage would allow the removal of some dilapidated sheds which would have a positive effect on the Green Belt.
- 4.4 In terms of Green Belt policy, Policy GB.1 of the Adopted Wyre Forest District Local Plan, paragraph 89, section 7 of the National Planning Policy Framework (NPPF) and Policy SAL.UP1 of the Pre-submission Publication Version of the Draft Site Allocations and Policies Development Plan Document, the extension or alteration of a building is allowed provided that it does not result in disproportionate additions over and above the size of the original building. The erection of detached buildings within the grounds of existing dwellings is not specifically mentioned and would be considered to constitute inappropriate development and therefore any such application would be likely to be refused unless very special circumstances exist to outweigh any potential harm.

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- 4.5 Members are advised that there is the potential for an outbuilding to be erected under the provisions of Part 1, Class E the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Under Class E an additional garage could be erected with a maximum ridge height of 4m to the side or rear of the existing property within the residential curtilage, without the need for planning permission, although it would be necessary to position such a building a minimum of 2.0m from the site boundary.
- 4.6 The proposed garage would be positioned to the side of the dwelling and would have a maximum height of 5.6m. Whilst it is acknowledged that this would be higher than a building which could be erected under permitted development, the larger garage would enable secure parking for the owners cars and storage for machinery, the removal of the existing garage and the removal of some dilapidated sheds. In terms of scale and design, the garage would integrate well with the character of the area and as a result, have a lesser impact on the Green Belt than the present situation, and as such it is considered that very special circumstances can be demonstrated.
- 4.7 The Parish Council has raised an objection to the proposal and recommend refusal. The agent has declined any suggestion to consider a reduction in the ridge height of the garage on the basis that the proposed pitch will enable the use of single plain tiles to match the main house. A reduction in pitch height as is suggested by the Parish Council would mean that such matching tiles could not be utilised and the only alternative would be interlocking tiles which Officers consider would be inappropriate and out of keeping with the host property.
- 4.8 The garage is considered to be appropriate development in the locality in that it would be erected to the side of the property and would be constructed in materials which would be aesthetically pleasing when viewed in the locality and would replace an existing structure. Although two large conifers are to be removed in order to facilitate the structure, there are numerous other trees that would remain and as such would serve to reduce the impact of the garage on the openness of the Green Belt. The garage is considered to be of a modest size whilst providing the required covered area and would be in keeping with the host property which would maintain its visual dominance. As a result, the building would not have any significant detrimental impact on the openness or character of the Green Belt due to its design which would match the host property and as such avoid the creation of an incongruous feature within the locality.

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## 5.0 Conclusions and Recommendations

- 5.1 By virtue of its siting, materials and design, the proposed garage is considered to be of an appropriate scale and would not be considered to be detrimental to the character, visual amenity or openness of the Green Belt.
- 5.2 It is therefore recommended that the application is **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters).
  2. A11 (Approved plans).
  3. B6 (External details – approved plan).
  4. J6 (Building – domestic purposes only) linked to occupation of Portland House.
  5. Existing garage to be removed from site within three months of the erection of the new garage.

### Reason for Approval

By virtue of its siting, materials and design, the proposed garage is considered to be of an appropriate scale and would not be considered to be detrimental to the character, visual amenity or openness of the Green Belt. For these reasons the proposal is considered to be in accordance with the policies listed above.

<b>Application Reference:</b>	13/0193/FULL	<b>Date Received:</b>	09/04/2013
<b>Ord Sheet:</b>	382650 276897	<b>Expiry Date:</b>	09/07/2013
<b>Case Officer:</b>	Emma Anning	<b>Ward:</b>	Franche

**Proposal:** Conversion of existing garage workshop, formerly part of the demolished mill, to 5 no. two-bed dwellings and the construction of 3 no. two bedroom dwellings and 5 no. live-work units, with associated amenity and parking facilities.

**Site Address:** 78 MILL STREET, KIDDERMINSTER, DY11 6XJ

**Applicant:** Mr M Worton

<b>Summary of Policy</b>	E.6 D.10 D.11 NR.2 NR.12 CA.1 NC.2 NC.3 NC.7 TR.17 (AWFDLP) DS01 CP02 CP03 CP05 CP07 CP11 CP13 CP14 (AWFCS) SAL.DPL1 SAL.UP3 SAL.UP.5 SAL.UP6 SAL.UP7 SAL.UP9 SAL.CC7 (SAP DPD) Sections 2, 6, 7, 11, 12 (NPPF)
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL subject to Section 106 Agreement</b>

## 1.0 Site Location and Description

- 1.1 The application site is an area to the rear of 78 Mill Street, a former car sales site. The site comprises a vacant warehouse building and large open area to the rear adjacent to the River Stour. The site is accessed off Mill Street via an existing vehicular access. The site is identified in the Adopted Wyre Forest District Local Plan as a mixed use area. The site shares a boundary with the River Stour, a Special Wildlife Site. The site is within Flood Zones 2 and 3 as defined by the Environment Agency.
- 1.2 Consent is sought for the conversion of an existing garage workshop, formerly part of the demolished mill, to 5 no. two-bed dwellings and the construction of 3 no. two bedroom dwellings and 5 no. live-work units ( scheme to include 4 no. affordable units). The sceme includes details of associated landscaping, access and parking facilites.

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## 2.0 Planning History

- 2.1 WF/0508/03 OUTL - Erection of two blocks of apartments with associated car parking : Approved.
- 2.2 09/0007/RESE - Erection of two blocks of apartments, car parking, two ground floor offices : Approved.
- 2.3 09/0818/FULL - Conversion of existing garage workshop to five live/work units and construction of eight one-bedroom dwellings with associated amenity and parking facilities : Withdrawn.
- 2.4 10/0165/FULL - Conversion of existing garage workshop, formerly part of demolished mill, to five two bedroom dwellings, construction of three dwellings and five live-work units, with associated amenity and parking facilities: Approved.

## 3.0 Consultations and Representations

- 3.1 Highway Authority – No objection subject to conditions as follows:
- Access, turning and parking facilities to be surfaced and consolidated prior to first use.
  - Parking for 2no. cycles to be provided for each dwelling.
  - Details of the amendments to the access off Mill Street to be approved prior to occupation.
  - Parking for site operatives to be provided prior to development beginning.
- 3.2 Countryside and Conservation Officer – All is well from a biodiversity point of view with the updated survey not adding to my previous comments. I am happy that these can be dealt with through conditions.

(Comments on previous application 10/0165/FULL)

*The increase in the stature of the proposed buildings increases the potential of harm. I am happy that there is unlikely to be any direct threat to protected species on the site itself.*

*I am concerned that there is a threat of disturbance to the River Stour Special Wildlife Site (SWS) wildlife corridor, from both light being cast across it and physical disturbance from the construction and subsequent use of the development. We need further evidence of how the SWS will be protected from light pollution and disturbance.*

*It would good to be able to see this achieved through some robust river side planting of appropriate native trees and shrub species.*

*It would also be good to see some enhancement works through either some in stream measures and/or through the use of appropriate bird and bat boxes being used throughout the development*

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3.3 Environment Agency – No objections, in principle, to the proposed development subject to conditions.

3.4 Conservation Officer - No comments received.

(Comments on previous application 10/0165/FULL)

*I have no objection to these proposals and do not feel that they will have a detrimental impact on the character, appearance or setting of the nearby Locally listed buildings.*

3.5 Worcestershire Regulatory Services [WRS] (Noise) - I have no objections to the proposed development but would suggest that a condition be included in the decision notice relating to the type of activity to be undertaken in the work units; along the lines of the occupier(s) informing WFDC of the initial type of activity and any subsequent change of activity, WRS could then be consulted to comment with relation to noise / odour / dust.

(Contaminated land) In response to your consultation request, we have not identified any contaminated land issues

3.6 Natural England - This application falls within or is in close proximity to Puxton Marshes Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

3.7 Severn Trent Water Ltd - No objection subject to drainage condition.

3.8 Policy and Regeneration – Views awaited.

(Comments on previous scheme 10/0165/FULL)

*The proposal site is located along Mill Street in Kidderminster and is an identified Mixed Use area on the Adopted Local Plan Proposals Map. Due to the sites location the policy considered most pertinent for the application is Policy E.6: Areas Allocated for Mixed Uses. Policy E.6 permits B1 (office) use classes along with residential development, subject to the residential element being in conjunction with other uses. The proposal is therefore in line with the spirit of Policy E.6 as it is proposing residential development in conjunction with a number of live/work units, which will provide small starter units for the local business community. This concept of small starter units is something that will be encouraged further through the Core Strategy. Therefore, it is considered the application would appear to satisfy the requirements laid out in Policy E.6 as well as being in line with the future development aspirations of the District.*



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3.9 Worcestershire Wildlife Trust – Views awaited.

(Comments on previous scheme 10/0165/FULL)

*We note that the site falls adjacent to the River Stour SWS but we do not think that the proposals will have an adverse effect on the features for which it was selected. Accordingly we do not wish to object to the application but we would suggest that you append a condition to control runoff and potential pollution risks from construction work and the resulting development to any permission you may be otherwise minded to grant. We would also suggest that a condition to cover ecological enhancement should be attached, in line with PPS9. In this case the installation of bat and bird boxes on the main buildings would an appropriate option to take forward.*

3.10 Neighbour/Site Notice – No representations received.

**4.0 Officer Comments**

4.1 Consent is sought for the conversion of an existing garage workshop, formerly part of the demolished mill, to 5 no. two-bed dwellings and the construction of 3 no. two bedroom dwellings and 5 no. live-work units (scheme to include 4 no. affordable units). The sceme includes details of associated landscaping, access and parking facilites.

4.2 Some Members may recall that an identical application was approved in 2010 for the conversion of the existing garage workshop to five two bedroom dwellings, the construction of three dwellings and five live-work units, with associated amenity and parking facilities. This consent lapses on 23 June 2013 and as such the applicants are seeking a new consent for the same development.

**PRINCIPLE OF DEVELOPMENT**

4.3 Despite the proposed scheme being identical to the extant consent there have been significant changes to national planning policy, following the publication of the National Planning Policy Framework in March 2012 and changes to local policy following the adoption of the Core Strategy on 9th December 2012. Similarly the District Council's Site Allocations and Policies Development Plan Document has been through an Examination in Public and the Inspector has recently issued her final report on the soundness of the document. The final document is due to be adopted by Full Council in July 2013, however given the advanced stage of the development plan document it is considered that significant weight can be attached to the policies contained within it, in line with the provisions of Paragraph 216 of the National Planning Policy Framework. The policies now relevant to the determination of this application are listed above.

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- 4.4 At the time of considering the previous application Policy E.6 of the Adopted Local Plan formed the principal policy consideration, whilst this policy is still part of the development plan additional policies contained in the Kidderminster Central Area Action Plan Development Plan Document are now also relevant. Policy KCA.MS1 is a site specific policy for Mill Street which seeks to promote the following mix of uses;
- Offices (B1a).
  - Dwelling Houses (C3).
  - Non-Residential Institutions (D1).
  - Assembly and Leisure (D2).

- 4.5 The scheme comprises thirteen dwellings in total. However five of these are proposed as live work units. Whilst it is accepted that not all of the dwellings on site are proposed in connection with other uses it is considered that the overall mix of proposed uses on this site would satisfy the requirement to maintain this part of Kidderminster as a 'mixed use' area, in accordance with Policies E.6 and KCA.MS1. The principle of the proposed development is therefore considered to be acceptable.

- 4.6 It is envisaged that the live-work units would attract small scale independent start-up businesses, typically comprising one person working alone to establish the business. Clearly not all types of enterprise would be compatible with this type of live-work set up, and it would be necessary to appropriately condition these units to ensure that an open business use was not issued which could compromise amenity or highway safety in this locality or would contradict the land use aspirations for the area. Typically activities such as professional services, for example an accountants office or similar or an architect, could be appropriate uses. It is therefore suggested that a condition requiring the use of the ground floor of each live-work unit to be approved in writing by the Local Planning authority prior to first occupation and any subsequent changes of use would be appropriate in order to control future business uses of the live-work units.

#### DESIGN & SITING

- 4.7 The arrangements of buildings and spaces as proposed is identical to the previously approved scheme in that the site would be accessed from an existing access way to the west of the site, with vehicular and pedestrian access leading immediately into the communal parking area nearest to the boundary with the river. The proposed new live-work block would be sited behind the parking area between it and a recently built apartment block. The building to be converted would sit adjacent to the new block with private gardens and a pedestrian walkway separating the two.

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- 4.8 The arrangement of buildings and parking areas has, to a large extent, been dictated by the sites proximity to the river and the corresponding Flood Zones which has prevented new residential accommodation being located to the north of the site near to the waters edge, as a result most new built development would occupy the centre of the site. This footprint of development sits well on the site as it allows the built form to be closest to existing buildings and does not therefore compromise the openness of the River Stour. Similarly, in siting the parking areas adjacent to the river also allows for substantial planting along the boundary, which will, subject to appropriate conditions, contribute positively towards delivering an ecological gain on the site in accordance with the previous recommendations of both Worcestershire Wildlife Trust and the Countryside and Conservation Officer and will provide substantial screening of the development from the river. For these reasons it is considered that the footprint of buildings and spaces proposed would be acceptable in terms of the impact on the visual amenity and ecology of the adjacent river and surrounding townscape.
- 4.9 The existing warehouse building is to be converted with minimal external alterations, in order to preserve the character of the building. Changes which are proposed include the introduction of window and door openings and the installation of velux style windows to the east and west elevations. Existing first floor half-moon window openings would be in-filled. The new building proposed would be 2.5 storey and would be of modern design with dormers to the roof. Small architectural details have been borrowed from the style of the warehouse building such as the arched entranceways and full length windows. In assessing the suitability of the design of the buildings on site the advice of the District Council's Conservation Officer was sought on the previous proposal and given that the design is identical to that previously approved and I am satisfied that they are of a design appropriate for the site which would not cause harm to the visual amenity of the area.
- 4.10 The height of the proposed new building would be two and a half storey whilst the existing warehouse building would remain a two storey property. Given that the surrounding buildings are a mix of heights with the adjacent recently built apartment block being three and a half storeys and other buildings such as the garage being single storey I consider the proposed new block would sit comfortably amongst the existing buildings near to the site.
- 4.11 It is proposed that each dwelling would have its own area of private amenity space, in this instance, to the front of each property. Sizes for amenity areas would range between 6-10 m in length. There would be no facing windows and distances between existing properties and gardens is in excess of 10m. This being the case there would be no undue impact on the amenity of occupiers of any existing or proposed properties and adequate amenity provision is proposed.

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- 4.12 No details of the proposed boundary treatments have been provided. However, it would be possible to ensure that these were appropriate to the site through a condition requiring details to be submitted and approved prior to any development commencing.

#### BIODIVERSITY & FLOOD RISK

- 4.13 The majority of the site is located within Flood Zone 3 (high risk, 1% annual probability flood risk), and as such and in accordance with Environment Agency requirements a full and updated Flood Risk Assessment has been submitted with this application. The assessment has been considered by the Environment Agency who do not object to the proposed development.
- 4.14 The application site shares a boundary with the River Stour Special Wildlife Site and accordingly an ecological report accompanied this application on which Worcestershire Wildlife Trust and the District Council's Countryside and Conservation Officer have been consulted. The District Council's Countryside and Conservation Officer does not object but, as with the previous application, does suggest that conditions be attached to any permission requiring ecological enhancement on the site, namely bat and bird boxes as well as appropriate planting. It is also recommended that a condition to control pollution risks from any water run-off from the site is attached to any consent. Based on the above consultation feedback it is considered that the detail contained within the ecological survey is satisfactory and that no harm to any ecological interests would arise as a result of this development. This could be reinforced by imposition of suitable conditions. Natural England has raised no objections.
- 4.15 Worcestershire Regulatory Services have confirmed that the site is known to suffer from some contamination. It therefore recommends the inclusion of a condition requiring a landfill gas investigation to be carried out and appropriate precautionary measures put in place before any works commence on site. Concerns regarding land contamination were previously raised by the Environment Agency also who advised that:

*"It is clear from the information provided that there is a significant risk of contamination of the soils and the groundwater underlying the site. We acknowledge that in order to establish site conditions and therefore the risk, an intrusive site investigation (SI) is recommended.*

*The scope appears to acknowledge that groundwater should be considered as a receptor for the site as groundwater sampling has been proposed. It is important to ensure that any risk to controlled waters is adequately assessed as the site is located on the Wildmoor Sandstone, a major aquifer of regional strategic importance and within a Source Protection Zone 2 of a public water supply borehole. It is essential that several of the sampling locations are advanced to the water table across the entire site in order to identify any impact on groundwater and also to assist in deriving flow directions etc.*

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*It is essential that the soils and waters are tested for the appropriate range of contaminant as detailed in the relevant DOE industry profiles. Clearly the site history will be associated with a carpet factory, electricity engineering depot and more recently as a vehicle maintenance and repair garage. Leachability tests will also be required in order to establish the mobility of any metals/inorganic contaminants within the soils. The proposals as submitted do not appear to mention the number of soil samples to be analysed. The rationale for the sampling locations and frequency is unclear and needs to be considered and explained fully.*

*We would therefore suggest that the appointed environmental consultant pulls together a detailed 'scope of works' for the SI. This should be submitted to us for review prior to the start of the site investigation (SI) works, to allow discussion of the scope. It is essential that the proposals are in accordance with BS10175 and CLR11. "*

- 4.16 In light of the above, the Environment Agency has recommended several conditions to ensure that the development would not give rise to harm being caused to watercourses.

#### HIGHWAY MATTERS

- 4.17 It is proposed to access the site from a side road off Mill Street. All vehicular traffic will enter straight onto the communal car park and pedestrian only access will lead off this to the proposed units. A total of 13 car parking spaces are proposed to serve the 13 units (i.e. 1 space per unit) as well as bike stores for each unit. Such provision is consistent with the previously approved scheme for this site. Worcestershire County Council, as the Highway Authority, has been consulted on the proposed plans and do not object on grounds of highway safety or parking provision. I am therefore satisfied that the proposal would not give rise to a situation which would be detrimental to highway safety.

#### SECTION 106 AGREEMENT

- 4.18 The adoption of the District Council's Core Strategy since the approval of the previous scheme has implications for this development in that the threshold of development which would require a contribution of 30% affordable housing is now required on this site. Previously no contribution towards affordable housing has changed and was required. The applicant is happy to meet this requirement and will provide 4 no. of the 13 no. units as affordable homes. The exact units, their tenure and the partner Registered Provider have yet to be determined, but in consultation with the District Council's Principal Strategic Housing Officer it has been agreed that such details can be satisfactorily controlled through the Section 106 Agreement.

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4.19 In accordance with the District Council's Planning Obligations Supplementary Planning Document the following contributions have been sought:

<u>Obligation</u>	<u>Amount</u>	<u>Recipient</u>
Open space	£1908.48	WFDC 'White Wickets' recreation area
Education	£12,714.00	Worcestershire County Council – St Catherine's CE Primary school – Wolverley High school
Affordable Housing	4 no. units	(Registered Provider to be confirmed along with tenure)

4.20 The Planning Obligations SPD also requires contributions towards biodiversity. In this instance it is proposed to secure adequate contributions through appropriate conditions as referred to above which would require a robust landscaping/planting scheme and the provision of bat and bird boxes.

## 5.0 Conclusions and Recommendations

5.1 The proposal accords with the Development Plan policies as detailed above and as such I recommend that **delegated** authority be granted to **APPROVE** the application subject to:

a) the signing of a **Section 106 Agreement** to secure the following:

- i) Open space contribution of £1908.48.
- ii) Education provision of £12,714.00.
- iii) 4 no. affordable housing units.

and

b) the following conditions:

- 1. A6 (Full with no reserved matters).
- 2. A11 (Approved plans).
- 3. B1 (Samples/details of materials).
- 4. B11 (Details of enclosure).
- 5. B15 (Owl/bat box).
- 6. Full details of all proposed planting, and the proposed times of planting to be submitted and approved in writing.
- 7. C8 (Landscape implementation).
- 8. C13 (Landscape management plan).
- 9. D1 (Contaminated land).

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10. D2 (Landfill gas investigation).
11. There shall be no new structures (including gates, walls and fences) or raising of ground levels on land below the 1% plus climate change flood level (34.06m AOD) other than those indicated.
12. Finished floor levels shall be set no lower than 34.66m AOD,
13. A Flood Evacuation Management Plan shall be submitted and approved in writing.
14. A scheme to deal with the risks associated with contamination of the site shall each be submitted and approved in writing.
15. Remediation strategy and the effectiveness of the remediation to be submitted and approved in writing.
16. Contamination not previously identified, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with to be submitted and approved in writing.
17. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority.
18. E2 (Foul and surface water).
19. E6 (No drainage to watercourse).
20. Vehicle access construction.
21. Access turning and parking.
22. Highway improvements/offsite works.
23. Parking for site operatives.
24. J1 (Removal of permitted development – residential).
25. Full details of the proposed use of the ground floor shall be submitted and approved in writing.
26. The ground floor of units 1, 5, 6, 7 and 8 shall at no time be used for residential purposes.

Notes

- A Severn Trent Water regarding public sewer.
- B Private apparatus within the highway.
- C Alteration of highway to provide new or amend vehicle crossover.

Reason for Approval

The scheme, as proposed, is considered to accord with the land use requirements of the development plan. The design of the footprint of buildings and spaces is considered appropriate in this locality and would not give rise to a situation which would compromise adjacent ecological interests or give rise to a situation which would be detrimental to highway safety or flood risk. The amenity of existing and future occupiers would not be compromised by the scheme proposed. The proposed development is therefore considered to be in accordance with the policies listed above.

<b>Application Reference:</b> 13/0215/FULL	<b>Date Received:</b> 29/04/2013
<b>Ord Sheet:</b> 381679 273516	<b>Expiry Date:</b> 29/07/2013
<b>Case Officer:</b> Paul Round	<b>Ward:</b> Lickhill

**Proposal:** Construction of a new two storey school with associated hard and soft landscaping, car parking and new access arrangements from Finepoint Way

**Site Address:** LAND ACCESSED FROM FINEPOINT WAY,  
KIDDERMINSTER, DY11 7FB

**Applicant:** Mr R Chadwick

<b>Summary of Policy</b>	D.4, D.10, NR.11, TR.17, (AWFDLP) DS01, DS02, CP01, CP02, CP03, CP05, CP08, CP11, CP14 (AWFCS) CC1, CC2, UP5, UP7, UP9 (SAP DPD) Sections 1, 4, 7, 8, 10, 11 and preface on 'Achieving Sustainable Development' (NPPF) DCLG Policy statement – Planning for schools development (August 2011)
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 The site forms a 0.76ha part of the Finepoint Business Park, being located opposite unit 1 (City Link) and occupying the corner of Finepoint Way and Walter Nash Road West. The application site is only part of a larger vacant development plot.
- 1.2 The site is allocated for business purposes within the adopted Local Plan and the emerging Site Allocations and Policies DPD. The northern and western boundaries are defined by trees which are protected by a Tree Preservation Order.
- 1.3 The site is in close proximity to industrial premises with residential properties approximately 150m to the north-west along Walter Nash Road West. To the north lies Vicarage Heath Special Wildlife Site.
- 1.4 The proposal is for the construction of a free school and associated infrastructure.



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- 1.5 Given the aforementioned site allocations, the application has been advertised as a departure. Although being a departure from the development plan this does not fall within development described in circular 02/2009 [The Town and Country Planning (Consultation) (England) Direction] and as such there is no requirement to refer the application on to the Secretary of State, following any Committee resolution.

## **2.0 Planning History**

- 2.1 Various applications have been submitted on the site. Those of relevance are:-
- 2.2 WF.526/00 – Industrial Units (Outline) : Approved.
- 2.3 WF.1255/04 – Variation of condition to extend period for submission of reserved matters and implementation : Approved.
- 2.4 05/1245/FULL – Variation of conditions to allow phased development of the site : Approved.
- 2.5 06/0530/RESE –10 Industrial Units and Access Road (Phase 1) : Approved.
- 2.6 07/0875/RESE –B2 / B8 Development (City Link - Phase 2) : Approved.
- 2.7 08/0912/RESE – 3 storey office development (Pure Offices - Phase 3) : Approved (not implemented – permission expired).
- 2.8 09/0087/FULL - Variation of condition 4 of 05/1245/FULL to allow alterations to phasing of development – Approved.
- 2.9 10/0254/FULL - New sub-station to serve future development : Approved.
- 2.10 10/0551/RESE - Erection of new Civic Offices for Wyre Forest District Council with associated car parking (Part Phase 4) : Approved.
- 2.11 11/0053/RESE - Proposed Distribution Centre with three storey offices, together with ancillary serving, parking and landscaping (Part Phase 4) : Approved (not implemented – expires 28<sup>th</sup> April 2015).
- 2.12 11/0054/RESE - Proposed three storey offices, together with ancillary parking and landscaping (Part Phase 4) – Approved (not implemented – expires 10<sup>th</sup> March 2015).

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**3.0 Consultations and Representations**

- 3.1 Stourport-on-Severn Town Council – Views awaited.
- 3.2 Highway Authority – No objections subject to conditions.
- 3.3 Severn Trent Water Ltd – No objection subject to condition and note.
- 3.3 Arboricultural Officer – I agree with the opinions and recommendations of the survey by Ecus. I am happy with the proposed distances for the protective fencing and the removal of the trees highlighted within the report, including T3 which needs to be removed to facilitate the development. Unless there are services planned within the root protection zone, I have no objections to the development. [*Officer Comment – It has been confirmed by the Applicant's Agent that there are no services within the root protection zone*].
- 3.4 Countryside and Conservation Officer - I am happy that the development is not going to impact on any of the adjacent sites of nature conservation interest as it is suitably detached and most of the protected species rational. Some further works is required on botanical and reptile interest in the site.
- 3.5 Worcestershire County Council (Education Authority) – No comments received.
- 3.6 Crime Risk Advisor - Schools are often a target for crime and anti-social behaviour 'out of hours' therefore it is important to ensure that everything possible is done to reduce the chances of this happening. The main way of doing this is by making sure the perimeter is secure.

The Design and Access statement says: 'In keeping with existing local boundary treatments, the site will be enclosed with paladin style fencing to match the adjacent Finepoint development'. Whilst I fully endorse the type of fencing, details are required of the height and position. Other crime prevention methods may not be required once these details have been received.

- 3.7 Worcestershire Regulatory Services (Contaminated Land) – No objection subject to conditions.
- 3.8 Planning Policy Manager - This application seeks to provide a new school on an area of land designated for employment use in both the adopted Local Plan and the emerging Site Allocations and Policies Local Plan. Given this allocation, the proposed use is considered to be contrary to the current and emerging local policy position. Notwithstanding this policy viewpoint, there are other material considerations that need to be understood in the context of this particular proposal. These are outlined in further detail below.

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The proposed development is for a free school which has been put forward by the ContinU Trust, who are an educational charity. This proposal is not for a mainstream school but instead to provide a learning environment for pupils between 11 and 16 who do not attend mainstream education. It is understood that some of the learning will centre on vocational courses and provide a different offer to mainstream educational courses.

It is important to note from the outset that the Council does not have any specific policies on considering applications for new schools. Therefore, the proposal will need to have regard to the National Planning Policy Framework (NPPF).

The NPPF is clear at Paragraph 14 that:

*“Where the development plan is absent, silent or relevant policies are out-of-date [Local Planning Authorities should be], granting permission unless:*

- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *Specific policies in this framework indicate development should be restricted”*

Therefore, the starting point for this proposal is to understand what further policies are included within the Framework, which will help with its determination. Paragraph 72 of the NPPF specifically requires local planning authorities to:

*“...take a proactive, positive and collaborative approach to...development that will widen choice in education... [and] give great weight to the need to create...schools.*

Furthermore, the last Core Planning Principle of the NPPF also provides more rationale for proposals such as this. It identifies that planning should:

*“Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”*

There is therefore clear support provided by the NPPF (through the Core Planning Principles and through Paragraph 72) for considering developments such as this in a favourable manner. Specifically in relation to giving “*great weight*” to the need to create schools. The need for this school is identified by the applicants and will provide for an alternative and complementary educational offer that is not currently available within the District.

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In addition to the NPPF, the Council's Adopted Wyre Forest Core Strategy provides in principle support for development such as this. Development Objective 13 identifies that development should:

*"Maximise community cohesion and safety and ensure new developments positively contribute towards crime reduction, improved health care and education across the District for the benefit of all residents."*

Furthermore, one of the key challenges highlighted by the Adopted Wyre Forest Core Strategy centres on "Addressing local skills shortages within Kidderminster, through improving access to educational facilities", which this proposal would help with achieving. Finally, the document, at paragraph 7.30 identifies that "It is vital that the Core Strategy and other elements of the LDF seek to protect and enhance the educational institutions that exist or are planned to be developed during the lifetime of the plan".

It is clear to see from the above commentary, therefore, that there are a number of policy provisions at the national and local level that weigh in the favour of this application, and should be considered in its determination.

#### Other Considerations

- The vocational nature of the 'ContinU Plus' ethos requires links with other facilities and business and as such the site provides an effective link between the community and businesses within the area. Therefore, there are some synergies that could occur from siting in this particular location. The scheme also has district wide support from education providers and gives a unique situation, which is unlikely to be repeated.
- The availability of land for this type of development also needs consideration when determining the application. This is because there is no designation on the proposals map expressly for this type of use, aside from existing establishments and therefore the options for considering development of this type are more restricted.
- Notwithstanding the above commentary, the site is an existing employment area and therefore consideration needs to be given to existing and potential new users in terms of the compatibility of uses in this location.

3.9 Neighbour/Site Notice (consultation period expires 30 May 2013) –  
At the time of writing 1 letter of objection has been received stating the following issues:

*"I cannot think of a more unsuitable location for a School than to be sited on the entrance to a busy Commercial Park/Industrial Estate."*

13/0215/FULL

*The estate is home to warehouses receiving 40ft Container Lorries plus vans etc, on a regular basis and this certainly does not mix with schoolchildren being dropped off and collected in working hours. A serious Health & Safety risk.*

*The site should be considered if there is a completely separate entrance to the school well away from the entrance to the Commercial Park and surrounded by a security fence to keep pupils out from the busy roads on the estate.”*

#### **4.0 Officer Comments**

- 4.1 The proposed new school is part of the ContinU Trust which is an educational charity comprising the seven 11-18 High Schools of the Wyre Forest and Hagley, along with Kidderminster College and the universities of Birmingham and Wolverhampton. The proposal caters for 120 pupils aged between 11 and 16 who, for a variety of reasons, do not attend mainstream education. Placements will be on a full or part time basis, for long or short timescales, depending on the age and individual needs of each child.
- 4.2 The design allows 1889 sq. m. of floorspace across two floors providing classrooms and facilities for Key Stage 3 and 4, along with staff facilities, drama/assembly hall and sports hall. The building will be orientated to the south east with its entrance facing the car parking area and Finepoint Way. Although having a pedestrian entrance onto Walter Nash Road West the building due to its height and the sites tree boundary, will not be readily visible from this vantage point. Play space is provided to the south-west, being secured by the building and security fencing. Access will be from Finepoint Way leading to a car and coach parking and a drop off area which will be provided with suitable gates and fencing.
- 4.3 Visually the building will be of a flat roof construction with a maximum height (for the drama/assembly and sport halls) being 8m with the main block being 7.5m in height. The elevations will be treated with a mixture of render, panel cladding and wooden cladding. The form introduces projecting elements to allow external ‘break out’ classroom spaces and break up the bulking of the massing. The frontage is simple in design, providing a legible and cohesive entrance which has a modern touch to it. It sits well in its space and whilst providing an interest to the entrance of Finepoint Way, does not dominate.
- 4.4 Whilst the main industrial buildings on Finepoint Way are of identical design, the introduction of a differing approach to architecture provides the variety of design expected for the remaining vacant plots that occupy the edges of the site. This approach has previously been demonstrated to work well with Wyre Forest House. Officers are satisfied that design and massing is appropriate to the context of the Finepoint Business Park and will not adversely impact on the streetscene, or prejudice the appearance of future developments.

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- 4.5 The building has been designed to meet the principles of BREEAM 'very good' rating and include the following items that demonstrate its sustainability credentials:
- Use of A+ or A rated materials as specified in the BRE's 'Green Guide to Specification';
  - Use of air source heat pumps to achieve at least a 10% reduction in carbon emissions;
  - Heating will utilise renewable sources where possible. The use of heat pump technology and high efficiency deep condensing boiler plant supplemented by solar panels;
  - Sub-metering of the building to allow effective monitoring and identification of abnormal loads;
  - Energy efficient lighting will be designed in accordance with CIBSE lighting guidance;
  - Water consumption will be kept to a minimum utilising a water meter with pulsed output, water efficient fittings and sanitary ware;
  - Use of Site Waste Management Plan.

These methods comply with the sustainability principles and aims of the Adopted Wyre Forest Core Strategy.

- 4.6 The layout and visual appearance of the buildings is considered acceptable in this context providing appropriate facilities whilst still providing a suitable design approach.
- 4.7 As stated above the proposed vehicular entrance is from Finepoint Way and leads to a car park serving 26 car parking spaces (including 2 disabled), 2 motorbike spaces and 3 minibus/coach spaces. The car park has been laid out to allow adequate circulation space to accommodate 'drop off' facilities. Pedestrian and cycle access is direct from Walter Nash Road West, leading to an area allocated for 20 cycle spaces. A Transport Assessment and Travel Plan has been submitted with the proposal which not only justifies the parking provision, which is in line with County standards, but amply demonstrates that the proposed vehicular movements associated with the development can be accommodated on the existing road network including junctions and traffic signals. The Highway Authority has fully assessed the proposals and the Transport Assessment and has found the scheme and findings acceptable, thereby raising a 'no objection' response.
- 4.8 The site is considered to be a sustainable location being on the District's high frequency bus corridor and well connected with cycle routes. Access and parking are therefore considered to be acceptable.

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- 4.9 The site is edged by trees covered by a Tree Preservation Order and as such a suitably prepared tree survey accompanies the application. The scheme has been designed to be, insofar as is possible, sited outside the established tree line in order to protect and retain these trees. One sycamore tree will need to be removed as the proposed building would be too close to allow it to be retained. This is accepted by the Arboricultural Officer, who is happy with the scheme, subject to suitable tree retention conditions.
- 4.10 Whilst it is accepted that matters of detail are acceptable, the key consideration is that of the principle of development. The site is allocated for industrial purposes within the Adopted Local Plan and Emerging Site Allocations and Policies DPD for Industrial Purposes. Whilst the proposal will result in an employment generator, it does not fall within use classes B1, B2 or B8, being a D2 use. Policy CP08 seeks to protect the District's employment land and only allows loss of land under specific circumstances.
- 4.11 The Department of Communities and Local Government have set out their intentions in respect of the development of the state-funded school network, which includes academies and free schools. In order to facilitate this, a policy statement was published in August 2011 "Planning for schools development" which sets out as principle that Local Planning Authorities "*...ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".*"
- 4.12 There are a number of principles set out in this policy that are worthy of repeating:
- There should be a presumption in favour of the development of state funded schools, as expressed in the National Planning Policy Framework (NPPF).
  - Local Authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.
  - Local Authorities should make full use of their planning powers to support state funded schools applications.
  - Local Authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
  - Local Authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible.

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- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the Local Planning Authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.
- Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.
- Where a Local Planning Authority refuses planning permission for a state funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.

4.13 The NPPF Paragraph 72 of the NPPF emphasises this aim specifically requiring Local Planning Authorities to:

*“...take a proactive, positive and collaborative approach to...development that will widen choice in education [and] give great weight to the need to create...schools.*

In respect of employment land the NPPF states at paragraph 22 that *“Planning policies should avoid long term protection of sites allocated for employment use...Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land...should be treated on their merits having regard to the market signals and the relative need for different land uses to support sustainable local communities.*

4.14 Both the DCLG policy statement and NPPF post date the Core Strategy Policy and provide the current position in respect of this development. The Site Allocations and Policies DPD was prepared in the wake of such statements. It is clear that the Council do not have any specific policies on new school provision. The NPPF states at Paragraph 14 under the principle of the “presumption favour of sustainable development” that for decision making this means:

*“Where the development plan is absent, silent or relevant policies are out-of-date [Local Planning Authorities should be], granting permission unless:*

- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *Specific policies in this framework indicate development should be restricted”*

On this issue whilst the policy on industrial land retention needs to be considered there is a strong weight of support for the proposal which needs to be balanced against the loss of employment land.



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- 4.15 In this case, the reality of the situation is that since the granting of the outline permission in 2000 and the changes to phasing in 2004 and 2009, there has been little or no interest in developing this part of the Finepoint site. It is understood that the reserved matters permission was only submitted on a speculative basis in order to secure permission preventing the outline lapsing on this part of the site.
- 4.16 The Council's strategy for the Stourport Road Employment Corridor is to ensure that growth is continued both in terms of employment and mixed use. The provision of an academy, which would effectively link and foster partnerships with surrounding businesses, has to be viewed as a positive approach. Given its central location in the District and the support that this facility can give to the surrounding wards, it is considered that these positive arguments in favour of the development outweigh any 'in principle' objection. The loss of 0.76ha of employment will not prejudice the Council's overall strategy for employment land provision or that of the Business Park. Coupled with the Governments strong support for such educational ventures the principle of the proposal has to succeed, and be supported.
- 4.17 Careful consideration has to be given to the compatibility of the proposal with surrounding businesses. One objection has been received in respect of safety and vehicular access. The highway network is suitable for accommodating the proposal, given its location at the entrance of the Business Park and its peak times of vehicular movements it is considered that the traffic generation will not unduly prejudice other businesses to operate. Children will be controlled within the site, giving little opportunity for a health and safety issue. Matters of noise have been considered through a noise assessment which demonstrates that the school and its open spaces are suitably mitigated against noise generating uses in accordance with the relevant guidance notes.
- 4.18 It is appreciated that a vacant site lies adjacent, although the potential noise has been considered it will be for the future occupiers of that site to demonstrate that no harm will ensue. It is not considered that the provision of a school in this location will prejudice the potential for the provision of business uses in this location.
- 4.19 Matters of contamination, ecology and flood risk have all been considered via appropriate assessments. Members will note from the consultation responses that these matters are considered acceptable in principle although there will be some ongoing work which may be resolved prior to the grant of permission or through suitably worded conditions.

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- 4.20 The applicants have indicated a desire to implement this scheme as soon as possible and whilst works can be commenced it is clear that the provision may take some time. As such, they have proposed that four temporary buildings are brought to the site to allow the site to start functioning prior to the completion of the school building. A total of four buildings will be used for classroom facilities and will be sited on the area allocated for parking on the completed project. For a temporary period of time this is considered acceptable, especially as they would be removed once the project is completed.
- 4.21 There are no other outstanding issues or matters of significance as part of this scheme.

## 5.0 Conclusions and Recommendations

- 5.1 The proposed use of the land to provide an Academy Free School is considered to represent an acceptable departure from the allocated land use given the presumption in favour of sustainable development, the strong support from Government Policy and its sustainable location. The design of the building is acceptable in this location and is capable of being implemented without prejudice to matters of ecology, trees or contamination. The impact of the development on surrounding businesses and future occupiers has been considered and found not to prejudice the potential future functions of these operators. Vehicular access and parking can be provided for the development and the highway network is capable of accommodating the associated vehicle movements.
- 5.2 The application is recommended for **APPROVAL** subject to the following conditions:
1. A6 (Full with No Reserved Matters).
  2. A11 (Approved plans).
  3. B6 (External Details – Approved Plan).
  4. Use a School only.
  5. J15 (Removal of Permitted Development – Industrial/Commercial).
  6. Temporary Classrooms – 1 Year or completion of development.
  7. Drainage connection prior to occupation.
  8. Noise Attenuation implementation.
  9. Sustainable energy implementation.
  10. Fencing as per plan – no modification without permission.
  11. Access Closure.
  12. Access, turning and parking.
  13. Cycle Parking (Single Unit).
  14. Parking for Site Operatives.
  15. Travel Plan Condition.
  16. Travel Plan Condition.

13/0215/FULL

- 17. Tree Protection.
- 18. Land Contamination.
- 19. Ecology Survey – Reptiles.

Notes

- A. SN3 (Protection of Species).
- B. Private Apparatus within the Highway.
- C. Alteration of highway to provide new or amend vehicle crossover.

Reason for Approval

The proposed use of the land to provide an Academy Free School is considered to an acceptable departure to the allocated land use given the presumption in favour of sustainable development, the strong support from Government Policy and its sustainable location. The design of the building provides an acceptable approach given its context and location and is capable of being implemented without prejudice to matters of ecology, trees or contamination. The impact of the development on surrounding businesses and future occupiers has been considered and found to not prejudice the function of these operators. Vehicular access and parking can be provided for the development and the highway network is suitable to accommodate the associated vehicle movements.

**Application Reference:** 13/0253/REGS3      **Date Received:** 13/05/2013  
**Ord Sheet:** 382965 277757      **Expiry Date:** 08/07/2013  
**Case Officer:** James Houghton      **Ward:** Broadwaters

**Proposal:** Construction of a bridge to allow cattle to access and be removed from the land at times of high water

**Site Address:** AREA OF SSSI MARSHLAND, ADJACENT TO ALDER AVENUE, KIDDERMINSTER, DY10 2LD

**Applicant:** Wyre Forest District Council

<b>Summary of Policy</b>	NC.1 (AWFDLP) CP11, CP12, CP14 (AWFCS) SAL.UP5, SAL.UP7 (SAP DPD)
<b>Reason for Referral to Committee</b>	The applicant is Wyre Forest District Council and is made on land owned by Wyre Forest District Council
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

1.1 The application site is an area of marshland within Puxton Marsh. Specifically the application relates to Stourvale Marsh and a section of Blakedown Brook close to its confluence with the River Stour. The site is designated as part of a Site of Special Scientific Interest (SSSI).

**2.0 Planning History**

2.1 None relevant.

**3.0 Consultations and Representations**

3.1 Environment Agency – No comments received.

3.2 Canal and River Trust – No objections.

3.3 Natural England – No response has yet been received although it should be noted that a consent for the works from Natural England has been supplied as part of the application.

3.4 Neighbour/Site Notice – No representations received.

13/0253/REGS3

#### 4.0 Officer Comments

- 4.1 The applicant seeks approval for the erection of a bridge to allow access for cattle to Stourvale Marsh and allow livestock to be moved in the event of high water. The bridge will allow for the continued implementation of the Grazing Animals Project (GAP) in order to conserve and manage the SSSI.
- 4.2 The proposed bridge would span between 12 and 15 metres and would have a maximum height above ground level of 1.5m. The hand railings to either side of the deck of the bridge would resemble post and rail fences and as such would not appear atypical or incongruous in this location.
- 4.3 The proposed fence would have no significant impact on the character or landscape of the area and would offer no significant detriment to the wildlife within the SSSI.

#### 5.0 Conclusions and Recommendations

- 5.1 The proposed development is considered to be acceptable within the context of both the street scene and the site. There would be no impact on the amenity enjoyed by the occupants of nearby properties and the impact on the SSSI would be acceptable. The proposed development would be considered to accord with the requirements of Policy NC.1 of the Adopted Wyre Forest District Local Plan, Policies CP11, CP12 and CP14 of the Adopted Wyre Forest Core Strategy and Policies SAL.UP5 and SAL.UP7 of the Pre-submission Publication Version of the Draft Site Allocations and Policies Development Plan Document.
- 5.2 It is recommended that the application is **APPROVED** subject to the following conditions:
1. A6 (Full with no reserved matters).
  2. A11 (Approved plans).

##### Reason for Approval

The proposed development is considered to be acceptable within the context of both the street scene and the site. There would be no impact on the amenity enjoyed by the occupants of nearby properties and the impact on the SSSI would be acceptable. The proposed development would be considered to accord with the requirements of Policy NC.1 of the Adopted Wyre Forest District Local Plan, Policies CP11, CP12 and CP14 of the Adopted Wyre Forest Core Strategy and Policies SAL.UP5 and SAL.UP7 of the Pre-submission Publication Version of the Draft Site Allocations and Policies Development Plan Document.

## Wyre Forest District Council

Planning Committee Meeting 11 June 2013

### 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	John Baggott
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	John Baggott

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	Julia Mellor
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
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
09/0575/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
10/0121/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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
11/0543/CERTE	31/08/2011	26/10/2011	SMITHS TURNING 5A WHITEHILL ROAD KIDDERMINSTER DY116JH	The use of an area of land as garden land	MR J CADDICK	James Houghton
11/0647/S106	02/11/2011	28/12/2011	SEVERN ROAD STOURPORT-ON- SEVERN	Variation of Section 106 agreement to enable a change to the timescale relating to the approval and implementation of Public Art	Tesco Stores Ltd	Julia Mellor
11/0740/CERTE	16/12/2011	10/02/2012	44 ROUSBINE CARAVAN PARK CALLOW HILL ROCK KIDDERMINSTER DY149DD	Residential occupation of unit 44 by Site Warden	Mr & Mrs Lunnon	Paul Round
12/0126/FULL	06/03/2012	01/05/2012	OAK TREE FARM KINLET ROAD FAR FOREST KIDDERMINSTER DY149UE	Proposed timber show house and associated features.	ROBERT TAYLOR ASSOCIATES	Julia McKenzie- Watts
12/0155/FULL	15/03/2012	10/05/2012	LAND TO THE REAR OF 10 YORK STREET & 31 HIGH STREET STOURPORT-ON-SEVERN DY139EG	Conversion of rear buildings to form 3 No. two-bedroom flats and 2 No. one-bedroom flats	Mr D Allcock	Julia Mellor
12/0156/LIST	15/03/2012	10/05/2012	LAND TO THE REAR OF 10 YORK STREET & 31 HIGH STREET STOURPORT-ON-SEVERN DY139EG	Internal and external alterations for the proposed conversion of rear buildings to form 3 No. two-bedroom flats and 2 No. one-bedroom flats	Mr D Allcock	Julia Mellor
12/0266/CERTE	27/04/2012	22/06/2012	THE STABLES AT THE WOODLANDS WORCESTER ROAD CLENT STOURBRIDGE DY9 0HS	Lawful Development Certificate for an existing use or operation: Stables with self contained studio apartment above	Mr P Knowles	Julia McKenzie- Watts



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
12/0268/S106	04/05/2012	29/06/2012	MORGANITE ADVANCED CERAMICS BEWDLEY ROAD STOURPORT-ON-SEVERN DY138QR	Variation of S106 to allow revised affordable housing percentage (24%) and mix	Mr M Marsh	Paul Round
12/0273/FULL	09/05/2012	04/07/2012	WALLFLOWERS INTERIORS 28 BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER DY103JN	Change of use of ground floor from A1 (retail) to D2 (personal training studio)	Mr C Gardner	Julia McKenzie-Watts
12/0279/FULL	09/05/2012	04/07/2012	LAND OFF HOLLIES LANE KIDDERMINSTER DY115RW	Erection of wooden storage/amenity building to be used in conjunction with existing land use	Mr P Lawley	James Houghton
12/0296/TREE	16/05/2012	11/07/2012	REDROW SITE (FORMER MORGANITE ADVANCED CERAMICS) BEWDLEY ROAD STOURPORT-ON-SEVERN DY138QR	Fell Horse Chestnut (T9)	Mr S Duffin	Alvan Kingston
12/0321/FULL	25/05/2012	20/07/2012	UNIT 2 GREENACRES LANE BEWDLEY DY122RE	Demolition of existing industrial unit and offices, and construction of a three bedroom detached house and associated works	Mr M Harding	James Houghton
12/0411/LIST	05/07/2012	30/08/2012	PARKHALL BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER DY103NL	Extensions and alterations to Keepers Cottage including 'reinstatement' of first floor level, chimneys, loading doors and windows and addition of single storey extension to west elevation	Mr R Stevens	Julia Mellor
12/0433/FULL	13/07/2012	07/09/2012	CAUNSALL FARM 100 CAUNSALL ROAD CAUNSALL KIDDERMINSTER DY115YW	Conversion and alterations of existing barns to create 2No. dwellings and the erection of stables	The Wridgway family	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
12/0444/FULL	17/07/2012	11/09/2012	ROWLAND HILL SHOPPING CENTRE VICAR STREET KIDDERMINSTER DY101DE	Amendments to planning Permission 12/0013/FULL to allow revised entrance to Vicar Street, internal alterations including retention of staircase and toilet in lieu of new retail units	Joint LPA Receivers of Rowland Hill Centre	Julia Mellor
12/0447/FULL	17/07/2012	11/09/2012	SIX ACRES CASTLE HILL LANE WOLVERLEY KIDDERMINSTER DY115SE	Demolition and rebuild animal shelter (pig sty)	Mr S Cox	James Houghton
12/0507/FULL	08/08/2012	07/11/2012	LAND OFF CLENSMORE STREET CHURCHFIELDS KIDDERMINSTER	Substitution of house types on plots 156 - 223 (inclusive) previously approved under planning application ref 11/0163/FULL	Barratt West Midlands	Julia Mellor
12/0549/FULL	29/08/2012	24/10/2012	SIX ACRES CASTLE HILL LANE WOLVERLEY KIDDERMINSTER DY115SF	Demolition and Rebuild of Chicken rearing sheds	Mr S Cox	James Houghton
12/0570/FULL	21/09/2012	16/11/2012	SIX ACRES CASTLE HILL LANE WOLVERLEY KIDDERMINSTER DY115SE	Proposed temporary agricultural dwelling in form of static caravan and associated storage container for a temporary 3 years period	Mr N Cox	James Houghton
12/0644/S106	17/10/2012	12/12/2012	PRIMARY CARE CENTRE HUME STREET KIDDERMINSTER DY116RE	Variation to Section 106 Agreement to allow a Community Transport contribution to replace already agreed public transport contribution	Haven Health Properties Ltd Diane Darlington (Com)	Emma Anning
12/0658/FULL	22/10/2012	17/12/2012	THE SLADD KINVER ROAD CAUNSALL KIDDERMINSTER DY115YG	Conversion of former agricultural barns to 3 dwellings (Renewal of 09/0682/Full)	Mr T Nock	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
12/0690/FULL	02/11/2012	28/12/2012	5 & 6 CHURCH STREET KIDDERMINSTER DY102AD	Change of use from offices to 6 No. 1 & 2 bedroom flats on three floors and the retention of approximately 134sq m of office/commercial space on ground floor	Finch house Properties	Emma Anning
12/0691/LIST	02/11/2012	28/12/2012	5 & 6 CHURCH STREET KIDDERMINSTER DY102AD	Change of use from offices to 6 No. 1 & 2 bedroom flats on three floors and the retention of approximately 134sq m of office/commercial space on ground floor	Finch house Properties	Emma Anning
12/0733/FULL	12/11/2012	11/02/2013	HAMLET PLACE BEWDLEY ROAD STOURPORT-ON-SEVERN DY138QR	Variation of condition 25 of Outline Planning Permission 10/0321/OUTL to allow occupation of up to 13 plots prior to completion of highway works.	Mr S Duffin	Paul Round
12/0739/FULL	26/11/2012	25/02/2013	BURLISH PARK GOLF CLUB ZORTECH AVENUE KIDDERMINSTER DY117DY	Re-modelling of existing golf course	Mr T Plummer	Paul Round
12/0758/LIST	05/12/2012	30/01/2013	HORSELEY HILL FARM HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	Change of use of existing agricultural building to annex office with associated conversion works and demolition of existing steel and block barns	Mr & Mrs L Roper	Paul Round
12/0757/FULL	06/12/2012	31/01/2013	HORSELEY HILL FARM HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	Change of use of existing agricultural building to annex office with associated conversion works and demolition of existing steel and block barns	Mr & Mrs L Roper	Paul Round
12/0763/FULL	07/12/2012	01/02/2013	VACCAROS 10 COMBERTON HILL KIDDERMINSTER DY101QG	Change of use to A3 Restaurant/Deli	Ms L Mares	John Baggott

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
12/0784/FULL	20/12/2012	14/02/2013	75 MILL ROAD STOURPORT-ON-SEVERN DY139BJ	Demolition of existing houses (75-77 Mill Road) and erection of 7 dwellings with associated access, parking and alteration of Public Right of Way. (Renewal of Planning Permission 08/0490/FULL)	Mr I Grant	Paul Round
13/0050/FULL	30/01/2013	27/03/2013	BARN OPPOSITE THE STABLES COLDRIDGE FARM WITNELLS END SHATTERFORD BEWDLEY DY121TH	Change of use of rural building to dwelling and associated work	Mr J Jones	Paul Round
13/0049/FULL	01/02/2013	03/05/2013	REILLOC CHAIN STOURPORT ROAD KIDDERMINSTER DY117BQ	Demolition of existing factory and erection of 56 No. Dwellings comprising of a mixture of 1 & 2 bed flats and 2 & 3 bed houses	Mr GT Wooddisse	Paul Round
13/0082/FULL	04/02/2013	06/05/2013	RIVERSIDE BUILDING FORMER CARPETS OF WORTH SITE SEVERN ROAD STOURPORT-ON-SEVERN	Demolition of existing derelict riverside building and reinstatement as eleven flats, 6No. 1 Bed and 5No. 2 bed	Stourport Corporation NV	Paul Round
13/0064/CERTP	08/02/2013	05/04/2013	DRAKELOW LODGE WOLVERLEY VILLAGE WOLVERLEY KIDDERMINSTER DY11 5XE	Certificate of lawfulness for proposed conversion of existing garage to form ancillary accommodation	Mr R Bloomer	Emma Anning
13/0097/FULL	11/02/2013	08/04/2013	66 LOAD STREET BEWDLEY DY122AW	Attach air conditioning unit to rear wall of previous extension	Mr Balbinder Jagpal	Ayesha Ali
13/0069/FULL	13/02/2013	10/04/2013	LAND TO REAR OF 32 & 33 LOAD STREET BEWDLEY DY122AS	Erection of 1No. two bed dwelling with parking and access	Mr T Barratt	Julia McKenzie-Watts
13/0071/FULL	13/02/2013	10/04/2013	20 SEVERN SIDE STOURPORT-ON-SEVERN DY139PJ	Single and two storey extension to rear.	Mr & Mrs Lewis	James Houghton

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13/0075/FULL	18/02/2013	15/04/2013	PARK STREET WORKS PARK STREET KIDDERMINSTER DY116RZ	Installation of roof mounted photovoltaic (Solar) panels	STEPHEN BETTS & SONS	Ayesha Ali
13/0073/FULL	19/02/2013	16/04/2013	MILESTONES PEARL LANE COMMONSIDE ASTLEY CROSS STOURPORT-ON-SEVERN DY130PB	First floor bedroom extension and en-suite bathroom over existing ground floor garage	Mrs J Hinton	Julia McKenzie-Watts
13/0100/CERTE	22/02/2013	19/04/2013	THE RAMILIES HILL FARM NORTHWOOD LANE BEWDLEY DY121AT	Certificate of lawfulness: Use of property for full occupation for more than 4 years	Mr S Hartill	Emma Anning
13/0102/FULL	22/02/2013	19/04/2013	PLOTS 83 to 87 CHURCHFIELDS NORTH CLENSMORE STREET KIDDERMINSTER DY102J	Substitution of house types to plots 83 to 87 and associated parking layout of planning permission 11/0163/FULL	KEVIN SCOTT	Julia Mellor
13/0104/CERTE	28/02/2013	25/04/2013	100 COMBERTON HILL KIDDERMINSTER DY101QH	Certificate of Lawfulness: Use of premises as car MOT, tyres and repairs for 10 years	Mr B Garrett	Paul Round
13/0116/FULL	04/03/2013	29/04/2013	2 OLD SCHOOL HOUSE ROCK CROSS ROCK KIDDERMINSTER DY149SF	Proposed side two storey and rear first floor extensions	Mrs S Riefler	James Houghton
13/0117/CERTE	04/03/2013	29/04/2013	THE ROCK TANDYS LANE HARVINGTON KIDDERMINSTER DY104NG	Certificate of Lawfulness use of property as two separate dwellings for a period in excess of 4 years	Mr S Orme	Emma Anning
13/0134/RESE	04/03/2013	29/04/2013	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER DY117BW	Provision of 2no. Service housings to serve mains electricity and gas for the redevelopment of phase 1 of the Former British Sugar Site. Reserved matters approval for scale, appearance, landscaping and layout	Mr A Plant	Julia Mellor

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13/0110/RESE	11/03/2013	06/05/2013	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER DY117DX	Redevelopment of part of development block A(ii) within phase 1 of Former British Sugar Site for 4no. Residential dwellings. Reserved matters approval for scale, appearance, landscaping and layout and internal access with the development block following outline approval 12/0146/EIA	Taylor Wimpey (Midlands)	Julia Mellor
13/0111/RESE	11/03/2013	10/06/2013	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER DY117BW	Redevelopment of part of Development Block A(ii) within Phase 1 of the Former British Sugar Site for 30no. residential dwellings including 6no. affordable units. Reserved Matters approval for scale, appearance, landscaping and layout and internal access within the development block following outline approval 12/0146/EIA	Bovis Homes	Julia Mellor
13/0120/OUTL	11/03/2013	10/06/2013	FORMER VICTORIA SPORTS GROUND SPENNELLS VALLEY ROAD KIDDERMINSTER INDUSTRIAL ESTATE KIDDERMINSTER	Outline Application for a new Leisure Centre and associated works with some matters reserved	WYRE FOREST DISTRICT COUNCIL & VICTORIA CARPETS PL	Julia Mellor
13/0124/FULL	11/03/2013	06/05/2013	37 ARELEY COURT STOURPORT- ON-SEVERN DY130AR	Proposed demolition of existing and construction of replacement bungalow (resubmission of 13/0013/FULL)	Mr & Mrs B Hicks	Paul Round
13/0131/FULL	13/03/2013	08/05/2013	NEW HOUSE FARM NETHERTON LANE DUNLEY STOURPORT-ON- SEVERN DY130UW	New vehicular access to farmyard (for improved road safety)	Mr & Mrs Nicholls	Julia McKenzie-Watts

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13/0153/EIASC	13/03/2013	03/04/2013	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY DY121LF	Request for a Screening Opinion under Regulation 5 of Town & Country Planning (Environmental Impact Assessment) Regulations 2011 - Erection of Hotel, Conference Centre and Water Park	West Midlands Safari Park	Paul Round
13/0133/CERTE	14/03/2013	09/05/2013	STABLE END WORSELEY FARM BANK LANE ABBERLEY WORCESTER WR6 6BQ	Use building as a single residential dwelling in excess of four years	Mr R Juckes	Emma Anning
13/0139/EIASC	19/03/2013	09/04/2013	TESCO STORES SEVERN ROAD STOURPORT-ON-SEVERN	Request for a Screening Opinion under Regulation 5 of Town & Country Planning (Environmental Impact Assessment) Regulations 2011 - Request for Screening Opinion in relation to the proposed development to remove the barrage and associated structures from the River Severn	TESCO STORES LTD	Julia Mellor
13/0155/FULL	19/03/2013	14/05/2013	HARE & HOUNDS WORCESTER ROAD SHENSTONE KIDDERMINSTER DY104BU	Proposed children's play area	Mr G Attwood	Paul Round
13/0157/CERTE	21/03/2013	16/05/2013	THE CREST RICKYARD MEADOW NORTHWOOD LANE BEWDLEY DY121AT	Certificate of lawfulness: Use of property as a permanent dwelling in excess of 4 years	Mrs R Russell	Emma Anning
13/0172/FULL	22/03/2013	17/05/2013	OFFMORE RESIDENTIAL HOME OFFMORE FARM CLOSE KIDDERMINSTER DY103HB	Extension to form reminiscence room for themed activities	OFFMORE RESIDENTIAL HOME	Julia McKenzie-Watts
13/0163/FULL	25/03/2013	20/05/2013	58 LUDLOW ROAD KIDDERMINSTER DY101NW	Two storey side & rear extension and single storey front & side extension	Heeley & Holiick	James Houghton

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13/0173/FULL	25/03/2013	20/05/2013	R/O 37 NORTHUMBERLAND AVENUE KIDDERMINSTER DY117AN	Erection of dormer bungalow	Mrs M Cook	Paul Round
13/0168/FULL	26/03/2013	21/05/2013	NORTHWOOD LANE MAGGS MEADOW BEWDLEY DY121AB	Change of use of park to private garden and associated change of use of garden land to park (partially retrospective)	Wyre Forest District Council	Paul Round
13/0170/FULL	26/03/2013	21/05/2013	LAND TO WEST OF RESOLUTION WAY SITE IN RIVER SEVERN STOURPORT-ON-SEVERN	Demolition and removal of the existing old foot/access bridge from the bank of the river to the barrage wall, removal down to the water level of the concrete barrage; and remove corroded sheet piles and make good works to bridge and river bank	Tesco Stores Limited	Julia Mellor
13/0182/FULL	04/04/2013	30/05/2013	THE COBBLES 232 WESTBOURNE STREET BEWDLEY DY121BS	Proposed change of use from office use to a studio flat	Miss M Jones	Ayesha Ali
13/0184/FULL	08/04/2013	03/06/2013	1 LUDLOW ROAD KIDDERMINSTER DY101NR	Two storey extension to the rear	Mr M Baker	Ayesha Ali
13/0195/FULL	08/04/2013	03/06/2013	139 SUTTON PARK ROAD KIDDERMINSTER DY116JQ	Proposed double garage	Mrs J Thompson	Ayesha Ali
13/0185/FULL	09/04/2013	04/06/2013	28 POCHARD CLOSE KIDDERMINSTER DY104UB	First floor extension to the side	Mr K Andrews	Julia McKenzie-Watts
13/0193/FULL	09/04/2013	09/07/2013	78 MILL STREET KIDDERMINSTER DY116XJ	Conversion of existing garage workshop, formerly part of the demolished mill, to 5 no. two-bed dwellings and the construction of 3no. two bedroom dwellings and 5 no. live-work units, with associated amenity and parking facilities.	Mr M Worton	Emma Anning



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13/0188/FULL	10/04/2013	05/06/2013	CROFTS END 13A THE CROFT BLAKEDOWN KIDDERMINSTER DY103JP	Erection of shed	Mrs S Wakeman	Emma Anning
13/0187/FULL	11/04/2013	06/06/2013	PORTLAND HOUSE DORHALL CHADDESLEY CORBETT KIDDERMINSTER DY104QJ	Demolition of existing garage and erection of new detached double garage	Mr R Neale	Julia McKenzie- Watts
13/0186/FULL	12/04/2013	12/07/2013	FORMER SUTTON ARMS PH SUTTON PARK ROAD KIDDERMINSTER DY116LE	Substitution of house types for redevelopment of 14 dwellings and associated infrastructure (Previously Approved - 11/0512/RESE)	Miller Homes Ltd (Ms J Morgan)	Emma Anning
13/0192/FULL	12/04/2013	07/06/2013	LAND ADJACENT TO 60 STOURBRIDGE ROAD KIDDERMINSTER DY102PR	Proposed 6 no. One bedroom dwellings. Resubmission of withdrawn application 12/0695/FULL	Mr & Mrs Humphries	Emma Anning
13/0196/FULL	15/04/2013	10/06/2013	BANK FARM HOUSE BANK LANE ABBERLEY WORCESTER WR6 6BQ	Erection of single storey oak frame porch	Mrs J Murrant	Paul Round
13/0198/FULL	15/04/2013	10/06/2013	14 PARK CRESCENT STOURPORT-ON-SEVERN DY138YB	Two storey side extension	Mr & Mrs Bishop	Ayesha Ali
13/0191/FULL	16/04/2013	11/06/2013	40 CHICHESTER AVENUE KIDDERMINSTER DY115JA	Proposed two storey side extension	Mr R Sheffield	Ayesha Ali
13/0214/FULL	16/04/2013	11/06/2013	UNIT 1 FIRS INDUSTRIAL ESTATE OLDINGTON LANE KIDDERMINSTER DY117QN	Extension to existing factory unit to give covered storage and workshop storage (B2/B8)	DMS (CHROMIUM) LTD	Julia McKenzie- Watts

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13/0204/FULL	17/04/2013	12/06/2013	PATCHWAY 13 NEW WOOD LANE BLAKEDOWN KIDDERMINSTER DY103LD	Minor amendments to the rear footprint and front bays as approved under planning permission ref 09/0102/FULL. Amendments to the elevations approved under ref 09/0102/FULL	MR K McMill	Emma Anning
13/0224/FULL	18/04/2013	13/06/2013	MOTOVARIO LTD UNIT 335 RUSHOCK TRADING ESTATE RUSHOCK DROITWICH WR9 0NR	Extension to existing building(use class B8/B2); addition of pitched roof to existing building	MOTOVARIO LTD	James Houghton
13/0197/FULL	19/04/2013	14/06/2013	86 HABBERLEY ROAD KIDDERMINSTER DY115PN	Single storey extensions to front	Mr R Hartley	Ayesha Ali
13/0199/FULL	22/04/2013	17/06/2013	DOVE DALE HOUSE LONGBANK BEWDLEY DY122UN	Demolition of existing garage & store and erection of replacement garage & store	Mr D Withey	Emma Anning
13/0210/FULL	22/04/2013	17/06/2013	27 PARK DINGLE BEWDLEY DY122JY	Pitched roof above existing garage and porch	Mr R Giles	James Houghton
13/0211/CERTE	22/04/2013	17/06/2013	BARNETT HILL GARDEN & LEISURE WORCESTER ROAD CLENT STOURBRIDGE DY9 0EE	Certificate of lawfulness for existing use of land for retail purposes of specific goods and polytunnels	Neville Prest	Paul Round
13/0202/TREE	23/04/2013	18/06/2013	32 ANTON CLOSE BEWDLEY DY121HX	Fell three beech trees growing on land at 32 Anton Close, Bewdley	Mr S Taylor	Alvan Kingston
13/0206/FULL	23/04/2013	18/06/2013	MEADOW FALL SHATTERFORD LAKES BIRCH BANK SHATTERFORD BEWDLEY DY121TW	Use of building as single dwelling in conjunction with shatterford lakes fishery	Mr I Norman	Emma Anning
13/0209/FULL	23/04/2013	18/06/2013	STOURPORT PISTOL AND RIFLE CLUB BONEMILL RANGE STOURPORT ROAD STOURPORT- ON-SEVERN DY138BQ	Provision of portable cabin to form club room	STOURPORT PISTOL AND RIFLE CLUB	Paul Round

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13/0205/FULL	25/04/2013	20/06/2013	BAY HORSE FARM DRAKELOW LANE WOLVERLEY KIDDERMINSTER DY115RU	Single storey rear extension	Tim Price	Paul Round
13/0207/ADVE	25/04/2013	20/06/2013	20-22 HORSEFAIR KIDDERMINSTER	Display of Lectern Interpretation Panel	Mr R Tolley	John Baggott
13/0212/FULL	25/04/2013	20/06/2013	FARMHOUSE COMMON FARM CROWN LANE IVERLEY STOURBRIDGE DY8 2SA	Erection of detached garage & store building	Mr K Singh Gora	James Houghton
13/0217/LIST	25/04/2013	20/06/2013	THE SALON BROUGHTON COTTAGE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Replacement of all existing windows with hardwood painted timber frames and double glazed units	Ms V Paulovic	Ayesha Ali
13/0208/FULL	26/04/2013	21/06/2013	CORNER OF CASTLE ROAD & PARK LANE KIDDERMINSTER DY116TG	Development of 8 new two bedroom homes	Mr T Smith	Paul Round
13/0213/FULL	26/04/2013	21/06/2013	7 BURLISH CROSSING STOURPORT-ON-SEVERN DY138QA	Proposed single storey rear extension	Mr & Mrs G Pigney	Ayesha Ali
13/0215/FULL	29/04/2013	29/07/2013	LAND ACCESSED FROM FINEPOINT WAY KIDDERMINSTER DY117FB	Construction of a new two storey school with associated hard and soft landscaping, car parking and new access arrangements from Finepoint Way	Mr R Chadwick	Paul Round
13/0216/FULL	29/04/2013	24/06/2013	RIDGWOOD TRIMPLEY LANE BEWDLEY DY121JJ	Proposed two storey extensions	Mr & Mrs P & K Newton	Julia McKenzie- Watts
13/0219/FULL	29/04/2013	24/06/2013	4 WORCESTER ROAD MUSTOW GREEN KIDDERMINSTER DY104LA	Proposed rear kitchen & breakfast room extension	Mr P MacDonald	Ayesha Ali
13/0221/FULL	29/04/2013	24/06/2013	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY DY121LF	New Pathway	Mr D Chorley	Paul Round

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13/0223/LIST	29/04/2013	24/06/2013	23 CHURCH STREET KIDDERMINSTER DY102AW	Hanging sign to front elevation	Mr M Whitehouse	Julia McKenzie-Watts
13/0225/FULL	30/04/2013	25/06/2013	5 LOWER PARK BEWDLEY DY122DP	Extension and alterations to form new ground floor kitchen, entrance porch and toilet.	Mr & Mrs M Lyman	James Houghton
13/0226/LIST	30/04/2013	25/06/2013	5 LOWER PARK BEWDLEY DY122DP	Extension and alterations to form new ground floor kitchen, entrance porch and toilet.	Mr & Mrs M Lyman	James Houghton
13/0218/FULL	01/05/2013	26/06/2013	HILL TOP COTTAGE LODGE FORD HILL CHADDESLEY CORBETT KIDDERMINSTER DY104QS	Demolition of existing car port and replacement with two storey rear extension	Mr J Raeside	Emma Anning
13/0220/FULL	01/05/2013	26/06/2013	8 CHURCHILL LANE BLAKEDOWN KIDDERMINSTER DY103NB	Proposed demolition of existing car port and replacement with two storey extension to front; partial demolition of link wall between house and garage and replacement with link corridor	Mr G Rawle & Miss M Allen	Julia McKenzie-Watts
13/0222/FULL	01/05/2013	26/06/2013	THE GRANARY HORSEHILL FARM RIBBESFORD BEWDLEY DY122TT	Change of use of land to domestic curtilage to enable the siting of solar panels for use by The Granary	Mr M Snow	Emma Anning
13/0227/RESE	01/05/2013	31/07/2013	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER	Redevelopment of development block A(iii) within Phase 1 of the Former British Sugar Site for 29no. Residential dwellings including 9no. Affordable units. Reserved matters approved for scale, appearance, landscaping and layout including internal access within the development block following outline approval 12/0146/EIA	Taylor Wimpey (Midlands)	Julia Mellor

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13/0228/CERTP	01/05/2013	26/06/2013	24 GARDNERS MEADOW BEWDLEY DY122DG	Proposed Orangery style conservatory for use as part of a residential dwelling	Mr & Mrs P Wilson	Paul Round
13/0235/LIST	01/05/2013	26/06/2013	LLOYDS TSB BANK PLC 1 VICAR STREET KIDDERMINSTER DY101DE	5 No. Non-illuminated adverts; 1No. Non-illuminated name plate; 1 No. Internally Non-illuminated advert and 2 No. Internally Non-illuminated projecting adverts	Lloyds Banking Group	Julia McKenzie-Watts
13/0229/FULL	02/05/2013	27/06/2013	2 BRIDGE STREET STOURPORT- ON-SEVERN DY138XD	Change of use from retail to Sunbed/Beauty Salon and Barbers	Mrs A Stubbins	James Houghton
13/0233/LIST	02/05/2013	27/06/2013	HORSELEY HILL FARM HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	Application to regularise minor variations to formally permitted scheme for refurbishment of property	Mr & Mrs L Roper	Paul Round
13/0237/FULL	02/05/2013	01/08/2013	UPPER MOOR SMALL HOLDING TIMBER LANE STOURPORT-ON- SEVERN DY139LU	Change of use to use as a 4 pitch Gypsy and Traveller site and associated ancillary development	Mrs S Loveridge	Paul Round
13/0236/FULL	03/05/2013	28/06/2013	STOURPORT ON SEVERN HIGH SCHOOL MINSTER ROAD STOURPORT-ON-SEVERN DY138AX	PROPOSED CHANGE OF USE OF PART OF EXISTING PLAYING FIELDS TO CREATE CAR PARKING ASSOCIATED WITH ADJACENT FITNESS SUITE. RENDERING OF SOUTH ELEVATION, ALTERATIONS TO FENESTRATION AND REPLACEMENT OF EXISTING ENTRANCE CANOPY	Mr C Gripenstedt	Emma Anning
13/0240/FULL	03/05/2013	28/06/2013	15 WOODTHORPE DRIVE BEWDLEY DY122RH	First floor extension over part of existing garage	Mr & Mrs Rogers	Ayesha Ali

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13/0230/FULL	07/05/2013	02/07/2013	14 FOREST HOUSES ROCK KIDDERMINSTER DY149XQ	Demolition of existing flat roof extension and erection of replacement pitched roof extension	MR G MASON	James Houghton
13/0231/FULL	07/05/2013	02/07/2013	33 THE RIDGEWAY STOURPORT-ON-SEVERN DY138XT	Proposed single storey side extension utility room	Ivan Andrusiak	James Houghton
13/0232/FULL	07/05/2013	02/07/2013	SPRING HOUSE SHENSTONE KIDDERMINSTER DY104DL	Front, side and rear extensions to dwelling and removal of existing garage	Mrs G Sawyer	James Houghton
13/0234/ADVE	08/05/2013	03/07/2013	LLOYDS TSB BANK PLC 1 VICAR STREET KIDDERMINSTER DY101DE	5 No. Non-illuminated adverts; 1No. Non-illuminated name plate; 1 No. Internally Non-illuminated advert and 2 No. Internally Non-illuminated projecting adverts	Lloyds Banking Group	Julia McKenzie-Watts
13/0238/FULL	09/05/2013	08/08/2013	SANDALWOOD 25 COMBERTON ROAD KIDDERMINSTER DY103DL	Variation of condition 3 of planning permission 09/0841/FULL to allow occupation of the residential units by persons of 65 years of age or over requiring nursing or personal care.	Mr L Connell	Julia Mellor
13/0239/FULL	09/05/2013	04/07/2013	23 SILVER BIRCH DRIVE KIDDERMINSTER DY103XD	Erection of new boundary fence	Mr S Lewis	Julia McKenzie-Watts
13/0244/FULL	09/05/2013	04/07/2013	4 MILFORD AVENUE STOURPORT-ON-SEVERN DY138QY	Construction of 1m high fence to the front of property	Mrs H Skinkys	Ayesha Ali
13/0242/LIST	10/05/2013	05/07/2013	HORSELEY HILL FARM HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	The addition of two multifuel stoves together with metal flues (painted black) and the incorporation of several timber king post trusses within the building.	Mr L Roper	Paul Round

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13/0243/FULL	10/05/2013	05/07/2013	THE DELL SHEEPWASH LANE WOLVERLEY KIDDERMINSTER DY115SE	Proposed side extension	Mr G Hale	Paul Round
13/0250/FULL	10/05/2013	05/07/2013	17 BIRCHFIELD ROAD KIDDERMINSTER DY116PQ	Two storey side extension (Renewal of Planning Permission 07/0581/FULL then 10/0140/FULL)	Mrs Fellows	James Houghton
13/0251/FULL	13/05/2013	08/07/2013	KING CHARLES HIGH SCHOOL HILL GROVE HOUSE COMBERTON ROAD KIDDERMINSTER DY101XA	Replacement of asbestos roof sheets & wall cladding with metal composite panels. Replace existing windows & doors with PVC / aluminium and roof over existing store	KING CHARLES HIGH SCHOOL (Mr T Gulliver)	Julia McKenzie- Watts
13/0252/CERTP	13/05/2013	08/07/2013	WOODCOT TRIMPLEY LANE SHATTERFORD BEWDLEY DY121RH	Proposed rear extension and loft conversion with front and rear floodlights	Mr & Mrs A Mitton	James Houghton
13/0253/REGS3	13/05/2013	08/07/2013	AREA OF SSSI MARSHLAND ADJACENT TO ALDER AVENUE KIDDERMINSTER DY102LD	Construction of a bridge to allow cattle to access and be removed from the land at times of high water	Wyre Forest DC (Mr P Allen)	James Houghton
13/0265/PNAG	13/05/2013	10/06/2013	JASTINE SUGAR LOAF LANE ISMERE KIDDERMINSTER DY103PE	Erection of agricultural building	Mr S Glover	Paul Round
13/0245/TREE	14/05/2013	09/07/2013	ORION PLACE SION GARDENS STOURPORT-ON-SEVERN DY138BG	Thin crown by 20%, reduce limb back from property and undertake a minor crown lift of a Mulberry growing on land at Orion Place, Stourport	Wyre Forest Community Housing (Mr S Harcombe)	Alvan Kingston
13/0246/TREE	14/05/2013	09/07/2013	14 ANTON CLOSE BEWDLEY DY121HX	Fell Common Lime within rear garden of 14 Anton Close, Bewdley	Mr R Walker	Alvan Kingston

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13/0266/FULL	14/05/2013	09/07/2013	R A AUTO SERVICES 18 LISLE AVENUE KIDDERMINSTER DY117DJ	Change of use of part of building to provide new MOT testing bay	R A AUTO SERVICES	Julia McKenzie-Watts
13/0247/FULL	15/05/2013	10/07/2013	19 ABBERLEY AVENUE STOURPORT-ON-SEVERN DY130NZ	Proposed two storey side and single storey rear extension	Mr G Davis	Julia McKenzie-Watts
13/0249/FULL	15/05/2013	10/07/2013	THE WOODLANDS PILOUGH LANE FAR FOREST KIDDERMINSTER DY149UT	Single storey extension	Mr M Potter	James Houghton
13/0255/FULL	15/05/2013	10/07/2013	40 FRANCHE ROAD WOLVERLEY KIDDERMINSTER DY115TP	Proposed garage extension	Mr Nigel Turvey	Julia McKenzie-Watts
13/0256/FULL	15/05/2013	10/07/2013	17 RESERVOIR ROAD KIDDERMINSTER DY117AP	First floor extension for bedroom and bathrooms over existing garage (Renewal of 10/0243/FULL)	Mr J Klunduk	Julia McKenzie-Watts
13/0257/FULL	15/05/2013	10/07/2013	19 LARCH WAY STOURPORT-ON-SEVERN DY139DU	Conservatory (Retrospective)	Mrs B Sara	James Houghton
13/0248/FULL	16/05/2013	11/07/2013	STEVE MORRIS AGRICULTURE LTD LIVESTOCK MARKET STADIUM CLOSE AGGBOROUGH KIDDERMINSTER DY101NJ	Construction of Office Building	STEVE MORRIS AGRICULTURE LTD	James Houghton
13/0260/FULL	16/05/2013	11/07/2013	1 MALLORY DRIVE KIDDERMINSTER DY115DZ	New timber fence to side of house	Mr A Wildman	James Houghton
13/0254/FULL	17/05/2013	12/07/2013	SEVERN VALLEY RAILWAY (HOLDINGS) PLC STATION DRIVE KIDDERMINSTER DY101QX	Construction of storage shed	SEVERN VALLEY RAILWAY (HOLDINGS) PLC	James Houghton
13/0258/TREE	17/05/2013	12/07/2013	24 BROOK VALE BEWDLEY DY121BQ	Crown lift 3 Sycamores by 5.5 metres and fell 2 Sycamores in the rear garden	Mr J Dyer	Alvan Kingston



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0259/TREE	17/05/2013	12/07/2013	1B THE LEA KIDDERMINSTER DY116JY	Reduce crown of Common Lime by 30% and remove epicormic growth stem and remove a limb from a Sycamore overhanging neighbour's driveway at 1B The Lea, Kidderminster DY11 6JY	Mr M Locker	Alvan Kingston
13/0261/ADVE	20/05/2013	15/07/2013	5 VICAR STREET KIDDERMINSTER DY101DE	Static illuminated projecting sign measuring 900mm x 600mm. Text to read Chapman & Myers Opticians	CHAPMAN & MYERS	Julia McKenzie-Watts
13/0262/FULL	20/05/2013	15/07/2013	59 FAIRFIELD LANE KIDDERMINSTER DY115QJ	Two storey side extension for additional bedrooms, en suite and lounge	Mr S Graves	James Houghton
13/0263/FULL	20/05/2013	15/07/2013	18 LYNDHOLM ROAD KIDDERMINSTER DY101TJ	Proposed rear conservatory	Mr Brookes	Ayesha Ali
13/0264/FULL	20/05/2013	15/07/2013	9 BRUCE ROAD KIDDERMINSTER DY102TY	Remove existing part rear roof and construct new single storey lounge/utility room extension	Mr D Seymour	James Houghton
13/0267/LIST	20/05/2013	15/07/2013	12A WESTBOURNE STREET BEWDLEY DY121BS	Internal alterations to create Kitchen/Dining/Living Area on ground floor, bedroom + bathroom alterations and formation of a new doorway at first floor	Mr D Court	John Baggott
13/0270/FULL	20/05/2013	15/07/2013	FAIRVIEW HOP POLE LANE BEWDLEY DY122LB	Proposed Sun Lounge, Shower Room and Entrance Hall with associated internal alterations.	Mrs J Ward	Julia McKenzie-Watts
13/0268/TREE	23/05/2013	18/07/2013	BLAKESHALL HALL BLAKESHALL WOLVERLEY KIDDERMINSTER DY115XP	Fell 2 Sycamore and 2 Beech and remove deadwood from 3rd Beech	Mr C Hine	Alvan Kingston

<b>WF No.</b>	<b>Valid Date</b>	<b>Target Date</b>	<b>Address of Site</b>	<b>Description of Proposal</b>	<b>Applicant</b>	<b>Case Officer</b>
13/0269/TREE	28/05/2013	23/07/2013	PATIN COTTAGE 2 THE LEA KIDDERMINSTER DY116JY	Fell 3 Trees	Mr R Corbett	Alvan Kingston

## WYRE FOREST DISTRICT COUNCIL

Planning Committee

11 June 2013

### 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
WFA1413 12/0113/LIST	APP/R1845/E/12 /2184988/NWF	Mr E H Gatehouse	WOODHOUSE FARM POUND GREEN ARLEY BEWDLEY DY123LD  Installation of Solar Panels on barn	WR  18/10/2012	29/11/2012			

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
WFA1417 11/0545/FULL	APP/R1845/A12/ 2183527/NWF	MRS S J SMITH	TOP ACRE OFF CURSLEY LANE SHENSTONE KIDDERMINSTER	HE  09/11/2012	21/12/2012		26/03/2013 Kidderminster & Rock Suite	
			Application under S.73 to vary conditions 1 and 2 of Planning Permission 06/1062/FULL to remove all reference to the limited time period of 5 years for the stationing of caravans for residential purposes, the laying of hardstanding and erection of a close boarded and gravel board fence					

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
WFA1419 12/0443/OUTL	APP/R1845/A/13 /2190850/NWF	Leswell Enterprises	26-28 LESWELL STREET KIDDERMINSTER DY101RP  Proposed demolition of 26 and 28 Leswell Street and the development of 6 No. Apartments (Outline all matters reserved) (Resubmission of 11/0136/OUTL)	WR  13/02/2013	27/03/2013			
WFA1420 13/0011/FULL	APP/R1845/D/13 /2194200	Mr S Powell	WEST VIEW DRAYTON ROAD CHADDESLEY CORBETT  Proposed first floor side extension, rendering of existing house, proposed porch infill and additional access	WR  27/03/2013	08/05/2013		Allowed With	Conditions 10/05/2013

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
WFA1421 12/0323/FULL	APP/R1845/A/12 /2189056	Mr Simon Griffiths	22 BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER DY103JG  The erection of a new building to provide support accommodation in the form of 5 no. one-bed apartments, 1 no. two-bed apartments including communal space for tenants and occupants including staff sleep-over room.	HE  25/03/2013	06/05/2013			

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
WFA1422 13/0034/CERT/2197212	APP/R1845/X/13	THE DIOCESE OF WORCESTER	LAND TO REAR OF 5 MILL LANE BLAKEDOWN KIDDERMINSTER  Carrying out of development approved under planning application reference 08/0839/FULL (Erection of three detached dwellings, access and turning area)	WR  30/04/2013		11/06/2013		
WFR1415 12/0496/CERT/2186069	APP/R1845/X/12	Mrs M Tracey	CUCKOO HILL KINGSFORD LANE WOLVERLEY KIDDERMINSTER  Certificate: Proposed front extension	WR  24/11/2012		05/01/2013		



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# Appeal Decision

Site visit made on 7 May 2013

**by Gary Deane BSc(Hons) DipTP MRTPI**

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

**Decision date: 10 May 2013**

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## **Appeal Ref: APP/R1845/D/13/2194200**

### **West View, Drayton Road, Chaddesley Corbett, Kidderminster DY10 4QL**

- 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 G Powell against the decision of Wyre Forest District Council.
  - The application Ref 13/0011/FULL, dated 22 December 2012, was refused by notice dated 22 February 2013.
  - The development proposed is the erection of a first floor side extension, rendering of existing house, proposed porch infill and additional access.
- 

## **Decision**

1. The appeal is allowed and planning permission is granted for the erection of a first floor side extension, rendering of existing house, proposed porch infill and additional access at West View, Drayton Road, Chaddesley Corbett, Kidderminster DY10 4QL in accordance with the terms of the application Ref 13/0011/FULL, dated 22 December 2012, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 2701-01, 2701-02, 2701-03, 2701-04 and 2701-05 Revision C.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

## **Main Issue**

2. The Council raises no objection to the proposed development other than in relation to the creation of an additional vehicular access to serve the site from Drayton Road. The Council also recently granted planning permission<sup>1</sup> for a similar development to the proposal before me save for the proposed access arrangements to the site. In those circumstances, I shall confine my assessment primarily to the new access and its effect on highway safety for users of Drayton Road, which is the main issue in this case. My determination is, however, in relation to the appeal scheme as a whole.

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<sup>1</sup> Ref 12/0591/FULL dated 23 November 2012

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## Reasons

3. By creating an additional vehicular access to serve the house, as proposed to be extended, the appeal scheme would conflict with a policy of Worcestershire County Council, as Highway Authority (HA), which states that only one point of combined pedestrian and vehicular access should be permitted to a singular residential curtilage. The aim of this policy, which is contained in the Highways Design Guide (HDG) that forms part of Worcestershire's Local Transport Plan 3, is to limit the number of access points in which motorists enter and exit the highway. In doing so, the potential conflict between motorists changing speed and turning in the highway with other road users would be reduced. In applying this policy, it is appropriate to also take into account the particular circumstances of individual proposals, such as local highway conditions.
4. West View, like other properties along the same side of Drayton Road, has a single vehicular access onto the highway. The existing dwelling has an integral garage, which would be retained. Although details of the recently approved scheme are not before me, the Council was presumably satisfied in granting planning permission that on-site parking provision was adequate and that the proposed extended house could be accessed safely using a single access point off Drayton Road.
5. A second access point to West View would lead to a parking and turning area in front of the main house that would provide a link to the existing access and thereby establish the opportunity for an 'in-out' arrangement within the site. In this way, motorists would be able to enter and exit the site in a forward gear. With no obstruction on the driveway, such as a second parked car, motorists could do likewise using the existing access to the property. Nevertheless, with two access points in place, the potential need for motorists to reverse off or into the adjacent highway from the site, with the obvious risk posed to the safety of other road users, would be reduced.
6. The site is near to the convergence of Drayton Road, Briar Hill, Tanwood Lane and Woodrow Lane although there is reasonable visual separation between the appeal property and this junction. From what I saw, there is reasonably good visibility along Drayton Lane in both directions from both the existing and proposed access points. Motorists approaching the site along this section of highway would generally be aware of residential properties nearby and be alert to the possibility that vehicles could slow down and turn off the carriageway and emerge onto the highway from the driveways. It is unlikely that an additional access would fundamentally alter that position. Furthermore, the short section of the new driveway across the adjacent grass verge and footway would allow motorists exiting the site to stop if necessary before entering Drayton Road.
7. Given the presence of driveways punctuating the highway frontages of properties along this part of Drayton Road, and other features such as dropped kerbs and entrance gates it is also highly likely that pedestrians and cyclists using the adjacent footway and passing the site would be alert to the possibility that vehicles may emerge from it. These circumstances would be similar to the current access arrangements to West View and other nearby properties.
8. In refusing permission, the Council has referred to a conflict with several policies although it has offered little detailed evidence about the possible

consequences of the additional access in this case or exactly how the proposal would lead to a deterioration of highway safety. For the reasons given, I am not persuaded that the appeal scheme would pose a significant safety hazard to other road users or that a conflict with the HDG is sufficient reason, in itself, to withhold planning permission.

9. Therefore, I conclude that the proposed development would not materially harm highway safety for users of Drayton Road. Accordingly, it does not conflict with the underlying aims of Policy TR.17 of the Wyre Forest District Local Plan and Policies SAL.CC1 and SAL.CC2 of the Council's Draft Site Allocations and Policies Development Plan Document. These aims are to ensure that new development provides adequate parking and does not prejudice road safety. The proposal would also sit comfortably the National Planning Policy Framework, which notes that planning decisions and policies should take account of whether safe and suitable access to the site can be achieved for all people.
10. The site lies within the Green Belt. The Government attaches great importance to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. I note that the Council raises no objection on Green Belt grounds and presumably found the proposed extension and external alterations to West View to be acceptable in the context of national guidance and relevant local planning policies. I, too, reach a similar finding in relation to the appeal scheme. That is because permission for a similar development is extant and could be implemented and the new access would only require the removal of a small section of frontage hedgerow and a short extension of the driveway. To my mind, these changes would have no material effect on the openness of the Green Belt or the aims and purposes of including land within it.
11. I have attached a condition requiring that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. Given the size of the new extension, it is important that the finished building should have a unified appearance and identity with respect to the materials used. Therefore, a condition is imposed to require that external materials match those of the host building.
12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*Gary Deane*

INSPECTOR

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**11<sup>TH</sup> JUNE 2013**

**Recent Changes to Permitted Development Rights and  
Associated New Prior Approval and Notification Procedures**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Economic Prosperity and Place
<b>CONTACT OFFICER:</b>	John Baggott - Extension 2515 john.baggott@wyreforestdc.gov.uk
<b>APPENDICES:</b>	None

**1. PURPOSE OF REPORT**

- 1.1 To advise Members of very recent changes to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), which introduce a range of amendments, and thereby new or amended categories of “Permitted Development” which the Government has introduced with the intention of assisting with economic growth.
- 1.2 The amendments introduce not only new permitted development rights, in respect of householder and commercial development, but with it new procedures for notification and prior approval.

**2. RECOMMENDATION**

- 2.1 **That the changes to the Town and Country Planning (General Permitted Development) Order 1995 outlined in this report be noted.**

**3. BACKGROUND**

- 3.1 Section 55 of the Town and Country Planning Act 1990 (as amended) defines development as; *“the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land”*.
- 3.2 The Town and Country Planning (General Permitted Development) Order 1995 (as amended) (hereafter referred to as the GPDO) sets out, under Schedule 2, a whole series of types of development which, notwithstanding the definition of development quoted above, are permitted (i.e. do not require planning permission) subject to criteria set out within the accompanying text of the GPDO.

- 3.3 Schedule 2 of the GPDO is split up into a series of Parts, dealing with specific types of development, with, for example, Part 1 relating to *“Development within the curtilage of a dwellinghouse”* through to Part 42 which relates to *“Shops or catering, financial or professional services establishments”*, with a wide variety of categories of permitted development identified within the full range of Parts 1 to 42 inclusive.
- 3.4 Since taking office, the Coalition Government has made a review of planning legislation within England as one of its priorities on the basis that it is viewed, by the Government, as being overly bureaucratic and a barrier to economic growth.
- 3.5 On 25<sup>th</sup> April 2013, the much heralded Growth and Infrastructure Act 2013 received Royal Assent. Hereafter referred to as The Act 2013, the Government describes it as the *“flagship growth legislation”*, which *“signals extra momentum towards economic growth, new homes and jobs”*. The Act 2013 included provisions intended to:
- Kick-start urgently needed major infrastructure;
  - Bring forward building work on stalled housing sites;
  - Help families improve their homes without the need for planning permission;
  - Speed up development procedures;
  - And much more.
- 3.6 Secondary legislation has now been issued in the form of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, which took effect from 30<sup>th</sup> May 2013, and sets out in detail the full range of new permitted development rights, not all of which were specifically identified, or even hinted at, within the primary legislation – i.e. The Act 2013.
- 3.7 Notwithstanding the publication of the secondary legislation, detailed procedural guidance has not, at the time of writing, been issued and as such there remains a lack of clarity in respect of some elements of the new prior approval procedures. Even so, a summary of all of the published changes and associated procedures, along with brief commentary, where appropriate, is set out as follows.

#### **4. KEY ISSUES**

- 4.1 In the interests of clarity, the changes to the permitted development rights are set out below, in turn, as they would appear within the amended Schedule 2 of the GDPO.

Part 1 – Householder Development

- 4.2 The changes to Part 1 of the GDPO, which relate to householder development, allow single storey rear extensions with a length up to 6m (attached houses) or 8m (detached houses) to be erected during the 3 year period from 30<sup>th</sup> May 2013 to 30<sup>th</sup> May 2016.
- 4.3 The process for all other works under Part 1 of the GPDO will remain the same, but anyone proposing a 3m-6m or 4m-8m extension will have to notify their local authority before starting works and provide fairly basic information regarding the proposal. Most notably, there is no requirement to provide scaled plans or elevations. Officers consider that the lack of such a requirement is, at best, unhelpful.
- 4.4 Upon receipt of such notification, the local authority will need to consult the immediately adjoining premises, giving a minimum consultation period of 21 days. Where any owner or occupier of any adjoining premises objects to the proposed development, then the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.
- 4.5 When assessing this impact, the local authority will be required to:
- (a) take into account any representations made as a result of the consultation process; and
  - (b) consider the amenity of all adjoining premises, not just adjoining premises from which representations have been received.
- 4.6 The legislation states that the development shall not be begun before the occurrence of one of the following:
- (a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
  - (b) the receipt by the developer from the local planning authority of a written notice giving their prior approval;
  - (c) the expiry of 42 days following the date on which the notification was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused (i.e. after 42 days, if no written notice is issued, the developer will benefit from a “deemed” notice that prior approval is not required.
- 4.7 If refused, there would be a right of appeal. However details of to whom such an appeal should be made; in what format; and, the timescales for appealing, are not provided within the legislation. It would, however, be reasonable to assume that any such appeal would be handled by The Planning Inspectorate, although this is not made clear.
- 4.8 The legislation requires that any 3m-6m or 4m-8m extension shall be completed on or before 30<sup>th</sup> May 2016.

- 4.9 The legislation also requires that the developer shall notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.
- 4.10 Members are advised that there is no application fee payable for such a prior approval submission, despite the fact that it will involve obvious costs to the local authority, not only upon submission but also in terms of the potential need to undertake inspections to confirm that works have been completed.
- 4.11 Officers are concerned that the prior approval procedure will be costly to administer and will draw the Council into neighbour disputes, which in itself can be a drain on resources. Added to which, given the timescales imposed (i.e. 42 days) there appears to be no realistic opportunity for such prior approval applications to be reported to, and considered by, Planning Committee. Such prior approval applications will therefore need to be considered under the current Scheme of Delegation.

Part 2 – Minor Operations

- 4.12 An alteration has been introduced in respect of gates, fences, walls or any other means of enclosure. The permitted development rights have for many years specified that any such enclosure is permissible without the need for planning permission when constructed adjacent to a highway, provided that it does not exceed 1 metre in height. The amendments now introduced, whilst maintaining such a restriction in the vast majority of cases, allows a gate, fence, wall or other means of enclosure for a school only, to be up to 2 metres in height without the need for planning permission.

Part 3 - Changes of use

- 4.13 Under Class B, for changes of use from B1 (Business) to B8 (Storage and Distribution), from B2 (General Industrial) to B8, or from B8 to B1, the floor space limit is increased from 235m<sup>2</sup> to 500m<sup>2</sup>.
- 4.14 Under a newly introduced Class J, change of use from B1(a) (Offices) to C3 (Dwelling Houses) is permitted, provided that:
- 1) the property is not on Article 1(6A) land (i.e. within a National Park or an adjoining Parish to a National Park);
  - 2) the property was last used as B1(a) immediately before 30<sup>th</sup> May 2013;
  - 3) the use as C3 starts on or before 30<sup>th</sup> May 2016.
- 4.15 However, the developer will need to apply to the local authority with respect to transport and highways impacts, contamination risks, and flooding risks. No fee details have been provided, to date, for such a prior approval submission.

- 4.16 Under newly introduced Class K, a change of use from any of B1, C1 (Hotel), C2 (Residential Institution), C2A (Secure Residential Institution), or D2 (Assembly and Leisure) use to a “state-funded school” (which includes an Academy school) will be permitted. This class is subject to a condition preventing a subsequent change to other D1 (Non-Residential Institution) uses (e.g. places of worship; health centre, museum, etc.).
- 4.17 As with Class J above, the developer will need to apply to the local authority with respect to transport and highways impacts, noise impacts, and contamination risks. Again, no fee details have been provided, to date, for such a prior approval submission.
- 4.18 The new Class L has been introduced which would allow a change of use from a “state-funded school” permitted by Class K (above) back to the previous lawful use of the property, without the need for permission.
- 4.19 Newly introduced Class M allows a change of use from an agricultural use to what is referred to within the legislation as a “flexible use” (either A1 (shops), A2 (Financial and Professional), A3 (Restaurants and Cafes), B1, B8, C1, or D2), so long as:
- 1) the property has been solely in agricultural use either since 3 July 2012 or buildings first brought into use after 3 July 2012 for at least 10 years;
  - 2) subject to a cumulative floor space limit of 500m<sup>2</sup>. The property may subsequently change from one “flexible use” to another “flexible use”.
- 4.20 In the case where the cumulative floor space is 0-150m<sup>2</sup>, the developer does not need to apply to the local authority. Instead, the developer needs to notify the local authority before the change of use. However, in the case where the cumulative floor space is 150-500m<sup>2</sup>, the developer needs to apply to the local authority with respect to transport and highways impacts, noise impacts, contamination risks, and flooding risks. Once again, no fee details have been provided, to date, for such a prior approval submission.
- 4.21 It should be noted that the “flexible use” list for Part 3 Class M (above) is different to the “flexible use” list for Part 4 Class D (referred to elsewhere in this report).

Part 4 - Temporary buildings and uses

- 4.22 A new Class C allows a change of use from any use (other than a “sui-generis” use) to a “state-funded school” (which includes an Academy school) for a temporary period of a single academic year, so long as:
- 1) the use is approved by the Secretary of State for Education;

## Agenda Item No. 8

- 2) the latter Minister notifies the local authority;
  - 3) this class is not used more than once for a particular site. This class is subject to a condition preventing a subsequent change to other D1 uses.
- 4.23 Under a new Class D, it will be permissible to change the use from any of A1, A2, A3, A4 (Drinking Establishment), A5 (Hot Food Takeaways), B1, D1, or D2 to a “flexible use” (either A1, A2, A3, or B1), for a temporary period of up to 2 years, so long as:
- 1) this class is not used more than once for a particular site;
  - 2) subject to a floor space limit of 150m<sup>2</sup>.
- 4.24 The property may subsequently change from one “flexible use” to another “flexible use” within the 2 year period. For the purposes of the GPDO and the Use Classes Order 1987, the “flexible use” is treated as the previous lawful use of the property. The developer does not need to apply to the local authority, and instead needs to notify the local authority before the change of use.

### Part 8 - Industrial and warehouse development

- 4.25 During the 3 year period from 30<sup>th</sup> May 2013 to 30<sup>th</sup> May 2016, for works not on Article 1(5) (i.e. within a Conservation Area or an Area of Outstanding Natural Beauty) land nor on a site of special scientific interest, the floor space limit for any new building is increased from 100m<sup>2</sup> to 200m<sup>2</sup>, and the overall floor space limit for all works (i.e. new buildings and extensions) is increased from 25% to 50% (subject to a maximum of 1,000m<sup>2</sup>). The works must be completed on or before 30<sup>th</sup> May 2016, and the developer needs to notify the local authority after completion.

### Part 24 - Development by electronic communications code operators

- 4.26 During the 5 year period from 30<sup>th</sup> May 2013 to 30<sup>th</sup> May 2018, for works on Article 1(5) land, the construction, installation, alteration or replacement of a telegraph pole, cabinet or line, in connection with the provision of fixed-line broadband, will no longer require an application to the local planning authority for a determination as to whether prior approval is required for the siting and appearance of the works.

### Part 32 - Schools, colleges, universities and hospitals

- 4.27 A new “Interpretation” confirms that Part 32 applies to properties that are temporarily used as a “state-funded school” for a single academic year by virtue of the new Part 4 Class C.



Part 41 - Office buildings

- 4.28 During the 3 year period from 30<sup>th</sup> May 2013 to 30<sup>th</sup> May 2016, for works not on a site of special scientific interest, the overall floor space limit for all extensions is increased from 25% to 50% and from 50m<sup>2</sup> to 100m<sup>2</sup> (whichever is the lesser). The works must be completed on or before 30<sup>th</sup> May 2016, and the developer needs to notify the local authority after completion.

Part 42 - Shops or catering, financial or professional services establishments

- 4.29 During the 3 year period from 30<sup>th</sup> May 2013 to 30<sup>th</sup> May 2016, for works not on a site of special scientific interest, the overall floor space limit for all extensions is increased from 25% to 50% and from 50m<sup>2</sup> to 100m<sup>2</sup> (whichever is the lesser).
- 4.30 Furthermore, during the above 3 year period, the restriction against extensions being within 2m of a boundary will no longer apply, provided that:
- 1) the property doesn't adjoin a site within Class C of the Use Classes Order 1987;
  - 2) the property is not on Article 1(5) land;
  - 3) the property is not on a site of special scientific interest.
- 4.31 For both of the above (Parts 41 and 42), the works must be completed on or before 30<sup>th</sup> May 2016, and the developer needs to notify the local authority after completion.
- 4.32 Members will appreciate that the changes to the permitted development rights are varied; wide ranging; by no means straight forward; and, in some cases unlikely to be welcomed by those who may be impacted upon by a development which previously would have required planning permission and thereby would have enabled formal representations against such a proposal to be submitted.
- 4.33 Officers also have concerns regarding these amendments, not only in terms of the procedures and impact upon resources, but also in terms of the potential impact of development, which would previously have required planning permission, upon adjoining or nearby properties; premises; and, businesses.

**5. FINANCIAL IMPLICATIONS**

- 5.1 At this stage it is impossible to quantify the full extent of the financial implications to the Council of the new permitted development rights. However, it would appear inevitable that the introduction of these new rights, albeit on a temporary basis, will have an impact upon planning application fee income over the coming years.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 There are no legal or policy implications.

**7. RISK MANAGEMENT**

- 7.1 There are no risk management issues.

**8. EQUALITY IMPACT ASSESSMENT**

- 8.1 There are no equality impact implications to be considered.

**9. CONCLUSION**

- 9.1 The changes to the permitted development rights contained within the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 are varied, and bring with them new prior notification and approval procedures which, Officers fear, will place an additional non-fee generating burden upon the Council, as the Local Planning Authority.
- 9.2 Officers are concerned, in particular, that the enhanced permitted development rights in respect of householder developments and the associated prior approval procedure will prove to be time consuming to administer; will draw Officers into more neighbour disputes; and, may generate an increase in the number of appeals submitted to the Council.
- 9.3 Only time will tell whether the amended permitted development rights now introduced will be seen as a success or otherwise.

**10. CONSULTEES**

- 10.1 None.

**11. BACKGROUND PAPERS**

- 11.1 None.