

Open

# Planning Committee

## Agenda

6pm  
Tuesday, 8th October 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 B T Glass</b>
<b>Councillor D R Godwin</b>	<b>Councillor J 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 M A Salter</b>	<b>Councillor N J Thomas</b>

### 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 and Electoral Services 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, Solicitor to the Council, 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, 8th October 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>
1.	<b>Apologies for Absence</b>	
2.	<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 Solicitor to the Council, together with the name of the Councillor for whom he/she is acting.	
3.	<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.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 13 <sup>th</sup> August 2013.	7
5.	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	13
6.	<b>Applications Pending Decision</b>  To receive a schedule of planning and related applications which are pending.	38

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>	56
8.	<p><b>Land at Balmoral Court, Kidderminster Tree Preservation Order No. 379</b></p> <p>To receive a report from the Director of Economic Prosperity and Place regarding a Tree Preservation Order No 379 (2013) relating to a tree on Land at Balmoral Court (off Chaddesley Road) Kidderminster.</p>	75
9.	<p><b>Land at rear of 3 and 4 Sarah Seagar Close, Stourport-on-Severn Tree Preservation Order No. 380</b></p> <p>To receive a report from the Director of Economic Prosperity and Place regarding a Tree Preservation Order No 380 (2013) relating to a tree on Land at the rear of 3 and 4 Sarah Seagar Close, Stourport-on-Severn.</p>	79
10.	<p><b>To consider any other business, details of which have been communicated to the Solicitor to the Council 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>	
11.	<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

12.	<p><b>Live Enforcement Cases</b></p> <p>To receive a report which lists live enforcement cases as at 24<sup>th</sup> September 2013.</p>	83
13.	<p><b>To consider any other business, details of which have been communicated to the Solicitor to the Council 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**

**13TH AUGUST 2013 (6.00 PM)**

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**Present:**

Councillors: S J Williams (Chairman), G C Yarranton (Vice-Chairman), J Aston, C Brewer, H E Dyke, B T Glass, D R Godwin, J Greener, I Hardiman, P B Harrison, M J Hart, M B Kelly, H J Martin, C D Nicholls, M A Salter and N J Thomas.

**Observers:**

Councillors: G W Ballinger and S J M Clee.

**PL.18 Apologies for Absence**

Apologies for absence were received from Councillors B McFarland, F M Oborski and M Price.

**PL.19 Appointment of Substitutes**

Councillor J Aston was appointed as a substitute for Councillor M Price.  
Councillor H E Dyke was appointed as a substitute for Councillor F M Oborski.  
Councillor M B Kelly was appointed as a substitute for Councillor B McFarland.

**PL.20 Declarations of Interests by Members**

There were no declarations of interests.

**PL.21 Minutes**

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

**PL.22 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 512 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 512 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.23 Applications Pending Decision**

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

**Decision: The schedule be noted.**

**PL.24 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.25 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 6.27 p.m.



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**13<sup>th</sup> August 2013 Schedule 512 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 Development Manager, Wyre Forest House, Finepoint Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

<b>Application Reference:</b> 13/0324/FULL
<b>Site Address:</b> PORTLAND HOUSE, DORHALL, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4QJ
<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. B1 (Samples/Details of Materials).</li> <li>4. Details of drainage and manure store to be submitted and approved prior to first use of the development.</li> <li>5. Retention of predominantly hazel hedge along the roadside boundary.</li> </ol> <p><u>Reason for Approval</u></p> <p>The change of use of the site and the provision of a building for the purpose of outdoor sports and recreation within the Green Belt is appropriate, the stables and hay barn proposed are of a size commensurate with the site. The building would be positioned adjacent to a hedge, would be constructed of materials appropriate for the location and the use proposed and the buildings would benefit from safe access from the adjacent residential curtilage. The use of the land for the recreational keeping of horses and the associated building would have no significant impact on the character, openness or appearance of the Green Belt. The proposed change of use, stables, and hay barn would be considered to accord with the requirements of Policies CP11 and CP12 of the Adopted Core Strategy (2010), Policies SAC.CC7, SAL.UP1 and SAL.UP13 of the Adopted Site Allocations and Policies Local Plan (2013) and Section 9 of the National Planning Policy Framework.</p>

<b>Application Reference:</b> 13/0073/FULL
<b>Site Address:</b> MILESTONES, PEARL LANE, COMMONSIDE, ASTLEY CROSS, STOURPORT-ON-SEVERN, DY13 0PB
<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), revised drawing numbers CGD30_31A, (P) 01, (P) 02B, (P) 03B, (P) 05A, (P) 06B, (P) 07B, (P) 08B, (P) 09.</li> </ol>

3. B3 (Finishing Materials to Match).
4. J8 No further windows on the south east elevation (elevation facing Number 49 Kings Arms Lane).

Reason for Approval

The proposed extension is 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 extension 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 CP11 of the Adopted Wyre Forest Core Strategy (2010) as well as Policies SAL.UP7 and SAL.UP8 of the Adopted Wyre Forest Site Allocations and Policies Local Plan, Design Quality Supplementary Planning Guidance and Section 7 of the National Planning Policy Framework.

**Application Reference:** 12/0279/FULL

**Site Address:** LAND OFF HOLLIES LANE, KIDDERMINSTER, DY11 5RW

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters).
2. A11 (Approved plans).
3. Notwithstanding the information submitted, no development shall take place until details of types and colours of all external materials, including any hard surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the external appearance of the development appears appropriate within this Green Belt site and that the development accords with Policy CP11 of the Adopted Wyre Forest Core Strategy and Policies SAL.UP1 and SAL.UP7 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.

4. No retail of trees shall take place from the site without the approval of the Local Planning Authority.

Reason.

To ensure minimal impact to road safety.

Reason for Approval

The provision of buildings for forestry within the Green Belt is considered appropriate; the building proposed is of a suitable size to provide the necessary facilities. The building would be constructed of materials appropriate for the location and would utilise an existing site access. The building proposed would have no significant impact on the character, openness or appearance of the Green Belt, the

character of the area or the street scene. The proposed building would be considered to offer no significant detriment to the amenity currently enjoyed by the occupants of any nearby dwelling. The development would be considered to accord with the requirements of Policies CP11 and CP12 of the Adopted Core Strategy (2010), Policies SAL.UP1 and SAL.UP7 of the Site Allocations and Policies Local Plan and Sections 3 and 9 of the National Planning Policy Framework.

**Application Reference:** 13/0082/FULL

**Site Address:** RIVERSIDE BUILDING, FORMER CARPETS OF WORTH SITE, SEVERN ROAD, STOURPORT-ON-SEVERN,

**DELEGATED APPROVAL** subject to:

- i. the signing of a S.106 Agreement to secure -
  - a. 3 no. 1 bed units for affordable housing purposes;
  - b. Education Contribution of £9,810; and
  - c. Public Open Space Contribution of £2,316.
- ii The conditions and notes listed below:
  - 1. A6 (Full with No Reserved Matters).
  - 2. A11 (Approved Plans).
  - 3. B1 (Samples/Details of Materials).
  - 3. B9 (Details of Windows and Doors).
  - 4. B11 (Details of Enclosure).
  - 5. C8 (Landscape Implementation).
  - 6. C11 (Maintenance of Existing Hedges).
  - 7. E2 (Foul and Surface Water).
  - 8. HC25 (Access Closure - occupation – vehicular).
  - 9. HC36 (Cycle Parking -Multi Unit).
  - 10. Method statement for retaining features.
  - 11. Details of Surface Water Management.
  - 12. Contaminated Land.
  - 13. Contaminated Land (remediation).
  - 14. Finished Floor Levels.
  - 15. Archaeology.
  - 16. Updated Ecological Survey.

**Notes**

- A Highways - Access via unadopted road.
- B Flood Defence.
- C Biodiversity.

**Reason for Approval**

The proposed re-building of the 'Riverside Building' a heritage asset and the provision of 11 residential units is considered to be acceptable and in accordance

with policy given the material considerations advanced. The proposed development will not adversely impact on highway safety, flood risk or residential amenity. Provision for affordable housing, education contributions and public open space contributions will be provided in line with adopted policy. For these reasons the proposal is in accordance with policies DS01, DS03, CP01, CP02, CP03, CP04, CP05, CP11, CP14 of the Adopted Wyre Forest District Core Strategy, SAL.PFSD1, SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP4, SAL.UP5, SAL.UP6, SAL.UP7, SAL.UP9, SAL.EA1 of the Site Allocations and Policies Local Plan, Severn Road Development Brief Supplementary Planning Guidance, Design Quality Supplementary Planning Guidance, Planning Obligations SPD and National Planning Policy Framework – In particular sections 4, 6, 7, 10, 11, and 12.

**Application Reference:** 13/0288/FULL

**Site Address:** OAK VIEW, ROCK CROSS, ROCK, KIDDERMINSTER, DY14 9RW

**APPROVED** subject to the following conditions:

1. A6 (Full with no reserved matters).
2. A11 (Approved plans).
3. The materials to be used externally on the development hereby authorised shall comply with the details within Section 10 of the application form submitted.

Reason for Approval

The proposed development would have no impact on the amenity enjoyed by the residents of properties nearby; the design of the garage is considered acceptable and appropriate, the development would offer no detriment to the street scene and would offer no significant detriment to the character of the area. The proposed development would accord with the provisions of Policy CP11 of the Adopted Wyre Forest District Core Strategy and Policy SAL.UP7 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan, Design Quality Supplementary Planning Guidance and Sections 4 and 7 of the National Planning Policy Framework.

Councillor D R Godwin voted against the application.

**EXECUTIVE SUMMARY TO REPORT OF  
DEVELOPMENT MANAGER**

**Planning Committee**

**08/10/2013**

**PART B Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
13/0377/FULL	SPENNELLS VALLEY LOCAL NATURE RESERVE SPENNELLS VALLEY ROAD KIDDERMINSTER INDUSTRIAL ESTATE KIDDERMINSTER	DELEGATED APPROVAL	14
13/0418/RESE	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER	DELEGATED APPROVAL	19
13/0425/FULL	VICARAGE FARM FOLD LANE CHADDESLEY CORBETT KIDDERMINSTER	APPROVAL	29
13/0428/LIST	18 WELCH GATE BEWDLEY	APPROVAL	32
13/0440/FULL	63 STOURPORT ROAD BEWDLEY	APPROVAL	35

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**  
**8<sup>TH</sup> OCTOBER 2013**

**PART B**

<b>Application Reference:</b>	13/0377/FULL	<b>Date Received:</b>	27/08/2013
<b>Ord Sheet:</b>	384301 275094	<b>Expiry Date:</b>	22/10/2013
<b>Case Officer:</b>	Emma Anning	<b>Ward:</b>	Aggborough and Spennells

**Proposal:** Creation of a series of three fry refuges and associated wetland habitat adjacent to Spennells Valley Local Nature Reserve.  
 Relocation of fence

**Site Address:** SPENNELLS VALLEY LOCAL NATURE RESERVE,  
 SPENNELLS VALLEY ROAD, KIDDERMINSTER INDUSTRIAL ESTATE, KIDDERMINSTER,

**Applicant:** Environment Agency

<b>Summary of Policy</b>	CP02, CP13, CP14 (CS) SAL.PFSD1, SAL.CC7, SAL.UP3, SAL.UP4, SAL.UP5, SAL.UP9 (SAAPLP)
<b>Reason for Referral to Committee</b>	The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council.
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b>

**1.0 Site Location and Description**

- 1.1 The application site is a 0.68 hectare area of land, part of which falls partly within the Spennells Valley Playing Fields site and part in the Spennells Valley Local Nature Reserve. The site is located behind the public car park accessed from Heronswood Road, to the west of the sports pavilion.
- 1.2 There are two public footpaths which traverse the site and a blanket Tree Preservation Order across the site. The site falls within Flood Zones 2 and 3 as the Hoo Brook runs to the western and south-eastern boarder.
- 1.3 The current use of the site is as a parcel of amenity land which is largely unusable as it is regularly water logged at points throughout the year.

**2.0 Planning History**

- 2.1 None relevant.

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### 3.0 Consultations and Representations

3.1 Public Path Orders Officer – No objection.

3.2 Senior Watercourse Management Officer – No objection.

3.3 Countryside Officer – (For information)

The project is being lead by the Environment Agency but Wyre Forest District Council is a partner.

The Environment Agency would like to improve both fish numbers and diversity in the Hoo Brook, with a particular emphasise on eels. A suitable spot was identified at Spennells Valley Local Nature Reserve (LNR) and area of open space which is in the ownership of Wyre Forest District Council. And a partnership was formed that would create a series of ponds and scrapes that would provide habitat for fish fry (baby fish) and eels and their elver. The project would also create an extended area of wet inundation meadow, (an extension to the current area). This will significantly increase the biological value of Spennells Valley LNR and the Hoo Brook. To manage the meadow plants the new areas will need to be grazed and hence the existing fencing will be moved to include the new area

The project will also create a raised foot path linking the car park to the current board walk trail through the wood. It is hoped this raised path will remain dryer in the winter months much improving access around the nature reserve.

All the site investigations and soil movement and forming works will be managed and delivered by the Environment Agency or their agents whilst the relocation of the fence will be carried out by Wyre Forest District Council's Ranger Service. The Ranger Service will also manage the project post development.

3.4 Estates Surveyor – No comments received.

3.5 Ramblers - No objection.

3.6 Neighbour/Site Notice – Two letters received, one in support the other raising objection. The main points of objection are summarised below:

1. This playing field is a tremendous amenity of the people of this area, but unfortunately little by little public access is being restricted by change of use and fencing.
2. The field is currently not maintained as it should be; mowing is infrequent.

13/0377/FULL

3. There are more suitable sites within the District for the proposed development, the nature reserve should not be allowed to expand further into this much needed area of playing field.
4. Free access along the path will be further restricted making passage along the paths more difficult for the most vulnerable members of society, the very young and the elderly.

#### **4.0 Officer Comments**

- 4.1 Consent is sought for the creation of a fish fry refuge and enhanced public access pathways on an area of land between the existing Spennells Valley Local Nature Reserve site and the functional sports pitch. The proposed plans show how a tributary would be created from the Hoo Brook to feed into a three-bay fish fry refuge, bounded by a wet grassland area, a wildflower meadow and two separate wildlife ponds. A raised path would be created to run along the northern edge of the development site which would connect the Heronswood Road car parking area and pavillion with the existing nature reserve public footpath network. Two benches are proposed along the new pathway and the fencing to the nature reserve would be re-aligned.
- 4.2 The detail submitted with the application describes how the application is fuelled by a legal duty placed on the Environment Agency to bring all inland water bodies up to good ecological and chemical status by 2027, in order to comply with the European Union Water Framework Directive. The River Stour is currently failing for fish under the Directive due to the under representation of fish at several survey sites. A major factor in this poor performance is the loss of floodplain connectivity. Due to the constrained and urbanised nature of the River Stour there is limited opportunity to create these habitat features on a main river. The tributaries of the main river are therefore the only realistic option for augmenting valuable fish spawning and nursery habitats. Although there is some public feeling (as detailed above) that more suitable sites may exist within the District it is clear from the information contained within the Design and Access Statement and from the Council's Countryside Officer that efforts have been made to consider alternative sites and that both the Environment Agency and the District Council's Countryside Officer consider the proposed site the most appropriate.
- 4.3 The comments of the Countryside Officer above provide a concise overview of the proposal and the long term aspirations for the project. In summary the proposal is a joint project between the Environment Agency (EA) and Wyre Forest District Council (WFDC) which will see the fish fry pools and enhanced public access provided by the EA on land owned by the District Council. The long term management of the land will be carried out by WFDC. However, the detail provided by the Countryside Officer confirms how this will be achieved through an extension of the cattle grazing which currently takes place on site.



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- 4.4 The proposed plans do show an indicative area for a possible BMX track to the northern boundary of the sports field, however the creation of this facility does not form part of this planning application.

**PRINCIPLE OF DEVELOPMENT**

- 4.5 As detailed above part of the application site is an area of playing field. Playing fields are protected from development under Policy SAL.UP4 of the Site Allocations and Policies Local Plan unless one of the following applies;
- 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.
- 4.6 Concern has been raised that the proposal would result in the loss of a valuable sports facility. Although some of the area of land to which this proposal relates is part of the sports pitch it is an area of ground which is underused due to it being susceptible to surface water flooding which in turn prevents its upkeep, by the District Council, as a functional playing pitch facility. On this basis Officers are minded to conclude that the loss of this underused sports pitch provision is acceptable as the benefits to improved biodiversity and geodiversity as well as the enhancements to the green infrastructure corridor will offer greater opportunity for outdoor recreation than is currently the case. The advice from Sport England, who are a statutory consultee, is awaited and will be added to the addenda and corrections sheet.

**BIODIVERSITY & GEODIVERSITY**

- 4.7 The development plan for the District seeks to support development which will create or enhance opportunities for biodiversity and geodiversity and which will safeguard or improve the biodiversity value of the District's water ways. Given that this proposal has been submitted as a joint project between the Environment Agency and the District Council's Community Wellbeing and Environment Directorate, Officers are satisfied that the proposal has been designed in the best interests of biodiversity and geodiversity. An ecological appraisal was submitted by the applicants and has been considered by the Countryside Officer who offers no objection. Based on this advice Officers are satisfied that the principle of the proposal, in terms of biodiversity considerations, is sound and would not result in any harm being caused.

13/0377/FULL

- 4.8 The proposal would involve the excavation of significant amounts of earth to create the fry pools, the 'Design and Access Statement' states that the waste earth would be used for the creation of a BMX track, however this does not form part of the planning application and would require the benefit of full planning consent in its own right. In view of the fact that no planning permission exists for the BMX track then it is considered prudent to consider the application of a condition requiring details of how the excavated material is to be disposed of, prior to any development being carried out on site.

#### DESIGN & ACCESS

- 4.9 All landscaping works associated with the development have been designed to sensitively connect with the surrounding landscape. All pathways are to be laid in a robust grass mix and where the proposed walkway extends between fish fry pools the path will be continued by timber boardwalks between the banded areas of land. The hard and soft landscaping proposed would harmonise with the setting of the nature reserve and would therefore not result in visual harm to the amenity of the application site.
- 4.10 Concern has been raised that the proposal would reduce the usability of the existing pathways as a result of overspill of invasive species such as brambles from the wildflower meadow. The District Council's Ranger Service has confirmed that they would be responsible for the upkeep and management of the area and as such Officers do not feel that the proposal would result harm to access being caused.

### 5.0 Conclusions and Recommendations

- 5.1 The proposal offers significant improvements to the biodiversity and geodiversity offer of the Spennells Valley Local Nature Reserve and the connecting waterways sufficient to justify the loss of a modest section of largely unusable sports pitch facility.
- 5.2 For these reasons the recommendation is for **delegated** authority to **APPROVE** subject to no objections being received from Sport England and the following conditions:
1. A6 (Full with no reserved matters).
  2. A11 (Approved plans).
  3. Details of disposal of excavated material to be submitted prior to any development being carried out on site.

#### Reason for Approval

The proposal offers significant improvements to the biodiversity and geodiversity area of the Spennells Valley Local Nature Reserve and the Hoo Brook sufficient to justify the loss of the existing sports pitch. The proposal would not cause harm to visual amenity. For these reasons the proposal accords with the policies of the development plan listed above.

<b>Application Reference:</b>	13/0418/RESE	<b>Date Received:</b>	12/08/2013
<b>Ord Sheet:</b>	382266 274653	<b>Expiry Date:</b>	11/11/2013
<b>Case Officer:</b>	Julia Mellor	<b>Ward:</b>	Oldington and Foley Park

**Proposal:** Redevelopment of part of Development Block B(iii) within Phase 1 of the Former British Sugar Site for 19 no. residential dwellings and children's play area. Reserved Matters approval for scale, appearance, landscaping and layout and internal access within the development block following outline approval 12/0146/EIA

**Site Address:** FORMER BRITISH SUGAR SITE, STOURPORT ROAD, KIDDERMINSTER,

**Applicant:** Bovis Homes

<b>Summary of Policy</b>	DS01, DS05, CP01–05, CP11, CP12, CP14 (CS) SAL.PFSD1, SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP3, SAL.UP4, SAL.UP5, SAL.UP7, SAL.UP9, SAL.SK1, SAL.SK2 (SAAPLP) Re-Wyre Prospectus Design Quality SPG Supplementary Document Planning Obligations (2007) Sections 4, 6, 7 (NPPF)
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b>

## 1.0 Site Location and Description

- 1.1 The application site comprises development block DEV B (iii) within Phase 1 of the former British Sugar site which gained planning consent in outline for a range of land uses in December 2012 (application ref. 12/0146/EIA).
- 1.2 The application site lies in the centre of Phase 1 which encompasses a total of 19 hectares extending from the Stourport Road to the west to the Staffordshire and Worcestershire Canal to the east. The Severn Valley Railway line runs along part of the northern boundary to Phase 1 whilst to the south of the site lies the Vale Industrial Estate. The former British Sugar site has since been rebranded as 'Silverwoods'. In June the County Council received Pinch Point funding towards the provision of the Hoo Brook link road which will connect the Stourport Road to the Worcester Road (A442) via the former British Sugar site and the Hoo Brook industrial estate. It is expected that a planning application for the link road will be submitted by the date of the meeting.

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- 1.3 The redevelopment of the former British Sugar Site is highlighted within the Adopted Core Strategy as part of the vision for the District, with the Development Strategy advising that it is, "*Possibly the most important site to be allocated under this DPD with regard to the regeneration of Kidderminster...*" In addition the Re-Wyre Prospectus highlights the site, also called 'The Beet', as a key action area for regeneration.
- 1.4 The 2012 outline approval for Phase 1:
- i. agreed the point of access into the site from the Stourport Road and the main roads within Phase 1 including the route of the first part of the Hoo Brook Link Road;
  - ii. allowed the following range of uses – Class C3 residential development (up to 250 dwellings), Class B1, B2 and B8 employment development; Class A1 retail development, Class A3, A4 and A5 restaurant/café/drinking establishment/hot food take away, Class C1 hotel, Class C2 care home, Class C2 extra care facility, Class D1 crèche, a railway halt, and open space; and
  - iii. granted planning consent for a layout comprising of Development Blocks and assigned which of the above uses could be implemented within which Development Block.
- 1.5 The outline consent permits residential development on four parcels of land or Development Blocks known as DEV A (ii), DEV A (iii), DEV B (iii) and DEV C.
- 1.6 The current reserved matters application measures approximately 0.75 hectares in area and forms part of Development Block DEV B (iii). Whilst, as detailed below, Development Blocks DEV A (ii) and DEV A (iii) have already received detailed planning consent, the current application is the first for either Development Block DEV B (iii) or DEV C which, combined form the largest area of housing within Phase 1, with an area of 5.5 hectares.
- 1.7 To describe the application site within the context of Phase 1, it has a frontage to the link road of approximately 75m. To the south part of the site borders Road Phase C which divides this site from a Development Block designated for industrial uses. The site also has a common boundary to Landscape Area 5 (LA5), one of seven strategic landscape areas within Phase 1. LA5 is one of four areas is due to be adopted by the Council. The application site also encompasses a Neighbourhood Equipped Area for Play (NEAP) which is to be privately maintained measuring approximately 35m by 48m. The siting of the NEAP is such that it would be encompassed by LA5 on three sides.

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- 1.8 The application proposes a total of 19 dwellings; 12 x 3 bed, 5 x 4 bed and 2 x 5 bed. Members are advised that none of the units would be affordable. The proportion of affordable units was determined at the outline stage with the Section 106 Agreement requiring a total of 12% of the total number of units within Phase 1 to be affordable. This would equate to a total of 30 units over the whole of Phase 1 should a maximum of 250 dwellings be approved. As detailed below a total of 15 units of affordable housing have been approved on Phase 1 so far.
- 1.9 The application seeks consent for the remaining reserved matters which are:
- appearance;
  - scale;
  - landscaping;
  - layout (to include internal access).

## **2.0 Planning History (relevant)**

- 2.1 12/0146/EIA (Outline) - Redevelopment of the British Sugar Factory (phase 1), including access and Phase 1 link road with all other matters reserved, comprising: demolition of any remaining existing structures on site; residential development up to a maximum of 250 dwellings (class C3); employment development of up to 4 hectares (class B1, B2 and B8); retail development (class A1); restaurant/café/drinking establishment/hot food take away (class A3, A4 and A5); hotel (class C1); care home (class C2); extra care facility (class C2); crèche (class D1); a railway halt; access into site, ancillary roads, footpaths and cycleways; and open space : Approved 07.12.12
- 2.2 13/0110/RESE - 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 : Approved 03.07.13
- 2.3 13/0111/RESE - 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 : Approved 03.07.13
- 2.4 13/0134/RESE - 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 : Approved 25.07.13

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- 2.5 13/0227/RESE - 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: Approved 31.07.13

### 3.0 Consultations and Representations

3.1 Highway Authority – Awaiting response.

3.2 Environment Agency - Awaiting response.

3.3 Natural England : SSSI - No objection, no conditions requested. This application is in close proximity to Wilden Marsh & Meadows Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Green Infrastructure - We welcome the proposed public open space, which includes a children's play area and outdoor gym. Natural England is satisfied that the Green Infrastructure proposals submitted with this application conform to the requirements as set out in your authority's Green Infrastructure Plan (Policy CP 13 of the Wyre Forrest District Council Core Strategy). We therefore have no further comment to make on this element of the proposal.

Biodiversity enhancements - This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

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- 3.4 Arboricultural Officer - I have no objections to this development, however the trees located between the proposed development and the new play area will need to be fenced off in accordance with BS5837:2012. The landscaping for the housing development is acceptable, however I'd like to see some small leaved limes and wild service trees planted in the play area. Perhaps there could be a few less *Betula pendula* and *Tilia x euchlora* and no *Platanus x hispanica*. Also, I haven't found any information about tree planting pit design for both parts of the development or maintenance for the establishment of the trees and shrubs.
- 3.5 Countryside Officer – Awaiting response.
- 3.6 Cultural Services Manager – Awaiting response.
- 3.7 Senior Water Management Officer - It is not straightforward to match the details submitted for the current reserved matters application with the details submitted with the application in which the drainage strategy was approved (12/0146/EIA). Based upon the drainage strategy I believe the development area concerned would discharge in two directions, namely:
- The south eastern site would discharge to the southwest (1:5 yr max 62 l/s etc). This would include plots 31 – 36
  - The remainder of the site would discharge to the northwest. This would include plots 37-49. A maximum discharge has not been determined for this area in the drainage strategy since the catchment areas differ (in drainage strategy plots 53-62 and other areas were included when determining maximum 1:5 year discharge 102 l/s etc).
- However, in the drainage maps submitted with the current application suggest there is no discharge pathway to the south east of the site. The information currently submitted does not allow me to fully appreciate the proposed design or its functioning. I can also not determine whether the system will function within the discharge limits set in the approved overall drainage strategy.

I would therefore welcome further information for this application that will allow me to appreciate the following:

- How does the proposed drainage layout for the current application relate to the drainage strategy proposed under 12/0146/EIA?
- How have hardstanding areas been utilised to undertake the sewer design for this particular application?
- How do the resulting discharges for the current application relate to the drainage strategy proposed under 12/0146/EIA?

The Micro Drainage calculations currently submitted relate to a 1 year return period. I would welcome to see how the proposed design will cope with the 1:100 year event + 30 % climate change allowance.

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- 3.8 Crime Risk Advisor - . The design has created an expanse of parking at the rear of the houses which has very little natural surveillance over it; this makes any vehicles parked in this area susceptible to car crime.

The back of all but two of the plots borders onto this parking area. In the majority of house burglaries entry is gained at either the rear or the side of a premises, as 17 of the 19 plots have boundaries with the parking area there is ample opportunity for burglars to gain entry into the rear gardens unseen.

My experience is that developers will argue that by using the right type of fencing such as close boarded fencing topped with trellis it will increase surveillance and deter potential intruders. They may also argue that as some of the houses have three levels there will be good surveillance over the area.

Dealing with those arguments:

In my opinion the design creates a 'dead' area at the back of the houses; people entering into this area will be presented with a road surface and a mass of fences. The design does not encourage any activity in this area other than walking to or from a car, therefore there will be long periods when the area is devoid of people. This gives an immediate advantage to anybody intent on committing crime.

The questions a thief will ask are, "Will I be seen and will the police be alerted?" This is when natural surveillance becomes important. For natural surveillance to be effective it requires a view over an area from regularly occupied rooms i.e. rooms such as the living room or the kitchen. Plot type P308 (*plots 41 – 43*) meets this criteria in that they have first floor living rooms, there are only three of this type of house.

Natural surveillance works best when there is a sense of ownership, that is, people are more likely to report criminal activity if that activity is directed against their property. With only three houses with a good view over the parking area I think it unreasonable to expect them to see and report all criminal activity.

The other house type with three floors have bedrooms overlooking the parking area, these are not regularly occupied rooms and consequently will not provide sufficient natural surveillance. Other house types have ground floor living rooms at the rear of the property. However I think it is asking too much to expect somebody sitting in their living room to see down the garden and through the trellis on top of the fence and identify somebody that is 'up to no good'.

Taking into account the above factors in my experience a thief will feel quite confident that he or she can commit crime undetected.



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With the lack of natural surveillance there is also great potential for anti-social behaviour, I accept that a N.E.A.P is being created nearby, however it is not guaranteed that it will be used.

If vehicle crime and anti-social behaviour does start to occur in this area as I fear the logical step will be for vehicle owners to park their cars in front of the houses, blocking the roads.

In my opinion this design has a great deal of potential to be the source of crime and anti-social behaviour, therefore I must object to it, in its present form.

- 3.9 Disability Action Wyre Forest - Awaiting response.
- 3.10 Worcestershire Regulatory Services - There does not seem to be any mention of noise mitigation in respect to glazing or ventilation. I would therefore recommend that there is insufficient information at this time.
- 3.11 Health & Safety Executive - Awaiting response.
- 3.12 Severn Trent Water – Awaiting response.
- 3.13 North Worcestershire Economic Development & Regeneration - Awaiting response.
- 3.14 Neighbour/Site Notice/Press Notice – No representations received.

#### **4.0 Officer Comments**

- 4.1 The current reserved matters application proposes a total of 19 dwellings within Development Block DEV B (iii). The site forms part of the largest area permitted for residential development under the outline consent within Phase 1, and lies to the south of the Hoo Brook link road, with a frontage to the link road of approximately 75m. A NEAP (Neighbourhood Equipped Area for Play) is proposed within the application site to accord with the outline consent and part of the site has a boundary to LA5, a strategic area of open space which the Council is due to adopt. A mix of 3, 4 and 5 bedroom houses are proposed.
- 4.2 The outline approval for Phase 1 (12/0146/EIA) granted consent for the range of uses and the points of access into the individual Development Blocks. Therefore this subsequent application seeks consent for the following reserved matters:
  - scale;
  - layout;
  - landscaping; and
  - appearance.

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- 4.3 In terms of scale, the submitted plans indicate a range of 2, 2½ and 3 storey dwellings with single storey garages where proposed. This is considered to be in keeping with the residential schemes already approved within Phase 1. The proposed designs are typical of a volume housebuilder and could in no way be viewed as being out of the ordinary or for that matter particularly remarkable.
- 4.4 The proposed layout is based on a perimeter block principle, i.e. the plots are positioned on the perimeter of the site in order to provide active frontages to the adjoining highways and vantage points. This is to be commended, and importantly will provide a development which fronts onto and addresses the Hoo Brook link road. However, a consequence of this approach is that in this case the parking provision has been pushed to the rear of the houses and into a central courtyard. The Crime Risk Advisor has objected to the scheme on this basis, as he considers that it would provide a 'dead area' with a lack of natural surveillance of the parking courtyard potentially leading to vehicle crime and anti-social behaviour. At the time of preparing this report the applicants are seeking to address this objection.
- 4.5 As required by a condition attached to the outline consent, the proposed layout also includes the provision of a NEAP, which would be privately maintained. According to the Council's Supplementary Document on Planning Obligations a NEAP should have a minimum area of 1000 square metres and accommodate 8 types of play equipment with opportunities for ball games or wheeled activities. The submitted layout of the NEAP indicates that it would provide 8 types of play equipment including a timber climbing frame, two types of slide, two types of swing and outdoor fitness apparatus. The layout and materials indicate that the NEAP would have a natural feel and whilst there would be no goal areas or nets there is an area of grassed open space within the NEAP to allow outdoor games. In addition the size of the NEAP, in terms of square metres, meets the SPD guidance.
- 4.6 Initial observations on the proposed layout have raised no significant objections from the Highway Authority, however their formal comments have yet to be received and will be included on the addenda and corrections sheet.
- 4.7 The third reserved matter is that of landscaping. The Council's Arboricultural Officer has asked, with respect to the proposed planting of the NEAP, for the range of trees to be broadened to reduce the number of birch, lime and London Plane. Again the applicants are addressing this matter.
- 4.8 The final matter reserved for determination at this stage is appearance. The designs of the proposed brick built houses are in general satisfactory with the inclusion of decorative features such as contrasting brick lintels to the windows, the provision of canopies and protruding bay windows to some of the dwellings.

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- 4.9 Concern has been raised by the Council's Senior Water Management Officer advising that a lack of detail has been submitted with respect to drainage, to ensure that the proposed scheme fits in with the overall drainage strategy agreed for Phase 1. The applicants are addressing this matter.
- 4.10 Finally, Worcestershire Regulatory Services have made the comment that insufficient details have been submitted with regards to noise mitigation in respect to glazing and ventilation. In reference to this matter there was, at outline stage, a condition attached to the consent which requires the noise levels with the living rooms and bedrooms of those dwellings which front onto the link road not exceed certain noise levels in order to ensure reasonable living conditions. It is considered that the addition of suitably worded conditions at this reserved matters stage would ensure that these levels are adhered to.

## 5.0 Conclusions and Recommendations

- 5.1 The layout and designs as submitted are acceptable in principle and will provide acceptable frontages to the street scenes. Furthermore it is considered that the proposed NEAP is of a suitable size and will accommodate a range of play equipment which will encourage its full use.
- 5.2 There are however some issues that need to be resolved and therefore the recommendation is for **delegated** authority to **APPROVE** subject to the following:
- i. satisfactory amendment to the submitted layout which seek to provide more natural surveillance to the rear courtyard parking area, and no objection submitted within the re-consultation period by the Crime Risk Advisor;
  - ii. satisfactory drainage details to demonstrate that the proposed drainage of the application accords with the drainage strategy agreed for Phase 1 and no objection submitted within the re-consultation period by the Council's Senior Water Management Officer;
  - iii. no objections from the Highway Authority;

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iv. the following conditions:

1. A11 (Approved plans).
2. This form constitutes an approval of matters reserved under Condition 2 of Planning Permission Reference 12/0146/EIA and does not constitute a planning permission.
3. Layout of NEAP in accordance with approved plan (including boundary treatment) prior to first occupation of any of the plots;
4. Details of maintenance schedule of the NEAP, and maintenance regime to be undertaken in accordance with the agreed details.
5. Landscaping in accordance with approved plan.
6. Details of tree protection fencing to protect trees located on Landscape Area 5 (as approved under 12/0146/EIA).
7. Details of tree pits and trees planted in accordance with agreed details.
8. Materials.
9. Site levels in accordance with plans.
10. The boundary treatments shall be implemented in accordance with the approved drawing prior to the first occupation of the corresponding plot.
11. No fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway (including a shared surface or footpath) other than other that have been approved under the above Condition.
12. Drainage to be implemented in accordance with agreed details.
13. Details of parking for site operatives.
14. For those plots where sheds are proposed to be provided for the purposes of cycle parking (i.e. plots without garages), the sheds shall be constructed prior to the first occupation of the corresponding plot.
15. Details of how the approved driveways and vehicular turning areas are to be consolidated, surfaced and drained.
16. Details of a 'Welcome Pack' to promote sustainable forms of access.
17. Details of a Habitat Management Plan (HMP), including a timescale of implementation.
18. Details of proposed lighting including impact upon biodiversity.
19. Details of noise mitigation and ventilation.
20. Details of noise assessment prior to occupation.

Reason for Approval

The principle of residential development on this part of phase 1 of the former British Sugar site together with the proposed access into the Development Block has been agreed at the outline stage under planning approval 12/0146/EIA. The proposals are considered to be of an appropriate design in principle with no significant adverse impact upon the potential occupiers, existing ecology or highway safety. It is considered that the proposals accord with the relevant policy guidance. For these reasons the proposal is considered to be in accordance with the policies listed above.

<b>Application Reference:</b>	13/0425/FULL	<b>Date Received:</b>	08/08/2013
<b>Ord Sheet:</b>	389459 273635	<b>Expiry Date:</b>	03/10/2013
<b>Case Officer:</b>	James Houghton	<b>Ward:</b>	Blakedown and Chaddesley

**Proposal:** Proposed Hay Barn

**Site Address:** VICARAGE FARM, FOLD LANE, CHADDESLEY CORBETT, KIDDERMINSTER, DY104SA

**Applicant:** Mr & Mrs Jones

<b>Summary of Policy</b>	CP11, CP12 (CS) SAL.UP1, SAL.UP7 (SAAPLP) Section 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 Vicarage Farm is a converted barn located at a bend in Fold Lane just beyond and on the eastern side of the allotment gardens in Chaddesley Corbett. Adjacent to this residential property is a two hectare (approx 5 acre) field that slopes downwards in a northerly direction towards Hockley Brook. Although close to the fringe of the village it does not lie within the Chaddesley Corbett Conservation Area. There are no residential properties adjacent and the site lies within the West Midlands Green Belt.

### 2.0 Planning History

2.1 11/0660/FULL – Stable block and change of use of land for the keeping of horses : Approved 05/01/12.

### 3.0 Consultations and Representations

3.1 Chaddesley Corbett Parish Council – Object on the basis that the building is disproportionate given the size of the plot.

3.2 Neighbour/Site Notice – No representations received.

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#### 4.0 Officer Comments

4.1 The applicant seeks approval for the erection of a hay barn close to the site of stables and a tack room approved through application 11/0660/FULL. The hay barn would be positioned close to and parallel with Fold Lane and would share an access with the stables.

4.2 Section 9 of the National Planning Policy Framework sets out national policy relating to development within the Green Belt. Generally the construction of new buildings within the Green Belt should be regarded as inappropriate development, Paragraph 89 provides a list of exceptions:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

This policy is replicated within the Adopted Site Allocations and Policies Local Plan through Policy SAL.UP1. The proposed hay store would essentially provide a feed store for the recreational keeping of horses which would be considered outdoor sport and recreation.

4.3 Policy SAL.UP13 of the Adopted Site Allocations and Policies Local Plan sets out specific guidance for equestrian development. The policy requires that in considering proposals for smaller scale equestrian developments relating to non-commercial leisure use, applicants should have regard for the need for stables/field shelters/feed stores/tack rooms/maneges to:

- be sited within or immediately adjoining an existing building or complex, or alongside an existing hedgerow;
- provide safe highway access;
- be of traditional design and blend naturally into the landscape;
- provide appropriate landscaping and screening;
- comply with the space standards for stables as recommended by the British Horse Society, and

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- proposal for new maneges must not cause a harmful impact on the character of the landscape or on the amenity of neighbouring occupiers. They should be sited near to the stables to limit the visual impact on the landscape. Proposals for flood lighting will also require planning permission and where it is accepted that such lighting is essential, its use will be controlled through conditions restricting its maximum height, minimal glare and operating times in order to protect the amenity of the area and local residents.
- 4.4 The applicant states that it is intended to use approximately two acres of the site to provide grazing for two horses which is in line with the British Horse Society guidance which recommends one to one and a half acres per horse depending on the quality of the grass. For ten months of the year the remainder of the site (approximately three acres) would be used to produce hay to supplement the grazing. On the basis of previous hay production on the site it is anticipated that each of the two cuts in a year would produce approximately 300 standard two string bales. The barn would have a maximum capacity of 110m<sup>3</sup> which would allow storage of between 616 and 644 standard sized bales. It is anticipated that each horse will require one bale of hay per day for ten months and, as such, around 608 bales are required.
- 4.5 The building is considered appropriate in terms of both scale and design. The building would be constructed to an appropriate design and of appropriate materials. The building would provide an appropriate facility for outdoor sport and recreation and the size of the building has been justified. The building would be situated adjacent to the hedge and an existing access is to be used. It is not considered that the proposed use would have any significant impact on the amenity enjoyed by the occupants of nearby dwellings. The proposed use would appear neither atypical nor notable in this rural Green Belt setting.

## 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 building would provide a feed store for to be used in conjunction with the previously approved stables. The barn proposed is of a size commensurate with the expected yield of hay from the site. The building would be positioned adjacent to a hedge, would be constructed of materials appropriate for the location and the use proposed and the building would benefit from safe access from the existing site entrance. The proposed hay barn would be considered to accord with the requirements of Policies CP11 and CP12 of the Adopted Wyre Forest District Core Strategy (2010), Policies SAL.UP1 and SAL.UP13 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan (2013) and Section 9 of the National Planning Policy Framework.

## Agenda Item No. 5

**Application Reference:** 13/0428/LIST      **Date Received:** 14/08/2013  
**Ord Sheet:** 378416 275320      **Expiry Date:** 09/10/2013  
**Case Officer:** James Houghton      **Ward:** Bewdley and Arley

**Proposal:** Single storey ground floor extension to form garden room and toilet

**Site Address:** 18 WELCH GATE, BEWDLEY, DY122AT

**Applicant:** Mr & Mrs N Knowles

<b>Summary of Policy</b>	CP11 (CS) SAL.UP6 (SAAPLP)
<b>Reason for Referral to Committee</b>	The applicant is a Wyre Forest District Council Councillor
<b>Recommendation</b>	<b>APPROVAL</b>

### 1.0 Site Location and Description

1.1 The application property is a mid terrace, pitched roof, brick built, Grade II Listed Building within the Bewdley Conservation Area. The property is set at the back of pavement and has not been recently extended.

### 2.0 Planning History

2.1 None relevant.

### 3.0 Consultations and Representations

3.1 Bewdley Town Council – No objection and recommend approval.

3.2 Conservation Officer – 18 Welch Gate is a listed building of some considerable historic and architectural interest with elements including the cellar probably several hundred years older than the 18<sup>th</sup> century date suggested in the list description.

The stone foundations of the cellar to the rear of the building indicate that the footprint of the building was originally much smaller than present. It appears that this building (most likely timber framed) was rebuilt in the 18<sup>th</sup> century with an additional bay being added to the front in the 19<sup>th</sup> century. This would account for the blocked window in the exposed timber-framed gable of the neighbouring building – which presumably opened onto a yard or garden, now the front room of this house, and formerly the bar of the pub which occupied the building.



13/0428/LIST

It is noted that the proposed extension connects to the existing building via an historic extension, probably early 20<sup>th</sup> century.

The use of a flat roof whilst not “traditional” in style does result in the building impacting far less on neighbouring properties than would be the case if a pitched roof were employed. It also allows the extension to sit comfortably against the listed building without disturbing any of the architectural features of the rear elevation.

It is considered that the minimal impact of the proposed extension on the listed building, the setting of its (listed) neighbours, and the wider Conservation Area accords with the requirements of Policy SAL.UP6. Thus no objections are raised subject to the addition of a condition requiring the submission of samples of materials prior to implementation of the development.

3.3 Neighbour/Site Notice – No representations received.

#### **4.0 Officer Comments**

- 4.1 The applicant seeks approval for the erection of a single storey flat roofed extension to the rear which would provide a garden room and a wc.
- 4.2 Policy SAL.UP6 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan sets out the criteria for assessing the suitability of works to Listed Buildings. Extensions to buildings should have no detrimental impact on the significance of the Heritage Asset or its setting. It is also required that the any extension takes into account the materials, styles and techniques used in the construction of the original building.
- 4.3 The proposed extension is considered appropriate as it would offer no detriment to the heritage asset or its setting and would not result in a reduction or loss of significance. The materials and techniques to be used in the construction of the extension would match those used in the original building. Whilst the introduction of a flat roof is not traditional, the roof would serve to reduce the visual impact of the structure on the original building.

13/0428/LIST

## 5.0 Conclusions and Recommendations

5.1 The proposal accords with the policies as detailed above and, as such, it is recommended that the application is **APPROVED** subject to the following conditions:-

1. A7 (Listed Building/Conservation Area Consent).
2. A11 (Approved plans).
3. B1 (Samples).

### Reason for Approval

The proposed works are considered appropriate would offer no detriment to the heritage asset or its setting and would not result in a reduction or loss of the buildings significance. The proposed development would be considered to accord with the requirements of Policy CP11 of the Adopted Wyre Forest District Core Strategy and Policy SAL.UP6 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.

<b>Application Reference:</b>	13/0440/FULL	<b>Date Received:</b>	24/08/2013
<b>Ord Sheet:</b>	379205 275217	<b>Expiry Date:</b>	19/10/2013
<b>Case Officer:</b>	Julia Mellor	<b>Ward:</b>	Wribbenhall

**Proposal:** Removal of front garden wall and construction of brick paved parking space for one car and new dropped kerb to highway

**Site Address:** 63 STOURPORT ROAD, BEWDLEY, DY121BH

**Applicant:** Mr Graham Luxford

<b>Summary of Policy</b>	CP03, CP11 (CS) SAL.UP6, SAL.UP7 (SAAPLP) Section 4 (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 The application site fronts the Stourport Road to the north east of the town centre close to Bewdley High School. The site accommodates a two and a half storey dwelling which lies at the end of a row of four terraced properties. The dwelling is locally listed.

## 2.0 Planning History

2.1 None relevant.

## 3.0 Consultations and Representations

3.1 Bewdley Town Council – Awaiting comments.

3.2 Highway Authority – The application proposes to introduce off street car parking to serve a residential property where there is presently no off street parking arrangements. The application does not accord with the requirements of the adopted local transport plan and will result in conflict for vehicles and pedestrians.

13/0440/FULL

The requirement for a new access onto a route of importance, and this road is considered to be that, is that any vehicle entering and exiting the site should do so in a forward gear. This site has a constrained frontage which results in there being insufficient space to allow this to occur. Therefore there will be reversing movements on to Stourport Road either out of or into the proposed parking area which will disrupt the free flow of traffic, which is contrary to the requirement to keep traffic flowing and creates a potential safety hazard.

The proposed car parking space is of substandard length to be considered acceptable. The applicant has indicated provision for a 4.6m parking area, where the local transport plan requires a parking space to be 4.8m. This will result in the overhang of a vehicle over the footway reducing the available space for pedestrians. Whilst this is unacceptable in principle, the close proximity of the site to a school results in increased levels of footfall in the area.

The application does not meet the requirements of the adopted local transport plan and the result of this is conflict between vehicles leaving the site, pedestrians and passing traffic, and this will affect the free flow of traffic and will have an adverse impact on highway safety. It is therefore recommended that this application be refused.

3.3 Conservation Officer - Awaiting comments.

3.4 Neighbour/Site Notice – No representations received.

#### **4.0 Officer Comments**

4.1 The proposed development comprises the removal of the front garden brick wall which marks the boundary between the dwelling and the pavement and a dropped kerb to provide one car parking space to the front of the property.

4.2 The parking space would measure 2.4m x 4.6m and leave sufficient space to retain the two existing clay paved brick footpaths which lead to the front door and to the side passage together with some of the existing shrub planting.

4.3 The consideration of the proposals relies upon the impact upon highway safety, the existing heritage asset and the street scene.

13/0440/FULL

- 4.4 First it is acknowledged that the proposed layout would not provide sufficient space for a vehicle to park on the site, and then exit in a forward gear. However it is not possible for many of the property owners along the Stourport Road frontage to achieve this manoeuvre and it is not considered that reversing onto the highway would be significantly more detrimental to highway safety at this location in comparison to others within the vicinity. The same could be said with respect to the depth of the proposed parking space. At 4.6m it is 200mm short of the depth of a County Council standard parking space, and therefore there is the potential for vehicles to overhang the footpath. However again it is not considered that the overhang would be so sizeable as to cause significant detriment to highway safety.
- 4.5 The application property lies in a Victorian terrace of four locally listed buildings. The applicant has acknowledged his regret at losing the front garden wall and landscaped frontage which he regards to be "*important features that help define the character of the building and the road.*" The applicant has therefore given great care and attention to the treatment of the frontage and proposes to retain three existing oak posts from the current boundary treatment, an area of landscaping and two existing footpaths surfaced in red clay paving bricks. Moreover the proposed parking space is to be surfaced in blue clay paving bricks to contrast in colour but to harmonise with the character of the frontage.
- 4.6 It is considered that the proposed layout of the frontage would not detract significantly from the setting of the locally listed building, added to which two of the four terraced properties have already had their original frontage removed to provide parking spaces to the front.

## 5.0 Conclusions and Recommendations

- 5.1 It is considered that the proposals would cause no significant harm to highway safety. Furthermore, as a result of the materials chosen together with the retention of certain existing features, the scheme would not be detrimental to the setting of the locally listed property or to the character of the street scene.
- 5.2 The recommendation is therefore for **APPROVAL** 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

It is considered that the proposals would cause no significant harm to highway safety. Furthermore, as a result of the materials chosen together with the retention of certain existing features, the scheme would not be detrimental to the setting of the locally listed property or to the character of the street scene.

## Wyre Forest District Council

Planning Committee Meeting 08 October 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
12/0411/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
12/0447/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
12/0549/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
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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
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
13/0082/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
13/0071/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
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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
13/0139/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
13/0157/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
13/0170/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
13/0193/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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
13/0208/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
13/0240/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
13/0272/FULL	23/05/2013	18/07/2013	2 STOKESAY CLOSE KIDDERMINSTER DY101YB	Bedroom, bathroom and utility extension over existing garage	Mr M Wilkins	James Houghton
13/0282/FULL	03/06/2013	29/07/2013	STONE MANOR HOTEL STONE CHADDESLEY CORBETT KIDDERMINSTER DY104PJ	Change of use of Assembly Room to No.5 x 3 bed dwellings; alterations to elevations and existing roof; provision of private amenity space; new access gates and piers	STONE MANOR HOTELS LTD	Emma Anning
13/0293/CERTE	05/06/2013	31/07/2013	MILL HOUSE STOURPORT ROAD BEWDLEY DY121BD	Use of Mill House as 4 Flats and separate Office (Class A/B) - Certificate of Lawful Use	Mr K Ahern	Paul Round
13/0321/CERTE	07/06/2013	02/08/2013	BARNETT HILL GARDEN & LEISURE WORCESTER ROAD CLENT STOURBRIDGE DY9 0EE	Use of poly-tunnels for specific retail sales in breach of Condition 16 of WF/1079/00-Certificate of Existing Lawful Use	GARDEN & LEISURE GROUP LTD	Paul Round
13/0323/TREE	07/06/2013	02/08/2013	19 FIELDFARE COURT KIDDERMINSTER DY104TT	Reduce section of the crown of a Beech Tree overhanging 9 Cygnet Court by 20%	Mrs M Johnson	Alvan Kingston
13/0318/FULL	10/06/2013	05/08/2013	CLOVERFIELD ROCK KIDDERMINSTER DY149XL	Proposed single storey rear extension	Mr M Brighton	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0337/FULL	20/06/2013	15/08/2013	MILL BANK HOUSE MILL STREET KIDDERMINSTER DY116XJ	Change of use third floor storage area to single apartment	Mr & Mrs D Sanders	Paul Round
13/0325/LIST	21/06/2013	16/08/2013	THE BAILIFFS HOUSE 68 HIGH STREET BEWDLEY DY122DJ	The proposal is for timber frame and roof repairs including stripping and relaying the roof to the south elevation, reusing tiles where possible and replacing tiles with new to match existing where necessary. The proposal also includes new larch feather edge boarding to the south elevation above ground floor level, new windows to the south elevation, and new galvanised steel half round gutters and circular downpipes.	Mr I Jones	Julia McKenzie-Watts
13/0343/FULL	28/06/2013	23/08/2013	28 MARLBOROUGH DRIVE STOURPORT-ON-SEVERN DY130JH	Porch with matching pitched roof over garage front	Mrs D Watson	James Houghton
13/0352/FULL	01/07/2013	26/08/2013	4 BRIARWAY LICKHILL LODGE STOURPORT-ON-SEVERN DY138ST	Single storey extension to front	Mr J Martin	James Houghton
13/0373/FULL	05/07/2013	30/08/2013	PADDOCKS AT CURSLEY LANE KIDDERMINSTER DY104LF	Change of use to the keeping of horses and construction of stables and tackroom	Mr J Bradley	Julia McKenzie-Watts
13/0393/OUTL	18/07/2013	17/10/2013	FORMER TIMBER YARD PARK LANE KIDDERMINSTER DY116TE	Erection of 16 studio apartments	ALBUTT INVESTMENTS LTD	Paul Round
13/0395/FULL	24/07/2013	23/10/2013	BEWDLEY MEDICAL CENTRE DOG LANE BEWDLEY DY122EG	Demolition of existing medical centre on Dog Lane and erection of 49 space car park; erection of Medical Centre incorporating a retail pharmacy together with other ancillary health and community services on existing Dog Lane public car park.	BEWDLEY MEDICAL CENTRE PROPERTY LTD	Emma Anning

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0405/FULL	24/07/2013	18/09/2013	DRAKELOW TUNNELS DRAKELOW LANE WOLVERLEY KIDDERMINSTER	Museum, museum gift shop, coffee shop and visitor parking and construction of 6 dwellings to facilitate costs of establishing museum and museum building	Quercus Ilex SA	Paul Round
13/0423/CAC	24/07/2013	18/09/2013	BEWDLEY MEDICAL CENTRE DOG LANE BEWDLEY DY122EG	Demolition of existing medical centre	BEWDLEY MEDICAL CENTRE PROPERTY LTD	Emma Anning
13/0411/FULL	01/08/2013	26/09/2013	23 LONGBOAT LANE STOURPORT-ON-SEVERN DY138AE	Single storey side extensions	Mr D Conway	Julia McKenzie-Watts
13/0416/FULL	02/08/2013	27/09/2013	COCK & MAGPIE 1 SEVERN SIDE NORTH BEWDLEY DY122EE	Construction of first floor external smoking shelter	Marston's PLC	James Houghton
13/0417/LIST	02/08/2013	27/09/2013	COCK & MAGPIE 1 SEVERN SIDE NORTH BEWDLEY DY122EE	Construction of first floor external smoking shelter	Marston's PLC	James Houghton
13/0426/FULL	05/08/2013	30/09/2013	39 BARNETTS LANE KIDDERMINSTER DY103HH	Demolition of existing outbuildings and garages and the erection of a single new dwelling and garages	Malvern Estates Plc	Emma Anning
13/0408/FULL	06/08/2013	01/10/2013	WEST MIDLANDS SAFARI PARK BEWDLEY BYPASS SPRING GROVE BEWDLEY DY121LQ	Change the current Tiger Ridge Reserve into a New Wolf Reserve. A New Wolf House is required plus the inclusion of a small compound	WEST MIDLANDS SAFARI PARK(Mr D Chorley)	Paul Round
13/0409/FULL	06/08/2013	01/10/2013	2 & 4 WOODBURY ROAD NORTH STOURPORT-ON-SEVERN DY138XL	Change of use of existing ground floor Residential to A1 Shop and 3 bedroom flat over with external staircase and ground floor side extension	Mr S Gossal	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0414/FULL	07/08/2013	02/10/2013	LAND TO THE REAR OF THE ROYAL FORESTER CALLOW HILL ROCK KIDDERMINSTER DY149XW	Change of use and conversion of existing agricultural building to form holiday let	Mr & Mrs J McGaughran	James Houghton
13/0425/FULL	08/08/2013	03/10/2013	VICARAGE FARM FOLD LANE CHADDESLEY CORBETT KIDDERMINSTER DY104SA	Proposed Hay Barn	MR & MRS JONES	James Houghton
13/0418/RESE	12/08/2013	11/11/2013	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER	Redevelopment of part of Development Block B(iii) within Phase 1 of the Former British Sugar Site for 19 no. residential dwellings and children's play area. 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
13/0422/TREE	12/08/2013	07/10/2013	3 SHELDUCK GROVE KIDDERMINSTER DY104EF	Fell an Oak and reduce the crown of a Lime by 30%	Mr B Evans	Alvan Kingston
13/0424/TREE	12/08/2013	07/10/2013	15A CHURCH WALK STOURPORT-ON-SEVERN DY130AL	Re-Pollard two Lime Trees	Mr S Eglash	Alvan Kingston
13/0433/FULL	13/08/2013	08/10/2013	FORMER CROWN INN OLD CHESTER ROAD SOUTH KIDDERMINSTER DY101XL	Siting of a portacabin for use as an office for a 12 month period	Mr S Grieveson	Emma Anning
13/0437/FULL	13/08/2013	08/10/2013	FORMER SHOWELLS GARAGE FRANCHE ROAD WOLVERLEY KIDDERMINSTER DY115TP	Modifications to plots 3 & 4, including provision of detached garage following planning permissions WF/0650/00 and WF/0802/97	Lioncourt Homes Ltd (Mr K Ubhi)	Paul Round
13/0428/LIST	14/08/2013	09/10/2013	18 WELCH GATE BEWDLEY DY122AT	Single storey ground floor extension to form garden room and toilet	Mr & Mrs N Knowles	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0429/FULL	14/08/2013	09/10/2013	11 WOODBURY ROAD NORTH STOURPORT-ON-SEVERN DY138XL	Two storey side extension	Mr M Dutton	James Houghton
13/3020/PNLDO	14/08/2013	09/10/2013	BEAKBANE LTD STOURPORT ROAD KIDDERMINSTER DY117QT	Overcladding existing two storey office building, part demolition of existing building, construction of new single story building plus new dropped kerb access to existing building	BEAKBANE LTD	Julia Mellor
13/0430/TREE	15/08/2013	10/10/2013	15 THE CHESTNUTS KIDDERMINSTER DY117BN	Pollard one Common Lime and crown lift a second to 5 metres	Mr K Jones	Alvan Kingston
13/0431/FULL	16/08/2013	11/10/2013	52 STOURPORT ROAD BEWDLEY DY121BL	Change of use of the school bungalow from business to residential premises (for use by the school's site manager)	THE BEWDLEY SCHOOL AND SIXTH FORM CENTRE	James Houghton
13/0456/CERTE	19/08/2013	14/10/2013	POUND BUNGALOW DOWLES ROAD BEWDLEY DY122RD	C3 Dwelling house with garden and detached garage and vehicle access from public highway	Mr Trevor Hunt	Emma Anning
13/0442/FULL	21/08/2013	16/10/2013	UNIT 1 RIVERSIDE BUSINESS CENTRE WORCESTER ROAD STOURPORT-ON-SEVERN DY139BZ	Retention of scrap yard storage use	Mr E Doe	Paul Round
13/0449/FULL	21/08/2013	16/10/2013	75 SION HILL KIDDERMINSTER DY102XS	Dropped kerb at 75 Sion Hill to allow parking at property	Mr Peter Wood	Emma Anning
13/0439/CERTP	22/08/2013	17/10/2013	CUCKOO HILL KINGSFORD LANE WOLVERLEY KIDDERMINSTER DY115SL	Proposed rear and side extensions	Mrs M Tracey	Paul Round
13/0445/FULL	22/08/2013	17/10/2013	91 CONINGSBY DRIVE KIDDERMINSTER DY115LY	Proposed single storey side extension	Mr M Cuthbert	Julia Mellor



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0447/FULL	22/08/2013	17/10/2013	1-5 LOWER CHADDESLEY COTTAGES LOWER CHADDESLEY KIDDERMINSTER DY104QN	Residents off street parking area, renewal of Planning Permission 08/0206/FULL	Mr D Bamford	Julia McKenzie-Watts
13/3021/PNH	22/08/2013	03/10/2013	21 SHRUBBERY STREET KIDDERMINSTER DY102QZ	Single storey pitch roof kitchen extension to rear	Mr M Pegg	
13/0436/TREE	23/08/2013	18/10/2013	12 & 14 TRINITY COURT KIDDERMINSTER DY102EB	Fell 1 Ash, 1 Sycamore and crown lift a second Ash to 5 metres	Mr Phil Abbiss	Alvan Kingston
13/0462/FULL	23/08/2013	18/10/2013	12 GOLDEN HIND DRIVE STOURPORT-ON-SEVERN DY139RJ	Retrospective consent for front boundary walls	Mr Steve Harris	James Houghton
13/0440/FULL	24/08/2013	19/10/2013	63 STOURPORT ROAD BEWDLEY DY121BH	Removal of front garden wall and construction of brick paved parking space for one car and new dropped kerb to highway	MR Graham Luxford	Julia Mellor
13/3022/PNH	26/08/2013	07/10/2013	60 BEWDLEY ROAD NORTH STOURPORT-ON-SEVERN DY138PS	A single storey rear extension to provide an extended kitchen and study. Flat roof design, extending 4.825m from the rear of the detached property	Mr T Vernon	James Houghton
13/0377/FULL	27/08/2013	22/10/2013	SPENNELLS VALLEY NATURE RESERVE SPENNELLS VALLEY ROAD KIDDERMINSTER INDUSTRIAL ESTATE KIDDERMINSTER	Creation of a series of three fry refuges and associated wetland habitat adjacent to Spennells Nature Reserve. Relocation of fence	Environment Agency	Emma Anning
13/0443/FULL	28/08/2013	23/10/2013	BADGER COTTAGE 1 POUND LANE ROCK KIDDERMINSTER DY149RD	Single storey side extension	Mr D Pugh	James Houghton
13/0446/FULL	28/08/2013	23/10/2013	2 ADAM STREET KIDDERMINSTER DY116PS	Two storey side extension with single storey rear extension	Mr & Mrs Dredge	Julia Mellor

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0448/FULL	28/08/2013	23/10/2013	1 AUDLEY DRIVE KIDDERMINSTER DY115NE	Single storey side & rear extension	Mr D Dutton	Julia Mellor
13/0438/FULL	29/08/2013	24/10/2013	THICKNALL COTTAGE THICKNALL LANE CLENT STOURBRIDGE DY9 0HN	Change of use of existing agricultural land to form extension to domestic curtilage.	Mr & Mrs Liversidge	Julia McKenzie- Watts
13/0441/FULL	29/08/2013	24/10/2013	STOURPORT MASONIC HALL 11 SEVERN ROAD STOURPORT-ON- SEVERN DY139HB	Proposed entrance portico and disabled access ramp	STOURPORT MASONIC HALL	Julia Mellor
13/0444/ADVE	29/08/2013	24/10/2013	28-29 WORCESTER STREET KIDDERMINSTER DY101ED	2no. Externally Illustrated Fascia Signs;2no. non illuminated projecting signs.	Mr S Archer (Connells Group)	Paul Round
13/0452/FULL	29/08/2013	24/10/2013	THE STABLES LOWER PARK BEWDLEY DY122DP	Erection of 3m x 2.5m garden shed to side elevation	Mr J Hayes	Emma Anning
13/0460/FULL	30/08/2013	25/10/2013	T J HUGHES LTD 1 HIGH STREET KIDDERMINSTER DY102DJ	Sub-division of existing retail unit to create 2no. Retail units and change of use of unit B to Class A3 restaurant and cafe	Cougar (Midlands) Limited	James Houghton
13/0461/ADVE	30/08/2013	25/10/2013	FORMER TJ HUGHES 1 HIGH STREET KIDDERMINSTER DY102DJ	Installation of 4No. Fascia signs (3 to be illuminated) and 1No. Illuminated projecting sign	British Heart Foundation	James Houghton
13/0476/FULL	30/08/2013	25/10/2013	35 THE CRESCENT COOKLEY KIDDERMINSTER DY103RY	Erection of a single detached dwelling	Rykav Constuction Ltd	James Houghton
13/0459/FULL	01/09/2013	27/10/2013	MOTOVARIO LTD UNIT 335 RUSHOCK TRADING ESTATE RUSHOCK DROITWICH WR9 0NR	Extension over existing flat roof to form meeting/training room	Mr W Purvis	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0299/FULL	02/09/2013	28/10/2013	FORMER GARAGE SITE BREDON AVENUE KIDDERMINSTER DY117EP	Construction of 6 No. 2bed/ 4person houses including associated access and landscaping	CHG PROPERTY SERVICES	Emma Anning
13/0450/ADVE	02/09/2013	28/10/2013	HALIFAX PLC 27-28 VICAR STREET KIDDERMINSTER DY101DA	Non-illuminated sign to service yard	Lloyds Banking Group	Julia McKenzie-Watts
13/0451/FULL	02/09/2013	28/10/2013	15 STOURPORT ROAD BEWDLEY DY121BB	Two storey extension to rear (Re-submission of 13/0380/FULL)	Mr M Robbins	James Houghton
13/0453/FULL	02/09/2013	02/12/2013	NIGHTINGALE COURT CARE HOME 11-14 COMBERTON ROAD KIDDERMINSTER DY101UA	Alterations and extensions to front and rear of exist care home to create an additional 8 bedrooms and new entrance	Far Fillimore Care Homes Ltd	Julia Mellor
13/0454/FULL	02/09/2013	28/10/2013	NEW WOOD FARM BUNGALOW NEW WOOD LANE BLAKEDOWN KIDDERMINSTER DY103LD	Retention of steel portal frame building for the purposes of hay and fodder storage	Mr N Biddle	James Houghton
13/0455/OUTL	02/09/2013	02/12/2013	CHICHESTER CARAVANS VALE ROAD STOURPORT-ON-SEVERN DY138YL	Outline Application for 28 no. Residential houses and apartments (Access & layout to be determined)	Mr J Bolton	Paul Round
13/0463/FULL	02/09/2013	28/10/2013	WOODEAVES PLEASANT HARBOUR BEWDLEY DY121AD	Proposed rear extension	Mr Richard Heath	Julia McKenzie-Watts
13/0464/LIST	02/09/2013	28/10/2013	WOODEAVES PLEASANT HARBOUR BEWDLEY DY121AD	Proposed rear extension	Mr Richard Heath	Julia McKenzie-Watts
13/0458/TREE	03/09/2013	29/10/2013	OUTLOOK 34 ARELEY COURT STOURPORT-ON-SEVERN DY130AR	Thin crown of Oak by 30%, removal of deadwood and lift crown	Mr D Fradgley	Alvan Kingston

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0465/FULL	03/09/2013	03/12/2013	STADIUM CLOSE AGGBOROUGH KIDDERMINSTER DY101NJ	Demolition of existing industrial units and provision of new access road and 31No. Housing units	Mr J Sohota & Mr D Owen	Emma Anning
13/0466/TREE	03/09/2013	29/10/2013	6 SNUFF MILL WALK BEWDLEY DY122HG	Fell Pine Tree	Mr P Basher	Alvan Kingston
13/0467/TREE	03/09/2013	29/10/2013	THE AVENUE TO THE REAR OF 53 BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER DY103JW	Fell Lime Tree	Mrs W Gameson-Whitby	Alvan Kingston
13/3023/PNRES	03/09/2013	29/10/2013	OXFORD HOUSE & WORCESTER HOUSE OXFORD STREET & WORCESTER STREET KIDDERMINSTER DY101ER	Change of use of upper floor offices of two buildings to create 31 No. residential units	DNG Properties (Mr N Sellman)	Paul Round
13/0468/WCCR	05/09/2013	26/09/2013	BURLISH PARK PRIMARY SCHOOL WINDERMER WAY STOURPORT- ON-SEVERN DY138LA	Demolition and replacement of Burlish Park Primary school	Worcestershire County Council	Paul Round
13/0472/FULL	05/09/2013	31/10/2013	6 LISLE AVENUE KIDDERMINSTER DY117DE	Change of use from Car Sales to Funeral Home	KEITH.W.BORAST ON FUNERAL DIRECTORY	James Houghton
13/0475/FULL	05/09/2013	31/10/2013	CLARKS OF KIDDERMINSTER WORCESTER ROAD KIDDERMINSTER DY101JR	New extension for car valeting	CLARKS OF KIDDERMINSTER	James Houghton
13/3024/AG	05/09/2013	03/10/2013	BRAND LODGE BUNGALOW SUGARS LANE ROCK KIDDERMINSTER DY149UW	Agricultural Storage Barn	Mr M Lewis	Emma Anning
13/0473/FULL	06/09/2013	06/12/2013	SEVERN VALLEY RAILWAY (HOLDINGS) PLC STATION DRIVE KIDDERMINSTER DY101QX	Construction of new diesel depot and associated facilities at Kidderminster Station (Re-Submission of 12/0634/FULL)	SEVERN VALLEY RAILWAY (HOLDINGS) PLC	John Baggott

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0477/CERTP	06/09/2013	01/11/2013	SPRING HOUSE SHENSTONE KIDDERMINSTER DY104DL	Certificate of Lawfulness: Proposed outbuilding consisting of garage, changing room, pool store and garden room. Proposed rear two storey extension. Proposed swimming pool	Mr J Sawyer	James Houghton
13/0471/EIASC	09/09/2013	30/09/2013	BANK FARM HEIGHTINGTON BEWDLEY DY12 2XU	Proposed Solar PV Development	Green Energy Direct (Mr N Banks)	Paul Round
13/0474/FULL	09/09/2013	04/11/2013	LEA GRANGE THE LEA KIDDERMINSTER DY116JY	Single storey rear extension	Mr G Yapp	Julia McKenzie-Watts
13/0478/FULL	10/09/2013	05/11/2013	68 BIRCHFIELD ROAD KIDDERMINSTER DY116PG	Two storey side extension, single storey rear extension	Mr & Mrs Westbury	Julia McKenzie-Watts
13/0490/OUTL	11/09/2013	06/11/2013	FIVE ACRES HEIGHTINGTON ROAD BLISS GATE KIDDERMINSTER DY149SX	An Outline Application - All Matters Reserved Except Access - For a dwelling to serve a rural based business in the combined form of Home /Live/Work Unit.	Mr & Mrs M&J Godsall	Paul Round
13/3025/PNH	11/09/2013	23/10/2013	14 MANOR AVENUE KIDDERMINSTER DY116EA	Proposed extension to create Orangery to line up with existing single storey section.	Mr C Frascina	John Baggott
13/0486/FULL	12/09/2013	07/11/2013	4 THE CROFT BLAKEDOWN KIDDERMINSTER DY103JP	Single storey extension to rear	Mr J Bollington	Julia McKenzie-Watts
13/0479/LIST	13/09/2013	08/11/2013	FRIENDS OF QUAKER MEETING HOUSE LOWER PARK BEWDLEY DY122DP	To insert secondary glazing to the window in the main meeting house and lobby. To remove and replace the windows in the WC, Kitchen and small meeting room with new aluminium framed windows	Mrs J Jeynes (C/o Society of Friends)	Julia McKenzie-Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0483/FULL	13/09/2013	08/11/2013	HIGH TREES STONE KIDDERMINSTER DY104BB	First floor side extension and loft conversion for additional bedrooms and en suite	Mr N Clarke	Julia McKenzie-Watts
13/0487/FULL	13/09/2013	08/11/2013	15 CARLTON CLOSE KIDDERMINSTER DY115NB	Single storey front extension and internal alterations for porch and enlarged kitchen	Mrs A Batsford	Julia McKenzie-Watts
13/0484/FULL	16/09/2013	11/11/2013	10 PUXTON DRIVE KIDDERMINSTER DY115DR	Proposed single storey side extension	Mr A Stokes	James Houghton
13/0488/FULL	16/09/2013	11/11/2013	COACH HOUSE NURSING HOME BROOME STOURBRIDGE DY9 0HA	Proposed rear extension to form additional bedroom	Mr E Lane	Emma Anning
13/0489/LIST	16/09/2013	11/11/2013	COACH HOUSE NURSING HOME BROOME STOURBRIDGE DY9 0HA	Proposed rear extension to form additional bedroom	Mr E Lane	Emma Anning
13/0482/FULL	18/09/2013	13/11/2013	28 MIDDLETON ROAD KIDDERMINSTER DY115EZ	Single storey side and rear extension	Mr J Dalamn	James Houghton
13/0485/FULL	18/09/2013	13/11/2013	17 CHADDESLEY ROAD KIDDERMINSTER DY103AD	Demolition of existing bungalow and erection of replacement bungalow and detached garage	JC Developments Ltd	James Houghton
13/0491/TREE	19/09/2013	14/11/2013	8 DUNLEY ROAD STOURPORT- ON-SEVERN DY130AX	Cut back branches from a Cherry and a conifer to the boundary of 8/10 Dunley Road	Mr M Preece	Alvan Kingston
13/0492/FULL	23/09/2013	18/11/2013	1A BEEHCOTE HOUSE MILL LANE WOLVERLEY KIDDERMINSTER DY115TR	Single storey rear extension	Mr W Barber	Julia McKenzie-Watts
13/0493/FULL	23/09/2013	18/11/2013	BROOME MILL BIRMINGHAM ROAD BLAKEDOWN KIDDERMINSTER DY103LJ	Single storey oak framed garden room	MR & MRS G COYNE	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0494/FULL	23/09/2013	23/12/2013	REILLOC CHAIN STOURPORT ROAD KIDDERMINSTER DY117BQ	Variation of Condition 3 of Planning Permission 13/0049/FULL to provide affordable housing units in accordance with section 106 Agreement	Mr Guy Wooddisse	Paul Round
13/0495/TREE	24/09/2013	19/11/2013	LAND TO THE FRONT OF BRIDGE HOUSE RIVER SIDE NORTH BEWDLEY DY121AB	Pollard 6 Willows to previous points, crown lift 3 Sycamore and a Beech to 4.5 metres and reduce the crown of an Ash	Citibase (Mrs M Southall)	Alvan Kingston

## WYRE FOREST DISTRICT COUNCIL

**Planning Committee**

**08 October 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
WFA1417 11/0545/FULL	APP/R1845/A12/ 2183527/NWF	MRS S J SMITH  DY104DX	CURSLEY LANE KIDDERMINSTER  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	TOP ACRE OFF HE SHENSTONE	09/11/2012	21/12/2012	26/03/2013 Kidderminster & Rock Suite	



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		31/07/2013 Stourport Suite	Allowed  22/08/2013

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	APP/R1845/X/13 2197212	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			
WFA1423 12/0745/FULL	AAP/R1845/A/1 3/2196708	Mrs W Packwood	HEYBRIDGE KINGSFORD LANE WOLVERLEY KIDDERMINSTER  Proposed Change of Use of Ancillary Accommodation to self contained dwelling	WR  06/06/2013	18/07/2013			

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
WFA1424 13/0183/FULL	APP/R1845/d/13 /2199594	Mr P Childs	GREENACRES ROCK KIDDERMINSTER DY149DW  Orangery to side of property	WR  14/06/2013	26/07/2013			Allowed  02/08/2013
WFA1425 13/0176/FULL	APP/R1845/D/13 /2201913	Mr D Nelson	FOURWAYS WOODROW CHADDESLEY CORBETT  First floor extension plus ancillary habitable room over garage	WR  22/07/2013	02/09/2013			Dismissed  20/09/2013
WFR1415 12/0496/CERT	APP/R1845/X/12 /2186069	Mrs M Tracey	CUCKOO HILL KINGSFORD LANE WOLVERLEY KIDDERMINSTER  Certificate: Proposed front extension	WR  24/11/2012	05/01/2013			Dismissed  22/08/2013



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## Appeal Decision

Hearing held on 31 July 2013

Site visit made on 31 July 2013

**by K D Barton BA(Hons) DipArch DipArb RIBA FCI Arb**

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

**Decision date: 22 August 2013**

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**Appeal Ref: APP/R1845/A/12/2189056**

**22 Belbroughton Road, Blakedown, Kidderminster DY10 3JG**

- 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 Upward Consultancy against the decision of Wyre Forest District Council.
  - The application Ref 12/0323/FULL, dated 1 May 2012, was refused by notice dated 26 November 2012.
  - The development proposed is the change of use from a single dwelling to five self contained one bedroom apartments and one two bedroom self contained apartment including communal area space for use of tenants and occupants only.
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### Preliminary Matter

1. The building that was on the site has been demolished and a basement has been constructed in accordance with a planning permission, Ref 11/0343/FULL, for a 6 bedroom dwelling. The building subject of this appeal differs slightly in location, and design, to the approved 6 bedroom house. The main parties therefore agree that the proposal is for the erection of a new building to provide support accommodation in the form of 5 No 1-bed apartments, 1 No 2-bed apartment and communal space for tenants and occupants only with a staff sleep-over room.

### Decision

2. The appeal is allowed and planning permission is granted for the erection of a new building to provide support accommodation in the form of 5 No 1-bed apartments, 1 No 2-bed apartment and communal space for tenants and occupants only with a staff sleep-over room at 22 Belbroughton Road, Blakedown, Kidderminster DY10 3JG in accordance with the terms of the application, Ref 12/0323/FULL, dated 27 April 2012, subject to the conditions in the attached schedule.

### Application for costs

3. At the Hearing an application for costs was made by Upward Consultancy against Wyre Forest District Council. This application is the subject of a separate Decision.

### Effect on the Character and Appearance of the Surrounding Area

4. The appeal site is in a residential area on the south side of, and accessed from, Belbroughton Road around 100 metres from its junction with the A456 Birmingham Road. The area has a residential character with a variety of house

sizes and styles. Detached residential properties lie on either side of the site with smaller, terraced, cottage style dwellings on the opposite side of the road. To the rear of the appeal site is the Blakedown and Churchill Parish Rooms and associated car park.

5. Although the style of the proposed building is considered by some to be out of keeping with the existing houses, it would be very similar in appearance to the approved 6 bedroom house but character goes beyond appearance as indicated by *National Planning Policy Framework (Framework)* paragraph 61. The Council, Parish Council, and local residents consider that the character of the proposed use would be commercial and out of keeping with the surrounding area.
6. However, there is no indication that a sign is proposed and any subsequent proposal for signage would require permission. Curtains might be different colours but the same might be true of any house. Many of the nearby dwellings have made provision for parking in their front gardens, similar to that proposed at No 22. It is suggested that the 6 parking spaces proposed would be more 'formal' than would otherwise be found in a residential area but even if spaces were not formally allocated, as in the nearby front gardens, people are likely to park neatly to maximise the number of vehicles that could be accommodated. The provision of six parking spaces would not, therefore, be so formal as to conflict with the character of the area. The proposed use might generate a few more deliveries than a purely residential house but the effect on the overall character and appearance of the area would not be significant.
7. I conclude that the proposal would meet the aims of paragraph 64 of the *Framework*, Policy CP11 of the *Wyre Forest District Council Core Strategy (CS)* and the *Wyre Forest Site Allocations and Policies Local Plan 2006-2026 (SAP)* Policies SAL.UP7 ix) or SAL.DPL5 ii) which require either integrating well with the existing street scene or having a minimal impact on local character.

**Effect on the Living Conditions of the Occupiers of Nearby Properties in terms of Loss of Privacy and Additional Noise and Disturbance**

8. The proposed building would be set further back in the site than No 24, and slightly further back than No 20 on the other side where the hedge has been removed leading to greater openness. The flat in the roof space would be lit entirely by rooflights and so would provide little opportunity for overlooking of the gardens of the properties on either side. The two flats at first floor level would have windows serving bedrooms and bathrooms at the rear. Although the Council would have no control over the use of the rooms, each flat would have a combined kitchen/living area served by windows on the front elevation and so provide little scope for a different arrangement. The level of overlooking from first floor windows would, therefore, be similar to that from the permitted 6 bedroom house and what might reasonably be expected in a residential area. There would be no significant loss of privacy as a result of the proposal.
9. Despite concerns raised by local residents, noise is not mentioned in the report to Committee and the Council's reason for refusal only mentions amenity generally. There would be 6 self-contained apartments within the proposed development. The occupiers could be visited by relatives or friends and there would be care workers visiting the site. Concerns that staff might smoke outside or that the fire door from the basement might be propped open would

not justify refusal as occupiers of any residential property could go outside to smoke and any dwelling could have open doors and windows. There would be a music room in the basement but it would have no windows and so would not generate noise sufficient to affect residential amenity. In any event, other occupiers of the proposed development would not want disturbance. The Council considers that there could be 10-18 people on site although the appellant maintains that it is likely to be towards the lower end of that range. However, the permitted 6 bedroom house could have 7 or more occupants as well as visitors generating a significant number of movements related to that use. Even if the rear amenity area were well used by residents, staff, and visitors, I do not consider that the intensification of use would be so great as to have a significant impact on the living conditions of the occupiers of neighbouring dwellings in terms of additional noise and disturbance.

### **Effect on Highway Safety in terms of Parking Provision**

10. Belbroughton Road is relatively narrow and there are parking restrictions each side of the access to the Parish Rooms. These restrictions extend across the appeal site frontage ending just beyond the site. Many of the houses on the road have parking areas in their front gardens and some residents park in the Parish Rooms car park. However, there is still on-street parking, especially in the evenings and at weekends, and this affects the free flow of traffic to some extent in the morning and evening peaks when the road is used as a shortcut to the M5. Local residents are concerned that when a housing development being constructed a short distance along the road is complete and occupied on-street parking will intensify.
11. However, the proposal would provide six on-site parking spaces which would meet development plan parking requirements although it is unlikely that residents would be capable of driving. Given that there would be some shared accommodation on site there would be some deliveries over and above the use of the apartments. However, there would be space for vehicles to pull off the road to deliver even though residents consider that they are more likely to pull onto the pavement just beyond the parking restrictions to make deliveries. There would not, therefore, be any unacceptable impact on highway safety and the proposals would meet the aims of SAP Policy SAL.CC2 and guidance. There is no objection to the proposal from the Highway Authority, and although residents state that the Highway Authority often does not comment on proposals I can only assume that it would object if there was a danger that highway safety would be compromised.

### **Other Matters**

12. Whilst the occupiers of 27 Belbroughton Road, opposite the appeal site, have expressed concern about overlooking and loss of light, the proposal would be separated from No 27 by the road. In addition, No 27 is set further back in its plot than the general building line on that side of the road and the proposed building would also be set back in its plot. The ridge level of the proposal would be slightly lower than the ridge of the permitted 6 bedroom house. The separation distance and the reduced ridge height taken together would ensure that the occupiers of No 27 suffered no unacceptable loss of privacy or light.
13. SAP Policy SAL.DPL5 vii) requires self contained dwellings to be a minimum of 50m<sup>2</sup> for 1-bedroom apartments and 60m<sup>2</sup> for 2-bedroom apartments. Whilst the proposals would provide a kitchen and bath/shower room as required by

the policy, the floor areas would fall short of the specified minimum, although the apartments would be wheelchair compliant. However, whilst the development plan is the starting point, material circumstances can justify exceptions to policy. The proposal would include communal facilities as residents are unlikely to be capable of fully catering for themselves and I consider that the provision of communal facilities would, in this case, justify a lower floor area in the apartments than required by the policy. Indeed, Officer's reached the same conclusion in their report to Committee.

14. Whilst residents stated that there had been little consultation, the Council confirmed that consultation had taken place. Reference has been made to the fallback position where the approved house could be used by up to 6 residents living together but the proposal has been considered on its own merits.

### **Planning Policy**

15. The CS adopted in December 2010 sets out a settlement hierarchy in Policy DS01. This identifies that Blakedown is a village where housing for local needs is identified as suitable development. Blakedown is also identified as a rural settlement with a defined settlement boundary in the SAP. This development plan document was adopted in July 2013 subsequent to the appeal being made and is now part of the development plan.
16. The Officer's report to Committee indicates that the proposal falls to be considered against Policy H.2 of the *Wyre Forest District Local Plan (LP)*, but this has since been superseded by SAP Policy SAL.DPL1 that cross refers to SAL.DPL2. The proposal would be the replacement of a permanent existing lawful dwelling and so would meet the requirement for rural housing.
17. It is accepted that the proposal would not be viable if affordable housing was required. There is no up-to-date housing needs survey for the locality but there would be a mix of dwelling sizes and it would be inappropriate to fail to provide for local needs due to the absence of an up-to-date housing needs survey, particularly as paragraphs 4.41 and 4.42 of the SAP indicate that Policy SAL.DPL5 is in accordance with CS Policy CO.05 Delivering Mixed Communities and refers to a Worcestershire-wide strategy for Extra Care Homes. The site would be within the settlement boundary and Blakedown is designated as a village partly as it has services, as set out in paragraph 4.19 of the supporting text to the SAP, including a post office/store and a railway station, although there is no doctor or dentist. The character of the settlement would not be significantly harmed and the objectives of SAP Policy SAL.DPL5 would therefore be met.
18. The report to Committee also refers to LP Policy H.13 relating to residential homes as having some relevance but this has also been superseded, by SAP Policy SAL.DPL 5. If the proposal is considered as 'Extra Care Provision' it would be subject to the requirements of SAP Policy SAL.DPL5. The proposal would offer easy access to a range of services by foot or by public transport. Regardless of whether it is considered as residential or an Extra Care Home, the proposal would be acceptable in accordance with the aims of recently adopted policies.

### **Conditions**

19. In addition to the normal time condition the approved drawings should also be identified in the interests of clarity and good planning. Samples of the external

materials should also be required to ensure the proposal reflects the character and appearance of the surrounding area. Local residents maintain that there is no existing sewerage outlet from the site and that there have been incidents of localised flooding that have led to an easement being sought in relation to the housing development further along the road to avoid further problems. In these circumstances schemes for foul and surface water drainage should be required and approved prior to any development taking place.

20. In the interests of highway safety, conditions should require the provision of the parking and turning areas indicated on the plans, 45% visibility splays, and works to the vehicular access in accordance with an approved specification. Whilst the plans indicate secure cycle parking, little detail is provided and this should also be required by condition. No specific provision is indicated on the drawings for refuse storage and a condition should be attached requiring details to be provided for approval and for provision to be made before any apartments are occupied. Although there would be support facilities it is the residential nature of the proposal that makes it acceptable in this residential area. The use of the support facilities should therefore be limited to the occupiers of the proposed development only as was indicated in the original description of development.
21. Landscape conditions should be attached requiring hard and soft landscape proposals to be approved and implemented, including replacement within 5 years if damaged or diseased to ensure establishment in keeping with the surrounding area. Similarly details of the front boundary treatment should also be required for the same reason.
22. The appeal site is not within a conservation area and there is, therefore, no reason to require large scale details of doors and windows and their finishes as the Council's suggested condition 4. As apartments, the proposal would not benefit from permitted development rights and a condition restricting them as suggested by local residents would be unnecessary. It was also suggested that the provision of external lighting should also be controlled but the proposed use would not be significantly different to a residential use and such a condition would not be necessary. Whilst there might be deliveries related to the communal facilities it would not be necessary to control delivery times as the residents would be sleeping at night the same as the occupiers of neighbouring properties.

*K D Barton*

INSPECTOR

**Schedule of Conditions attached to APP/R1845/A/12/2189056**

- 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: UP/BR/001 Rev B, UP/BR/002 Rev C, UP/BR/003 Rev C, and UP/BR/004 Rev A.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to, and approved in writing by, the local



- planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until schemes of foul and surface water drainage have been submitted to, and approved in writing by, the local planning authority. The approved schemes shall be implemented before the development is first occupied.
  - 5) The development hereby permitted shall not be brought into use until the access, turning space and parking facilities shown on the approved plan have been consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to, and approved in writing by, the local planning authority and these areas shall thereafter be retained and kept available for parking and turning at all times.
  - 6) Before any other works hereby permitted are commenced, the entrance shall be set back 2 metres from the rear of the adjoining footway. On each side of the set back entrance splays shall be formed at an angle of 45° with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part exceeds a height of 0.6m above the relative level of the adjoining carriageway.
  - 7) Before any other works hereby permitted are commenced, the construction of the vehicular access shall be carried out in accordance with a specification to be submitted to, and approved in writing by, the Local Planning Authority.
  - 8) Prior to the first occupation of any part of any of the development hereby permitted, details of secure parking for 12 cycles shall be submitted to, and approved in writing by the local planning authority and the approved secure cycle parking shall be provided, and thereafter retained for the parking of cycles only, for the lifetime of the development.
  - 9) The support facilities indicated on the plans hereby approved shall be for the exclusive use of the residents of the apartments only. At no time during the lifetime of the development shall these facilities be open, promoted, or otherwise made available to non-residents of the apartments.
  - 10) No development shall take place until full details of all hard and soft landscaping have been submitted to, and approved in writing by, the local planning authority. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard 4428 : 1989. The hard and soft landscape works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed in writing by the local planning authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.
  - 11) No development shall take place until details of the proposed boundary treatment fronting Belbroughton Road, which shall include types and colours of all materials, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

- 12) No development shall take place until details of provision for storage of waste have been submitted to and approved in writing by the local planning authority. The approved details shall be provided prior to first occupation of the development and retained as such thereafter.

**APPEARANCES**

**FOR UPWARD CONSULTANCY:**

John Jowitt	P J Planning
Simon Griffiths	Upward Consultancy

**FOR WYRE FOREST DISTRICT COUNCIL:**

Emma Anning	Wyre Forest District Council
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**INTERESTED PERSONS:**

Cllr Jim Long	Churchill and Blakedown Parish Council
Michael Gittoes	Local Resident
Leslie Gittoes	Local Resident
J Burrows	Local Resident
R Burrows	Local Resident

**DOCUMENTS SUBMITTED AT THE HEARING**

- 1 Council's letters of notification and list of those notified
- 2 Wyre Forest Site Allocations and Policies Local Plan 2006-2026 adopted July 2013 (including list of Policies to be replaced)
- 3 Letter from Upward Care Limited submitted by Councillor Long
- 3 Costs Application by Upward Consultancy against Wyre Forest D C
- 4 Wyre Forest D C's response to Costs Application



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# Appeal Decision

Site visit made on 23 July 2013

by **P Smith BA BSc MRTPI**

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

Decision date: 2 August 2013

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**Appeal Ref: APP/R1845/D/13/2199594**

**Greenacres, Buckeridge, Rock, KIDDERMINSTER, Worcestershire,  
DY14 9DW**

- 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 Phil Childs against the decision of Wyre Forest District Council.
  - The application Ref 13/0183/FULL was refused by notice dated 22 May 2013.
  - The development proposed is an orangery to side of property.
- 

## Decision

1. This appeal is allowed and planning permission is granted for an orangery to the side of 'Greenacres', Buckeridge, Rock, Kidderminster, Worcestershire, DY14 9DW in accordance with the terms of the application, Ref. 13/0183/FULL, dated 26 March 2013, subject to the following conditions:
  - 1) The development hereby permitted shall begin no 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: the Location Plan and Drawing nos. 01 and 02 dated March 2013.
  - 3) No development shall take place until details of the proposed painting or colour of the render to be used in the construction of the extension hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained thereafter.

## Main Issue

2. The main issue is the effect of the proposal together with existing extensions on the character and appearance of the original building and the area.

## Reasons

3. This appeal property is a detached dwelling set within extensive, well screened grounds in open countryside. The original modest cottage on this property was extended substantially about twenty years ago and designed in a sympathetic way using matching materials. The original cottage lies between a two storey extension and a mature site boundary hedge which results in it being unobtrusive within much of the site and its surroundings.

4. The appeal proposal is a single storey extension with a flat roof and lantern physically and visually divorced from the original cottage by the two storey extension to which it would be attached. This, and its relatively modest scale, would ensure that the proposal together with the existing extensions would not overwhelm or detract from the proportions of the original cottage to any greater degree than currently occurs. For these same reasons, the proposal would not result in the original cottage being further imbalanced to any significant degree.
5. Public views of the appeal proposal would be very limited by on-site, mature natural screening close to the proposal. When viewed from the surrounding area, the proposal would appear as a secondary element within a collection of residential buildings and outbuildings. Therefore, the appeal proposal would harmonise with the rural character of the surrounding landscape.
6. I am satisfied that the appeal proposal, when considered in conjunction with existing substantial extensions to this property, would not overwhelm, result in the further imbalance of, or detract from the character and appearance of the original cottage or the surrounding area. Therefore, I consider that the appeal proposal accords with Policy D.17 of the Adopted Wyre Forest District Plan 2004, Policy CP11 of the Adopted Core Strategy and Policies SAL.UP7 and SAL.UP8 of the Council's Draft Site Allocations and Policies Development Plan Document 2012. These development plan policies require extensions allied to existing extensions to be in scale, in keeping and subservient to the original building and that they harmonise with the landscape. Nor would the appeal proposal conflict with the aims of the Council's Supplementary Planning Guidance '*Design Quality*' 2004 which reflect the aims of these development plan policies or the aims of the National Planning Policy Framework to secure high quality design.
7. It is for these reasons I conclude that appeal should be allowed.

### **Conditions**

8. The standard time limit condition is required as is a condition requiring approval of the colour of the render to be used in construction of the extension. For the avoidance of doubt and to ensure a satisfactory development in the interests of good planning, I shall impose a condition requiring the development to be carried out in accordance with the approved plans.

*Paul Smith*

INSPECTOR

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## Appeal Decision

Site visit made on 16 September 2013

**by Stuart Hall BA(Hons) DipTP FRTPI MCIHT**

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

**Decision date: 20 September 2013**

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**Appeal Ref: APP/R1845/D/13/2201913**

**Fourways, Woodrow Lane, Chaddesley Corbett, Worcs, DY10 4QG**

- 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 D Nelson against the decision of Wyre Forest District Council.
  - The application Ref 13/0176/Full was refused by notice dated 22 May 2013.
  - The development proposed is a first floor extension plus ancillary habitable room over garage.
- 

### Decision

1. The appeal is dismissed.

### Main issues

2. The Council's submission that the scheme would comprise inappropriate development in the Green Belt, as defined in paragraphs 89 and 90 of the *National Planning Policy Framework* (NPPF), is not disputed by the appellant. There is no cause for me to take a different view. The three remaining issues in this appeal are the effects of the proposal on the purposes served by, and the openness of, the Green Belt; its effect on the character and appearance of the host dwelling; and whether the sum of harm through inappropriateness and any other cause is clearly outweighed by other considerations, so as to amount to the very special circumstances which the NPPF explains are necessary to justify the scheme.

### Reasons

#### *Green Belt purposes and openness*

3. The fundamental aim of Green Belt policy, to prevent urban sprawl, would not be compromised by the proposal, and there would be no further encroachment of the countryside. Creating a habitable room over the large detached garage, involving only a change of use of an existing first floor, would have no impact on openness. However, by occupying a substantial volume of space above a single storey part of the main dwelling the proposed first floor extension would significantly reduce openness, one of the essential characteristics of the Green Belt. Further, though partly hidden from view from the highway to the front by semi-mature trees, it would be seen on the skyline from The Holloway where a public footpath meets that lane some 250 metres to the south. Whilst not unduly conspicuous, its adverse visual effect on openness would be clearly apparent.

*Character and appearance of the host dwelling*

4. The host dwelling has a roughly centrally placed two storey element with an extensive single storey wing to each side. The proposed first floor extension, above the whole of the north-west wing, would have the same eaves and ridge height as the central section. It would add substantially to the dwelling's mass, and would not be clearly identifiable as a subservient extension. Even so, it would not compromise any noteworthy architectural feature of the already extended building. The generous proportions of the plot give it the capacity to accommodate a building of the scale and bulk proposed. Whilst the building's character and appearance would be changed, I conclude that no material harm to those attributes would result.

*Other considerations*

5. Whilst the existing dwelling's two bedrooms may not meet the appellant's current needs, the harm that the extension would cause to matters of public interest would remain long after such personal circumstances cease to be relevant. As he acknowledges, extensions to the rear within permitted development limits would not provide the additional bedrooms he desires. Therefore, it is unlikely that this fall back position would materialise, and so I accord it limited weight. The opportunity to render existing brickwork, stated to be more in keeping with the rural setting, does not depend on the extension being built. A revised scheme, significantly reducing the size of the extension, has not been formally placed before the Council. Therefore, it is not appropriate for me to consider it in place of the plans determined by the Council.

*Conclusion*

6. The NPPF explains that substantial weight should be given to any harm to the Green Belt, and that inappropriate development is, by definition, harmful to the Green Belt. Such development is also contrary to Policy SAL.UP1 of the Council's *Site Allocations and Policies Development Plan Document (DPD)*. I am aware that the DPD was duly adopted after the application was determined, and that this policy replaces former saved Policy GB.1 of the *Wyre Forest District Local Plan* referred to in the Council's decision. To this harm must be added the limited harm to the openness of the Green Belt.
7. Taken with my conclusion on the issue of character and appearance, a neutral effect that does not weigh positively in the scheme's favour, the above other considerations do not outweigh the identified causes of harm to the Green Belt. It follows that the very special circumstances necessary to justify the development do not exist. Therefore, the appeal should not succeed.

*Stuart Hall*

INSPECTOR



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# Appeal Decision

Site visit made on 6 August 2013

**by P N Jarratt BA(Hons) Dip TP MRTPI**

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

**Decision date: 22 August 2013**

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**Appeal Ref: APP/R1845/X/12/2186069**

**Cuckoo Hill, Kingsford Lane, Wolverley, Kidderminster, DY11 5SL.**

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mr Stephen Greybanks against the decision of Wyre Forest District Council.
- The application Ref 2012/0496, dated 2 August 2012, was refused by notice dated 19 October 2012.
- The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.
- The development for which a certificate of lawful use or development is sought is the erection of an extension.

**The appeal is dismissed.**

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## Preliminary matter

1. For the avoidance of doubt, I should explain that the planning merits of the proposed extension are not relevant, and they are not therefore an issue for me to consider, in the context of an appeal under section 195 of the Town and Country Planning Act 1990 as amended, which relates to an application for a lawful development certificate. My decision rests on the facts of the case, and on relevant planning law and judicial authority.

## Main issue

2. The parties disagree on what constitutes the side and front elevations of the appeal property for the purpose of the enjoyment of permitted development rights under Class A of Part 1 of the Town and Country Planning (General Permitted Development) Order 1995, as amended, (the GPDO). The Council considers that the south elevation represents a side wall of the dwellinghouse. As the proposed width of the extension would be 6.8m this would be greater than half the width of the original dwelling and therefore planning permission would be necessary. The appellant considers the south elevation represents the original principal front elevation and as this elevation does not front a highway, due to intervening property between the appeal site and Kingsford Lane, the proposed extension would constitute permitted development under Class A.
3. I consider that the main issue is whether the Council's decision to refuse to grant a lawful development certificate was well-founded.



## Background and site description

4. Cuckoo Hill is a detached single-storey, timber-clad dwelling which was extended through the addition of a sun lounge in 1996. It is sited on a plot situated behind a pair of dwellings fronting Kingsford Lane. The approach to the appeal property is via a private drive adjacent to one of the frontage dwellings. The drive sweeps upwards towards the dwelling, the main entrance of which is through a sun lounge which is accessed via a raised terrace forming part of the west elevation to the property. There is a short flight of steps from the footpath at the end of the drive onto the terrace.

## Reasons

5. Development is not permitted by the GDPO if the proposed development does not satisfy the various restrictions set out in paragraph A.1.
6. The restriction at A.1 (d) does not permit development if the enlarged part of the dwellinghouse would extend beyond a wall which (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the original dwellinghouse. The appellant makes reference to the explanation in A.1 (d) of the DCLG Technical Guidance<sup>1</sup> of 'principal elevation' in support of his case. I note that this explains that the principal elevation will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. It also adds that usually, but not exclusively, the principal elevation will be what is understood to be the front of the house. However as the proposed extension would not extend beyond a wall fronting a highway due to intervening property between the appeal site and the highway, the restriction at A.1 (d) does not apply and discussion of what constitutes the 'principal elevation' is of limited value.
7. The restriction at A.1 (h) (iii) has greater bearing on this appeal. It indicates that development is not permitted if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the dwellinghouse.
8. The design and orientation of the original dwelling was based on the principles of the sun path and also to face a key western view. The west elevation originally had large full height feature windows and had the appearance of an Alpine chalet. It also provided an entrance to the kitchen allowing access from the drive via the terrace. As originally built the west elevation would have been prominent and remains so today when approaching the dwelling along the drive. The elevation overlooks the more open fore garden.
9. The south elevation originally contained a secondary lounge window and an oriel style bedroom window with a doorway in between providing access to a hallway. A path led from the drive to the door. The south elevation is more restrained than the west elevation and is adjacent to the more private gardens on this side of the dwelling. Whilst it is plausible that this elevation could have had the appearance of being the front elevation, and this is given some credence by the internal layout of the dwelling, this is contradicted by information contained in various drawings submitted with various planning applications.

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<sup>1</sup> Permitted Development for Householders, Technical Guidance, DCLG, August 2010

10. The approved plans of the original dwelling house describe the west elevation as 'Front Elevation' and the south elevation as 'Side Elevation'. I note that the appellant explains that this was because the building faced the panoramic views to the west although these have now been obscured through the growth of trees. Nevertheless the annotation on the plans is quite clear. The original house has subsequently been altered through the removal of the external door on the south elevation with the hallway being converted into a habitable room. A two storey extension and sun lounge was granted planning permission in 1996 (Council reference WF.0452/96) although this was only partially implemented through the construction of the sun lounge which has added a distinctive design feature to the west elevation. The plans attached to that permission describe the west elevation as 'Existing Front Elevation'.
11. The drawings for another unimplemented planning permission for a proposed ground and first floor extension (Council reference WF.0702/89) refers to an 'East Elevation – to rear'. This suggests that if the east elevation is to the rear of the property, then the west elevation is at the front of the property.
12. On the basis of the submitted evidence and my observations at the site inspection I conclude that the west elevation represents the front elevation of the original dwellinghouse with the south elevation being a side elevation. As the size of the proposed side extension exceeds the restriction imposed by A.1 (h) (iii) of the GPDO, planning permission would be required.
13. For the reasons given above I conclude that the Council's refusal to grant a certificate of lawful use or development in respect of the erection of an extension was well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

### **Decision**

14. The appeal is dismissed.

*P N Jarratt*

Inspector

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**8<sup>TH</sup> OCTOBER 2013**

**Land at Balmoral Court, Kidderminster  
Tree Preservation Order No. 379**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Economic Prosperity and Place
<b>CONTACT OFFICER:</b>	Alvan Kingston – Ext 2548 Alvan.Kingston@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1 - Location Map

**1. PURPOSE OF REPORT**

- 1.1 To determine whether the Tree Preservation Order No 379 (2013) relating to a tree on Land at Balmoral Court (off Chaddesley Road) Kidderminster should or should not be confirmed.

**2. RECOMMENDATION**

- 2.1 That the Tree Preservation Order should not be confirmed due to the tree's condition and proximity to the nearby buildings.**

**3. BACKGROUND**

- 3.1 During Spring 2013 the management company of Balmoral Court circulated information to all the residents of the development regarding proposed extensive tree works on the site. These works included the pruning and felling a number of trees that were either in an unstable condition or having an adverse effect on the built infrastructure.
- 3.2 On the 3 June 2013 a resident of Balmoral Court contacted the Council's Arboricultural Officer expressing concerns that the proposed works appeared to them to be excessive and would have a detrimental effect on the amenity of the local area.
- 3.3 A subsequent inspection was undertaken to establish if the proposed works were warranted, and if not whether a Tree Preservation Order was required to preserve trees deemed worthy of protection. It was established that although there were a number of good specimens with a high amenity value, most of the proposed works were justified as there was evidence of considerable tree root damage to a number of footpaths and excessive shading by trees situated far too close to the residential apartments.
- 3.4 As a result of inspection, it was concluded that only one tree (a purple beech) warranted a Tree Preservation Order.

**4. OFFICER COMMENTS**

- 4.1 Following the serving of Tree Preservation Order 379, an objection was received from an owner of one of the properties located close to the tree.
- 4.2 The objector has stated that in his opinion *“the tree is not an A1 specimen it has already had to have cable bracing and is spreading too much towards the flats and the aerials on the roof .It is too close to the block and is overbearing”*.
- 4.3 When the initial assessment of the tree was undertaken, it was noted that it was rather close to the nearby apartments. However, it was in a good condition and had a high amenity value, and is clearly visible from both the Chester Road and Chaddesley Road.
- 4.4 However, following receipt of the above objection, the tree has been reassessed and it is noted that it does indeed have a cable brace within its crown. Cable braces are used when it is considered that there is a weak fork and/or branch union that could fail during strong wind events. The brace prevents excessive movement and thereby prevents the weak union from splitting apart. When a cable brace is used, it is an admission that there is a structural problem with the tree. In this case the tree has a rather heavy secondary limb that requires a brace to prevent it from braking out.
- 4.5 In light of this, and have reassessed the condition of the tree in question, the structural condition of the tree and an acknowledgement that the tree could well cause a loss of light to owners/occupiers of the nearby flats, it is recommended that this Tree Preservation Order is not confirmed.

**5. FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications arising directly as a result of this report.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 There are no legal and policy implications arising directly as a result of this report.

**7. EQUALITY IMPACT ASSESSMENT**

- 7.1 There are no issues arising from the equality impact assessment.

**8. RISK MANAGEMENT**

- 8.1 There are no risk management issues arising directly as a result of this report.

**9. CONCLUSION**

- 9.1 Officers consider that the objections and representations have been fully considered and that on this occasion the Tree Preservation Order should **not** be confirmed, for the reasons set out under paragraphs 4.4 and 4.5 of the report.

**10. CONSULTEES**

- 10.1 None.

11. **BACKGROUND PAPERS**

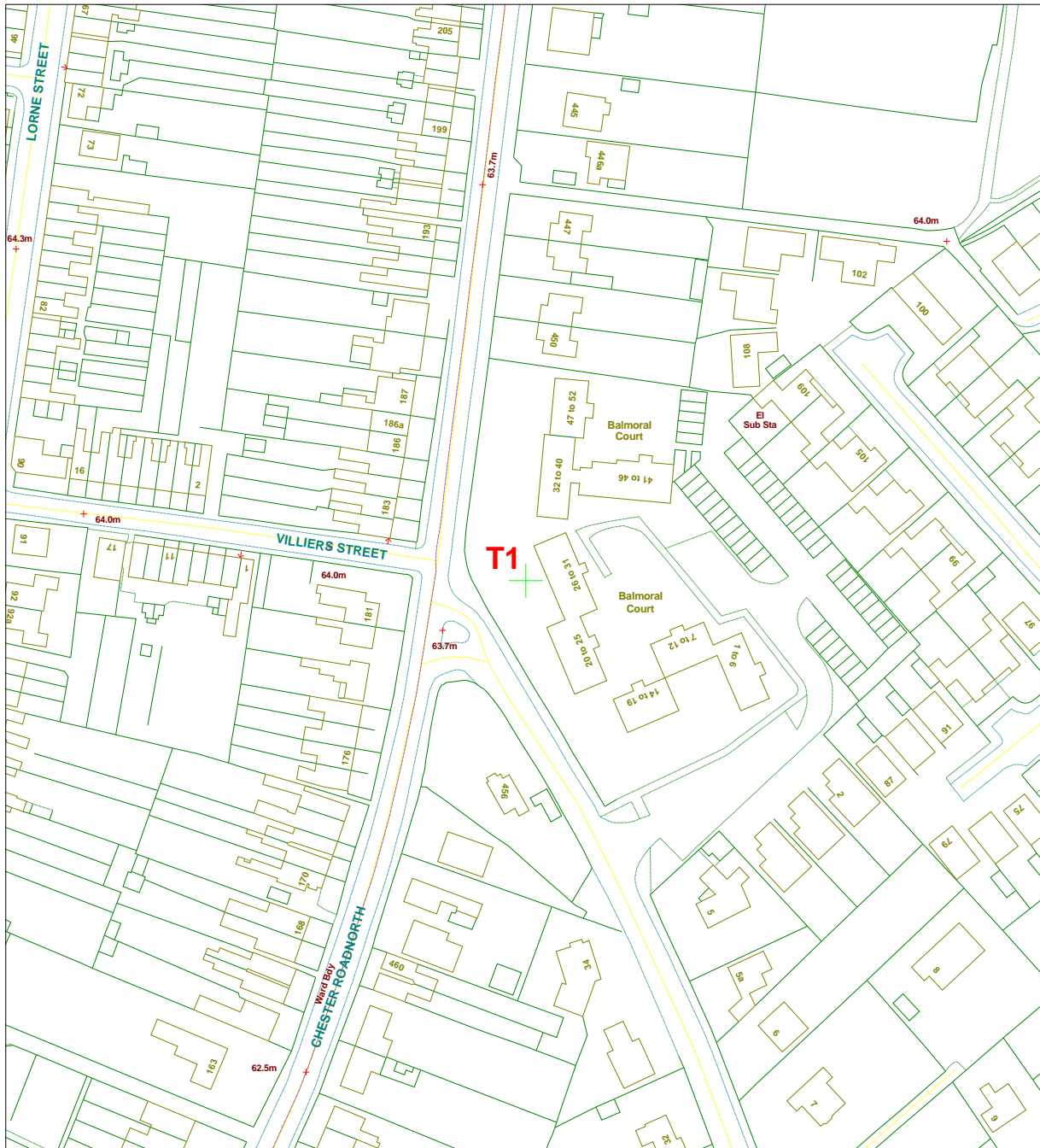
11.1 Tree Preservation Order No. 379.

TPO LOCATION PLAN

Date:- 23 September 2013  
Crown copyright 100018317 2013

OS sheet:- SO8476SW

Scale:- 1:1250



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

Land at Balmoral Court  
Kidderminster



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

**WYRE FOREST DISTRICT COUNCIL****PLANNING COMMITTEE****8<sup>TH</sup> OCTOBER 2013**

**Land at rear of 3 and 4 Sarah Seagar Close, Stourport-on-Severn  
Tree Preservation Order No. 380**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Economic Prosperity and Place
<b>CONTACT OFFICER:</b>	Alvan Kingston – Ext. 2548 Alvan.Kingston@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1 - Location Map

**1. PURPOSE OF REPORT**

- 1.1 To determine whether Tree Preservation Order No 380 (2013) relating to a tree on Land at the rear of 3 and 4 Sarah Seagar Close, Stourport-on-Severn, should or should not be confirmed, following receipt of objections.

**2. RECOMMENDATION**

- 2.1 **That the Tree Preservation Order be confirmed without modification:  
TPO to include:**

- **1 No. English Oak (Quercus robur)**

**as this tree contributes to the amenity of the locality and is considered worthy of protection.**

**3. BACKGROUND**

- 3.1 In June 2013, Wyre Forest Community Housing contacted the Council's Arboricultural Officer with regards to an English Oak tree that is situated to the rear of 3 and 4 Sarah Seagar Close, Stourport-on-Severn, following expressions of concern from local residents regarding the tree and calls for its removal.
- 3.2 The tree in question is a large mature English Oak that appears to be in a good condition and is clearly visible from the Bewdley Road, Stourport-on-Severn. It is situated on a thin strip of land to the rear of 3 and 4 Sarah Seagar Close and the trunk of the tree is around 5.7 metres from the afore-mentioned properties. It is the Council's Arboricultural Officer's opinion that the tree is worthy of protection.

#### 4. OFFICER COMMENTS

4.1 Following the serving of Tree Preservation Order 380, an objection was received from a resident of Sarah Seagar Close.

4.2 The objection that was received is summarised below:

- The tree causes a lot of mess on the roof, which falls into the guttering and gets blocked. The gutters then overflow and causes damp in the bungalow.
- The objector states that her husband has a severe respiratory condition (the details of which it would not be appropriate to divulge in this public document)
- Broken branches fall off the tree onto the door step and the path making the path slippery.
- Pigeons make a mess on the door step and all over the washing, when it is hung out.
- The objector states that she has only asked Wyre Forest Community Housing to prune the tree and not fell it.

**In response to the objections, the Arboricultural Officer makes the following observations:**

4.3 The Oak is a large mature tree that is quite close to the objector's dwelling. As a result it will drop leaves, twigs and small branches on and around the bungalow. This obviously means that there is a need for regular maintenance to clean the roof, gutters and surrounding area of the property to prevent water overflowing from the gutters and into the bungalow. Although this can be both costly and time consuming for individuals, as the property is a rental property from Wyre Forest Community Housing, these requirements need to be met by the landlord.

4.4 Although sympathetic to the issues related to bird droppings, there are numerous pest control practitioners in the area who would have solutions to the issues stated within the objection.

4.5 Whether the desire was for the tree to be removed or not, the fact remains that it is a fine specimen with no obvious defects and a high amenity value. It is considered prudent to place a Tree Preservation Order on the tree to prevent its removal. However, it is accepted that there are works that need to be carried out in order for the tree to have a better relationship with the objector's bungalow, and an application to remove dead and damaged branches and cut back low branches growing close to the dwelling would be considered sympathetically.

#### 5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising directly as a result of this report.

#### 6. LEGAL AND POLICY IMPLICATIONS

6.1 There are no legal and policy implications arising directly as a result of this report.

#### 7. EQUALITY IMPACT ASSESSMENT

7.1 There are no issues arising from the equality impact assessment.



**8. RISK ASSESSMENT**

8.1 There are no risk management issues arising directly as a result of this report.

**9. CONCLUSION**

9.1 Officers have fully considered the objections and representations received but consider that the tree is worthy of protection, and that the Tree Preservation Order should be confirmed.

**10. CONSULTEES**

10.1 None.

**11. BACKGROUND PAPERS**

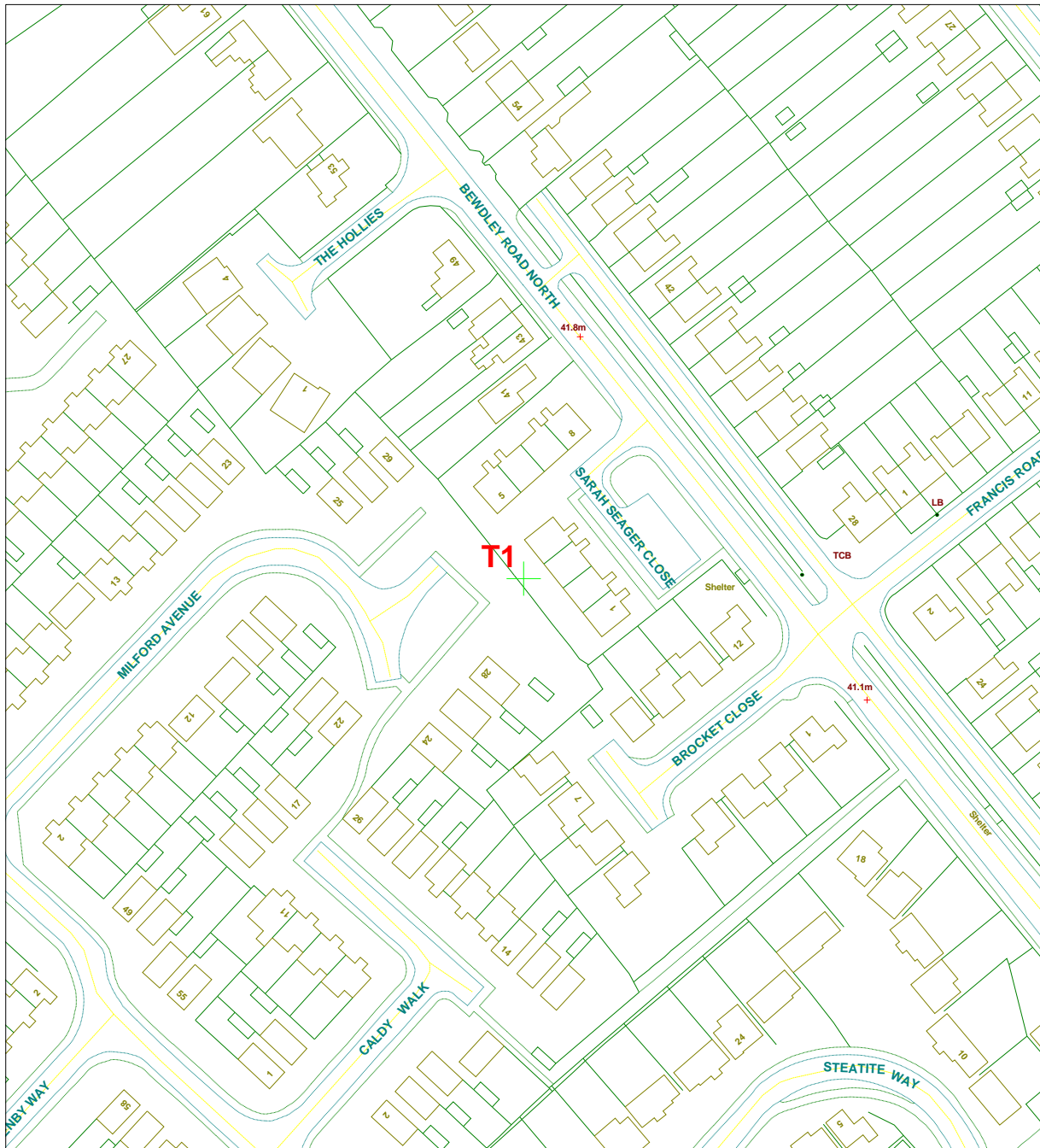
11.1 Tree Preservation Order No. 380.

TPO LOCATION PLAN

Date:- 23 September 2013  
Crown copyright 100018317 2013

OS sheet:- SO8072NW

Scale:- 1:1250



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Land at Sarah Seager Close  
Stourport**



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