

Open

# Planning Committee

## Agenda

6pm  
Tuesday, 14th January 2014  
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 J Aston</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 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, 14th January 2014

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Solicitor to the Council, together with the name of the Councillor for whom he/she is acting.	
<b>3.</b>	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
<b>4.</b>	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 10 <sup>th</sup> December 2013.	7
<b>5.</b>	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	11
<b>6.</b>	<b>Applications Pending Decision</b>  To receive a schedule of planning and related applications which are pending.	47

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>	66
8.	<p><b>Outline application for residential development of up to 62 houses, access, amenity space, associated works Land at Pearl Lane, Astley Cross Reference: 13/0616/LPAC</b></p> <p>To consider a report from the Director of Economic Prosperity and Place make a decision on the Planning Consultation received from Malvern Hills District Council for development on Land at Pearl Lane, Astley Cross.</p>	71
9.	<p><b>Phase 2 of the development of Hoobrook Link Road. A proposed 600m extension to the development access road through the former British Sugar Site, which will complete the link from the A451 Stourport Road to the A442 Worcester Road Reference: 13/0579/WCCR</b></p> <p>To consider a report from the Director of Economic Prosperity and Place which asks the Committee to make a decision on the planning consultation received from Worcestershire County Council in respect of Phase 2 of the development of the Hoobrook Link Road.</p>	78
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>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>	
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WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

10TH DECEMBER 2013 (6.00 PM)

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**Present:**

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

**Observers:**

There were no members present as observers

**PL.48 Apologies for Absence**

Apologies for absence were received from Councillors F M Oborski and M A Salter.

**PL.49 Appointment of Substitutes**

Councillor G W Ballinger was appointed as a substitute for Councillor M A Salter. Councillor M Price was appointed as a substitute for Councillor F M Oborski.

**PL.50 Declarations of Interests by Members**

There were no declarations of interest.

**PL.51 Minutes**

**Decision: The minutes of the meeting held on 12<sup>th</sup> November 2013 be confirmed as a correct record and signed by the Chairman.**

**PL.52 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 515 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 515 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.53 Applications Pending Decision**

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

**Decision: The schedule be noted.**

**PL.54 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.55 Exclusion of the Press and Public**

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

**PL.56 New Enforcement Case**

The Committee received a report from the Director of Economic Prosperity & Place on a new enforcement case.

**Decision: Delegated authority be granted to the Solicitor of the Council to serve or withhold an Enforcement Notice requiring that the timber structure be removed in its entirety and the car park reinstated to its former condition.**

**PL.57 Live Enforcement Cases**

The Committee received a report which lists live enforcement cases as at 27<sup>th</sup> November 2013.

**Decision: The report be noted.**

The meeting ended at 6.45 p.m.



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**10<sup>th</sup> December 2013 Schedule 515 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, Fine Point Way, Kidderminster. However, a brief description can be seen in brackets alongside each standard condition, note or reason mentioned.

<b>Application Number: 13/0535/ADVE &amp; 13/0536/LIST</b>
<b>Site Address: HOP POLE INN &amp; RESTAURANT, HOP POLE LANE, BEWDLEY, DY12 2QH</b>
<p><b>13/0535/ADVE - APPROVED</b> subject to the following conditions and notes:</p> <ol style="list-style-type: none"> <li>1. L1 (Standard Advertisement Conditions).</li> <li>2. L2 (Removal of Rights to Advertise).</li> <li>3. L9 (Standard Time).</li> </ol> <p>Notes:</p> <ol style="list-style-type: none"> <li>A. Brightness of Illuminated Signs.</li> <li>B. Approved plans.</li> </ol> <p><b>13/0536/LIST - APPROVED</b> subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. A7 (Listed Building/Conservation Area Consent).</li> <li>2. A11 (Approved plans).</li> </ol>

<b>Application Number: 13/0578/FULL</b>
<b>Site Address: 11 WOODBURY ROAD NORTH, STOURPORT-ON-SEVERN, DY13 8XL</b>
<b>APPLICATION DEFERRED PENDING A SITE VISIT.</b>

<b>Application Reference: 13/0555/FULL</b>
<b>Site Address: CHANGING ROOMS, SPRINGFIELD PARK, SPRINGFIELD LANE, KIDDERMINSTER</b>
<p><b>APPROVED</b> subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters).</li> <li>2. A11 (Approved plans).</li> <li>3. B3 (Finishing materials to match).</li> <li>4. E2 (Foul and surface water).</li> <li>5. Details of extraction equipment to be agreed prior to installation.</li> <li>6. Details of hours of operation to be agreed.</li> <li>7. Use of community cafe for Friends of Springfield Park.</li> </ol>

<b>Application Reference: 13/0591/ADVE &amp; 13/0592/LIST</b>
<b>Site Address: WYRE FOREST DISTRICT COUNCIL, TOWN HALL, VICAR STREET, KIDDERMINSTER, DY10 1DB</b>
<b>13/0591/ADVE - APPROVED</b> subject to the following conditions:  <ol style="list-style-type: none"><li>1. L1 (Standard Advertisement Conditions).</li><li>2. L2 (Removal of Rights to Advertise).</li><li>3. L9 (Standard Time).</li></ol> <b>13/0592/LIST - DELEGATED AUTHORITY TO APPROVE</b> , subject to:  <ol style="list-style-type: none"><li>a) no objections being received before the expiry of the notification period;</li><li>b) the decision of the Secretary of State for Communities and Local Government, not to 'call in' the Listed Building application; and</li><li>c) the following conditions:  <ol style="list-style-type: none"><li>1. A7 (Listed Building/Conservation Area Consent).</li><li>2. A11 (Approved plans).</li><li>3. B6 (External details – approved plan).</li></ol></li></ol>

<b>Application Reference: 13/0611/FULL</b>
<b>Site Address: STOURPORT SPORTS CLUB LTD, KINGSWAY, STOURPORT-ON-SEVERN, DY13 8BQ</b>
<b>DELEGATED AUTHORITY TO APPROVE</b> subject to no objections being received before the expiration of the consultation period and 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. Hours of lighting.</li><li>4. Maximum number of lighting columns not to exceed 40.</li></ol>

**EXECUTIVE SUMMARY TO REPORT OF  
DEVELOPMENT MANAGER**

Planning Committee

14/01/2014

**PART A Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
13/0578/FULL	11 WOODBURY ROAD NORTH STOURPORT-ON-SEVERN	APPROVAL	12
13/0612/RESE	26-28 LESWELL STREET KIDDERMINSTER	APPROVAL	17
13/0618/FULL	THE OAKS SUTTON PARK ROAD KIDDERMINSTER	APPROVAL	24
13/0620/FULL	28 MIDDLETON ROAD KIDDERMINSTER	APPROVAL	30

**PART B  
Reports**

<b>Ref.</b>	<b>Address of Site</b>	<b>Recommendation</b>	<b>Page No.</b>
13/0574/FULL	17-26 VICAR STREET KIDDERMINSTER	DELEGATED APPROVAL	36
13/0575/LIST	17-26 VICAR STREET KIDDERMINSTER	APPROVAL	36
13/0602/FULL	SIMPLY LIMITLESS PUXTON LANE KIDDERMINSTER	APPROVAL	41

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**14<sup>TH</sup> JANUARY 2014**

**PART A**

<b>Application Reference:</b>	13/0578/FULL	<b>Date Received:</b>	04/11/2013
<b>Ord Sheet:</b>	380531 272306	<b>Expiry Date:</b>	30/12/2013
<b>Case Officer:</b>	James Houghton	<b>Ward:</b>	Lickhill

**Proposal:** Two storey side extension and replacement roof

**Site Address:** 11 WOODBURY ROAD NORTH, STOURPORT-ON-SEVERN,  
DY13 8XL

**Applicant:** Mr M Dutton

<b>Summary of Policy</b>	CP11 (CS) SAL.UP7, SAL.UP8, SAL.CC1 (SAAPLP) Design Quality SPG
<b>Reason for Referral to Committee</b>	Previously considered by Committee and deferred for a site visit/
<b>Recommendation</b>	<b>APPROVAL</b>

THIS APPLICATION WAS DEFERRED FROM THE 10<sup>TH</sup> DECEMBER 2013 PLANNING COMMITTEE MEETING FOR A MEMBERS' SITE VISIT

**1.0 Site Location and Description**

- 1.1 The application property is a detached three bedroom, two storey, hip roofed dwelling occupying a corner plot at the junction of Woodbury Road North and Woodbury Road West. The property's front elevation faces Woodbury Road West although the front door to the property is on the elevation facing Woodbury Road North. The property benefits from a detached concrete sectional garage.
- 1.2 The immediate area is characterised by detached dwellings along the south east side of the road and semi detached dwellings along the north west side of the road. Several properties in the immediate area have been extended.
- 1.3 Immediately adjacent to the application site a bungalow has been constructed following approval of an application in 1989 (Ref: WF.0064/89). The bungalow occupies land which was part of the former garden to no. 11 and benefits from a conservatory to the rear.

13/0578/FULL

## 2.0 Planning History

- 2.1 13/0429/FULL – Two storey side extension : Withdrawn.
- 2.2 WF.0064/89 – Bungalow on land adj. 11 Woodbury Road North : Approved 16/03/89.

## 3.0 Consultations and Representations

- 3.1 Stourport-on-Severn Town Council – No objections and recommend approval.
- 3.2 Highway Authority – No objection subject to addition of a condition requiring the submission of details relating to the access, turning and parking areas. In addition it is advised that a note is attached to any permission issued informing the applicant of the procedure for altering or amending a vehicle crossing.
- 3.3 Neighbour/Site Notice – Two letters of objection have been received, one of which represents the views of the occupants of six neighbouring properties. The objections are summarised below:
  - Potential for overlooking from first floor windows of the extension;
  - The proposed extension may have a substantial impact on the levels of light currently enjoyed at neighbouring properties;
  - The extension may have an impact on the outlook currently enjoyed by the occupants of neighbouring properties;
  - Concerns over the aesthetics of the proposed extension;
  - There is an existing issue with car parking in the area and as such the additional accommodation may exacerbate the situation; and
  - There are concerns relating to the alteration to the route of a sewer and the impacts of the construction process.

Comments were also included which appear to refer to the previous application which had a cat slide roof from the existing ridge height down to ground floor eaves height with the extension projecting closer to Woodbury Road North than the current application.

## 4.0 Officer Comments

- 4.1 The applicant seeks approval for the addition of a two storey extension to the dwelling, a porch and for a new replacement roof to cover the entire structure. The development would require the removal of an existing concrete sectional garage.
- 4.2 The proposed extension would provide an additional two bedrooms at first floor and allow for the reallocation of space at ground floor to provide an enlarged kitchen and dining room as well as a utility room, study and cloak room.

13/0578/FULL

- 4.3 A previous application was withdrawn (Ref. 13/0429/FULL). The current application differs from that previously submitted in that the roof shape has been amended to incorporate a new roof which would be 50mm higher than the existing ridgeline. In addition the elevations have been altered to appear more typical for this area.
- 4.4 The proposed extension, whilst large, would be set back from the forward most part of the original building relative to Woodbury Road North, unlike the previous application. The current scheme maintains the eaves height of the existing building. The replacement roof, although slightly higher, would not appear atypical or incongruous in the context of the street scene or the character of the area.
- 4.5 The two storey element of the development would be set approximately 6.25m inside the boundary shared with no. 6 Woodbury Road West and as such the potential exists for a bedroom window at first floor to overlook the private amenity space associated with that neighbouring property. Amended plans have been submitted which detail an obscure glazed bedroom window at first floor on the elevation facing no. 6 with additional light being provided through a roof light. A condition requiring that this obscure glazing is retained for the life of the development should be added to any permission issued.
- 4.6 The extension proposed would be finished with a hipped roof which would serve to reduce the impact of the extension on the amount of light enjoyed within the rear gardens to the adjoining dwellings. However it is considered that this impact would not be significantly greater than that exerted by the existing building.
- 4.7 With regard to the provision of parking on the site, the scheme proposes sufficient driveway to provide three off street parking spaces which is considered sufficient for a dwelling with five bedrooms and would accord with the standards set out in Appendix A of the Worcestershire County Council Local Transport Plan 3 – Highways Design Guide.
- 4.8 Members will recall that at the Planning Committee on 10<sup>th</sup> December 2013, the public speaker referred to the proposed extension having a substantial effect on the levels of light and the outlook enjoyed from a kitchen window at a neighbouring property. Officers are able to confirm that the window referred to is actually a side facing secondary window. The 45° Code guidance provides a means to quantify the impact of a given extension on the levels of light enjoyed in habitable rooms at neighbouring properties. The guidance specifically states that the 45° Code applies to side facing windows where those side facing windows “*provide the only source of light to a habitable room.*” Given the substantially larger primary window to the rear of the property it is not considered that the proposed extension would have a significant impact on the levels of light and outlook enjoyed within the kitchen.

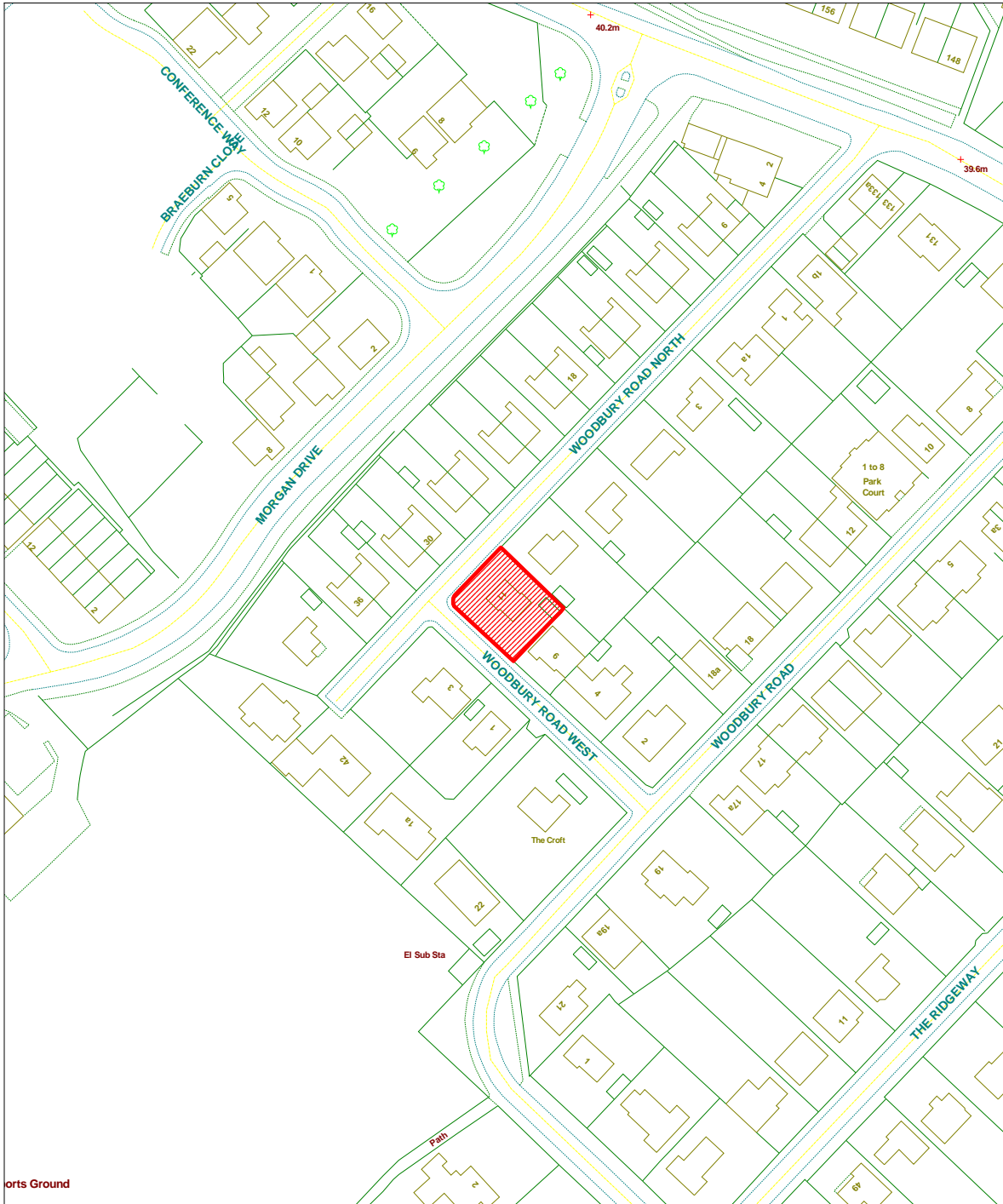
13/0578/FULL

## 5.0 Conclusions and Recommendations

- 5.1 The impact of the extension on the amenity enjoyed by the occupants of neighbouring dwellings has been carefully assessed and it is considered that there would be no substantial loss of light, privacy or outlook. The proposed design is considered to be in keeping with the existing character of the original dwelling and the character of the street scene.
- 5.2 It is recommended that the application is **APPROVED** subject to the following conditions.
1. A6 (Full with no reserved matters).
  2. A11 (Approved plans).
  3. B6 (External details – approved plan).
  4. Remove PD rights Part 1, Classes A and E (to prevent loss of garden).
  5. Obscure glazing.
  6. Access, turning and parking.

### Note

Alteration of highway to provide new or amend vehicle crossover.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**11 Woodbury Road North  
Stourport-on-Severn DY13 8XL**

Date:- 18 December 2013

Scale:- 1:1250

OS Sheet:- SO8072SE

Crown Copyright 100018317 2013

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





**Application Reference:** 13/0612/RESE      **Date Received:** 08/11/2013  
**Ord Sheet:** 383720 276809      **Expiry Date:** 03/01/2014  
**Case Officer:** Paul Round      **Ward:** Greenhill

**Proposal:** Demolition of existing properties and erection of 6No. Apartments (4No. 2 bed and 2No. 1 bed)

**Site Address:** 26-28 LESWELL STREET, KIDDERMINSTER, DY10 1RP

**Applicant:** Leswell Enterprises

<b>Summary of Policy</b>	DS01, DS02, CP01, CP02, CP03, CP11 (CS) SAL.PFSD1, SAL.DPL1, SAL.CC1, SAL.CC2, SAL.CC6, SAL.CC7, SAL.UP8 (SAAPLP) Design Quality SPG Highway Design Guide (LTP3) Paragraph 14, Sections 6, 7 (NPPF)
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

## 1.0 Site Location and Description

- 1.1 The application site is located to the west of Kidderminster town centre on Leswell Street, which runs between Birmingham Road and Offmore Road. It forms an area occupied by 26 and 28 Leswell Street, Kidderminster. The existing pair of semi-detached properties lie in large plots surrounded by other dwellings.
- 1.2 The area is allocated within the Adopted Wyre Forest Site Allocations and Policies Local Plan for residential purposes and forms previously developed land.
- 1.3 Outline approval was given on appeal for residential development in June 2013. The application seeks for approval of the reserved matters for 6 residential flats.

## 2.0 Planning History

- 2.1 WF/0065/04 – Erection of two bed bungalow : Refused 09/03/04.
- 2.2 WF/1087/04 – Conversion of dwelling (No.26) to 2 flats : Approved 8/12/04.
- 2.3 06/1073/FULL – Erection of bungalow : Withdrawn 08/12/06.

13/0612/RESE

2.4 11/0445/OUTL – Erection of block of 6 apartments – Refused – 04/10/11.

2.5 12/0443/OUTL – Erection of 6 apartments : Refused 28/08/12 (Appeal Allowed 13/06/13).

### 3.0 Consultations and Representations

3.1 Highway Authority – No objection subject to conditions.

3.2 Neighbour/Site Notice – Three letters of objection received raising the following issues:

- Whilst there is provision for cycles at the rear there is no obvious provision for landfill or recycling wheelie bins (and any future change to rubbish collection facilities). *[Officer Comment – Such provision is indicated on the plans and the proposed facilities have been highlighted to the respondent, who is happy that the concern has been addressed]*
- With 10 bedrooms total the provision of just 6 car parking spaces in this already over-crowded road (and opposite a school entrance) is minimal. No provision has been made to accommodate visitors or tradesmen. As a minimum there needs to be a covenant in place that prohibits all parking on the road outside these properties by residents or people attending these properties (dropped kerbs only prevent other people parking not 'residents') during 'school hours'.
- There are no obvious undertakings ensuring that all building works including deliveries do not obstruct the highway - such undertakings are essential though they might be 'limited' to 'term time'
- There is no detail as to the intentions with regard to the "dead" patch of land behind us and No 20. Currently a wilderness and would appear to have been used as a "dumping ground" in the past. We are concerned that it will remain an uncultivated mess and possible breeding ground for rodents. There appears to be no information with the application.
- The proposal will result in blocking light as the building will border our fence.
- Loss of privacy in garden due to side facing windows overlooking our garden.

13/0612/RESE

#### 4.0 Officer Comments

- 4.1 The principle of the development has been accepted by the decision of the Planning Inspector on appeal. In granting the Outline Permission he concluded that *“The limited extent to which the development would encroach on existing private residential garden land is an insufficient basis to justify a conclusion that the development would create harm to the local area or otherwise result in inappropriate development of residential gardens.”*
- 4.2 The outline permission was granted with all matters reserved for determination. This current application seeks for approval of all these namely, access, layout, appearance, scale and landscaping. These will be discussed individually as part of this report.
- 4.3 ACCESS
- 4.3 Access will be provided to the frontage of the properties where six parking spaces will be provided at a ratio of 1 space per unit in accordance with the County Council’s adopted parking standards as contained within the Highway Design Guide, and as required by Policy SAL.CC2 of the Adopted Wyre Forest Site Allocations and Policies Local Plan. In addition, a combined cycle shelter and bin store is shown to the rear of the property accommodating 12 no. cycle spaces. The County Council as Highway Authority has returned a no objection response to the application.
- 4.4 The concerns of residents are appreciated in respect of parking. Leswell Street is characterised in the main by on-street parking provision, where parking is provided off-street, these are directly in front of dwellings at an average ratio of 1 space per dwelling. The proposal replicates this and, as such, accords with the character of the area. Matters of inappropriate parking and obstruction are unfortunate occurrences but do not fall within the control of the planning system. The Inspector when granting outline permission previously took account of residents’ concerns over parking and concluded that there were no issues to prevent the granting of permission. He appreciated the difficulties that could arise with construction traffic and as part of the outline permission, imposed the following condition:

*No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:*

- i) the parking of vehicles of site operatives and visitors*
- ii) hours of operation, including deliveries and the loading and unloading of plant and materials*
- iii) storage of plant and materials used in constructing the development*
- iv) the erection and maintenance of security hoarding, where appropriate*

13/0612/RESE

- v) *measures to prevent mud and debris being carried onto the public highway*
- vi) *measures to control the emission of dust and dirt during demolition and construction.*

4.5 It is appreciated that the location of the site near to a school can present difficulties, however given the Inspector's conclusion and the parking provision in accordance with the adopted standards, it cannot be judged as being unacceptable. On this basis I consider that the access and parking provision is appropriate in design and highway safety considerations.

#### LAYOUT

- 4.6 The siting of the proposed building will span the site, being located on part of the footprint of the existing dwellings. It has a footprint of 18.5m x 13m and is set back from the frontage by approximately 6.8m. The building has been located sensitively taking account of the streetscene and window locations of the adjoining properties, which has dictated its siting in accordance with the 45 degree code.
- 4.7 Concerns have been expressed over the loss of light and residential amenity. The relationship with the two adjoining properties has been carefully considered as part of the applicant's design. No. 30 is set approximately 12m from the highway, further back than the proposed development. The building will project approximately 4.5m forward of No. 30. In respect of No.24b the proposed development is set back from the building line and as a result projects beyond the rear of this property by approximately 4m. Both projections have been plotted taking into account the 45 degree code, which is not infringed on either count leading to the conclusion that there will be no undue loss of light to habitable rooms. Whilst there may be some minor shadowing of the rear garden of No.24b given the orientation this will be limited and will not result in loss of amenity that would be harmful.
- 4.8 The layout of the building has taken into account the constraints of the site and neighbouring properties. The resulting proposal is acceptable and will not result in harm to the streetscene or the amenity of neighbouring properties.

#### SCALE AND APPEARANCE

- 4.9 The height of the building proposed is approximately 9m and is comparable with the buildings adjacent, No.24b being approximately 9.2m in height and No.30 being approximately 8.6m in height. Given the staggered nature of the siting it is considered the scale of the development is appropriate to the character of the area.

13/0612/RESE

- 4.10 In respect of design, whilst a large number of the properties in Leswell Street are Victorian terraces there are a number of larger more modern properties. The design of the apartment block has attempted to give a building that commands its own space whilst sitting comfortably within the streetscene. I feel that the proposed building will be successful particularly in utilising features such as double height bay windows and window headers and cills. The balanced appearance of the front elevation helps assimilate the design of the building with the surrounding area. Materials have been shown as part of the submission utilising red brick and grey tiles along with small elements of render.
- 4.11 Habitable room windows are positioned to the front and rear to ensure that no overlooking will occur. Where there are side facing windows these can be conditioned to be obscure glazed and top hung so as to prevent any loss of amenity. This will overcome the concerns expressed in respect of overlooking.
- 4.12 The design as a whole combines elements in a way that results in quality residential design that complements the character and distinctiveness of the surrounding area. I am satisfied that the scale and appearance of the properties are acceptable.

#### LANDSCAPING

- 4.13 Areas of landscaping are shown to the front of the properties to soften the frontage and parking area. Additional planting is also shown adjacent to the cycle shelter to screen it from the adjoining property (No. 30). The remaining amenity space is to be grassed with existing trees to remain. This approach is acceptable and provides an appropriate degree of landscaping appropriate to the area. The concerns about the lack of use of this space are noted, however it is shown as being for amenity space and there is no reason to suspect that this will be used for anything different, the Local Planning Authority cannot take into account the non- use of such an area.

### **5.0 Conclusions and Recommendations**

- 5.1 The reserved matters as submitted have been carefully considered. It is felt that in all respects the proposal provides an acceptable development that is appropriate to the area and will not result in harm being caused to the character or appearance of the area or neighbouring properties. Matters of access and parking, whilst being considered at outline stage, have been carefully assessed and found to be acceptable in this context.

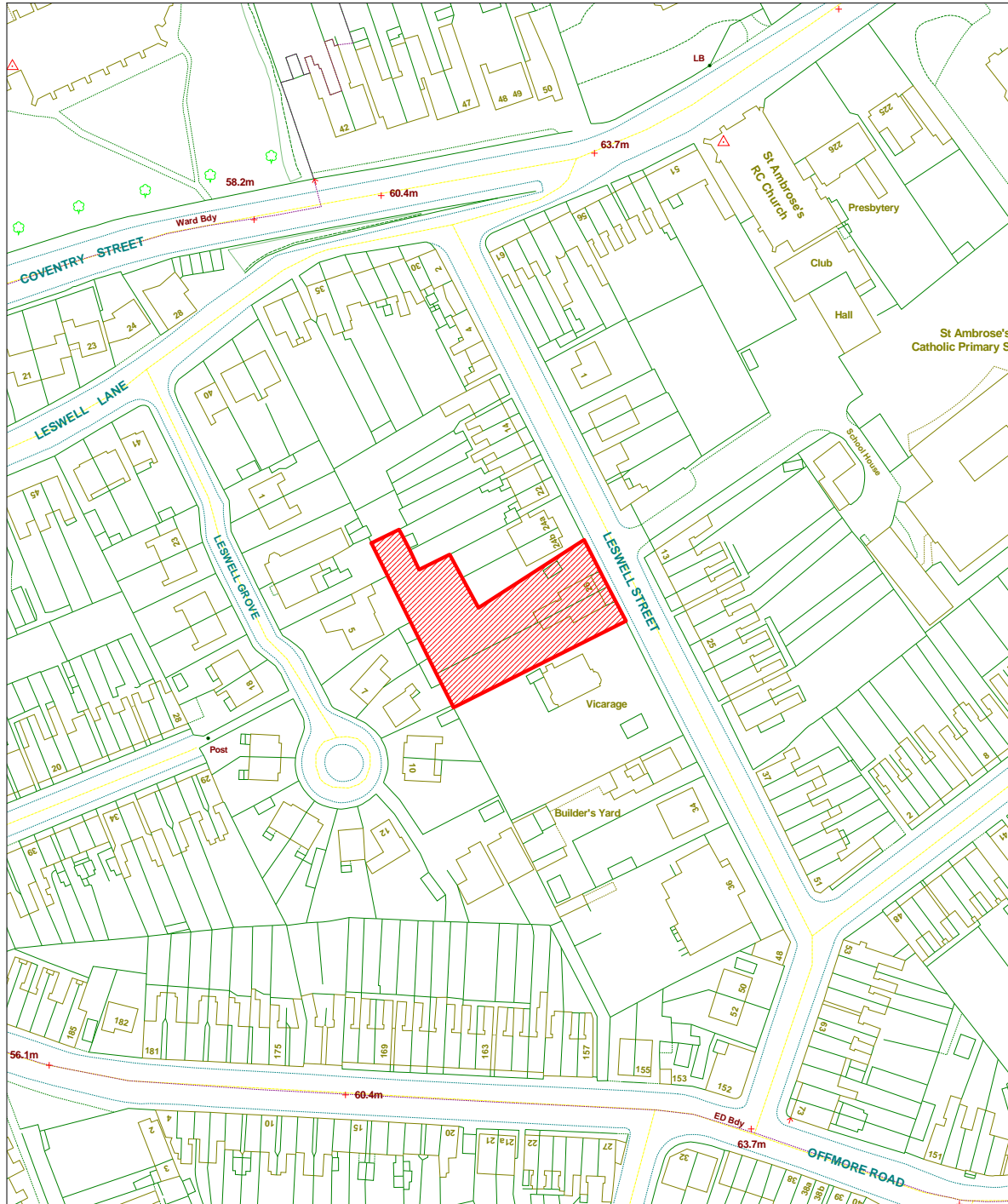
13/0612/RESE

5.2 It is therefore recommended that the application is **APPROVED** subject to the following conditions:

1. A4 (Reserved matters only).
2. A11 (Approved plans).
3. J7 (Windows; obscure glazing).
4. Details of obscure glazing.
5. Single access – new – footway.
6. Vehicle access construction.
7. Cycle parking multi-unit.

Notes

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



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**26-28 Leswell Street  
Kidderminster DY10 1RP**

Date:- 18 December 2013

Scale:- 1:1250

OS Sheet:- SO8376NE

Crown Copyright 100018317 2013

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



**Application Reference:** 13/0618/FULL      **Date Received:** 18/11/2013  
**Ord Sheet:** 381378 275643      **Expiry Date:** 13/01/2014  
**Case Officer:** John Baggott      **Ward:** Sutton Park

**Proposal:** Substitution of house types on plots 1,2,5,6,7,8,9,10 and 13 in connection with planning approval 12/0528/FULL

**Site Address:** THE OAKS, SUTTON PARK ROAD, KIDDERMINSTER, DY11 6JQ

**Applicant:** DAVID WILSON HOMES MERCIA

<b>Summary of Policy</b>	DS01, CP01, CP02, CP04, CP05, CP07, CP11, CP14 (CS) SAL.DPL1, SAL.DPL3, SAL.CC7, SAL.UP4, SAL.UP7 (SAAPLP) Design Quality SPG Sections 6, 7, 11 (NPPF)
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

**1.0 Site Location and Description**

1.1 The application site is that of the ongoing residential development of 14 detached dwellings by David Wilson Homes, known as The Oaks, on the former site of Sutton Reservoir, as approved by virtue of planning permission 12/0528/FULL.

1.2 The overall site is approximately 1.6 hectares in size and is located within a residential area, fronting onto Sutton Park Road to the east; Whitehill Road to the north; a residential garden and open land to the east; and, residential properties addressed onto The Croft to the south.

**2.0 Planning History**

2.1 WF.1200/04 – Residential development (35 dwellings) with access off Sutton Park Road: Refused (12/12/05); Appeal withdrawn.

2.2 06/0436/OUTL – Outline: 14 detached dwellings (siting and access to be determined): Approved (18/07/06).

2.3 09/0061/OUTL – Outline: 14 detached dwellings (siting, scale and layout to be determined): Approved (16/09/09).

2.4 12/0528/FULL – Erection of 14 detached dwellings: Approved (27/11/12).



13/0618/FULL

### 3.0 Consultations and Representations

3.1 Arboricultural Officer – No objections.

3.2 Neighbour/Site Notice – A single letter of objection has been received from Hillcrest Residents Association. The reasons for objection are summarised as follows:

- The development of The Oaks has not been undertaken in accordance with the approved plans and as such a breach of planning control has occurred.
- Failure of the applicant to follow the correct planning procedures resulting in this (partial) retrospective application  
*(Officer Comment: Such applications are not unlawful and planning guidance makes clear provision for the consideration of retrospective applications).*
- Objection to a blanket permission for larger conservatories on the relevant Plots.
- Excessive size of proposed replacement conservatories.
- Failure of applicants to follow their own Operating Procedures  
*(Officer Comment: This is not a planning consideration and is a matter for the applicant).*

Members are advised that, in respect of the alterations to the siting of the houses and garages in Plots 10 and 13, and the handing of Plots 6 and 8, Hillcrest Residents Association, whilst unhappy with the retrospective nature of some of these elements of the application, acknowledge that had such matters been proposed within the original application that it is unlikely that these would have been resisted by the Council.

### 4.0 Officer Comments

4.1 Members will recall that Planning Permission for 14 detached dwellings on the former Sutton Reservoir site was approved at the Planning Committee meeting in October 2012, under planning permission 12/0528/FULL. The development subsequently commenced on site earlier this year and is at an advanced stage, with the first sales of the plots to the front of the site now taking place.

4.2 All relevant matters regarding the acceptability of the development were debated and accepted at the time of the original application (12/0528/FULL), including layout, design, impact on trees, etc, and as such there is no requirement to revisit such matters under the current application which seeks alterations to a number of already approved plots. Members are advised that in some instances the changes proposed within this application have already occurred and as such the application is, at least in part, a retrospective one.

13/0618/FULL

- 4.3 Whilst the description of development refers to a “substitution of house types”, Members may wish to note that the actual design of the houses on the development has not changed from those previously approved. Therefore, in the interests of clarity, the proposed changes to that which was previously approved, and which form the basis of this latest application, are summarised as follows:
- Plots 1, 2, 5, 7, 8, 9 and 13 were all originally shown as having rear conservatories (dimensions of 3.3m wide x 3.5m deep). The current application proposes larger conservatories which span the width of the rear of the properties, but are not quite as deep as those originally proposed (i.e. 8.0m wide x 3.0m deep). Members are advised that in the case of Plot 1 (the current “Show Home”) the larger conservatory has already been constructed. In all other cases they have not, and will only be built by David Wilson Homes should the purchasers request them (at an additional cost to the advertised sale price of the Plots in question).
  - Plots 6 & 8 have been handed (i.e. as constructed, the internal layout is opposite from what was approved). Externally, given the symmetrical nature of the front and rear elevations, there is no discernible difference. The only clue to what has taken place is the location of an external side door opening which has swapped sides.
  - Plot 10 house and garage is to be moved by 0.9m to the north to improve the relationship with the rear garden of Plot 14.
  - Plot 13 house and garage has been moved by 0.9m to the west to assist with construction and circulation to the neighbouring plots.
- 4.4 In summary, the retrospective elements of the application are restricted to the larger conservatory on Plot 1; the handed nature of Plots 6 & 8; and, the repositioning of the house and garage within Plot 13.
- 4.5 As highlighted in the objection received from Hillcrest Residents Association, it is true that a breach of planning control has occurred in that with regard to the retrospective elements of this application the works have been undertaken such that they are not in accordance with the approved plans, and thereby not in accordance with Condition 2 of planning permission 12/0528/FULL. However, whilst Officers would in no way wish to condone the building of something which is different to what has been previously approved, Members are reminded that the planning regulations do allow for applications to be submitted retrospectively, to regularise what has occurred, and planning law requires the Council to accept such applications and consider them on their planning merits in the same way as any other application.

13/0618/FULL

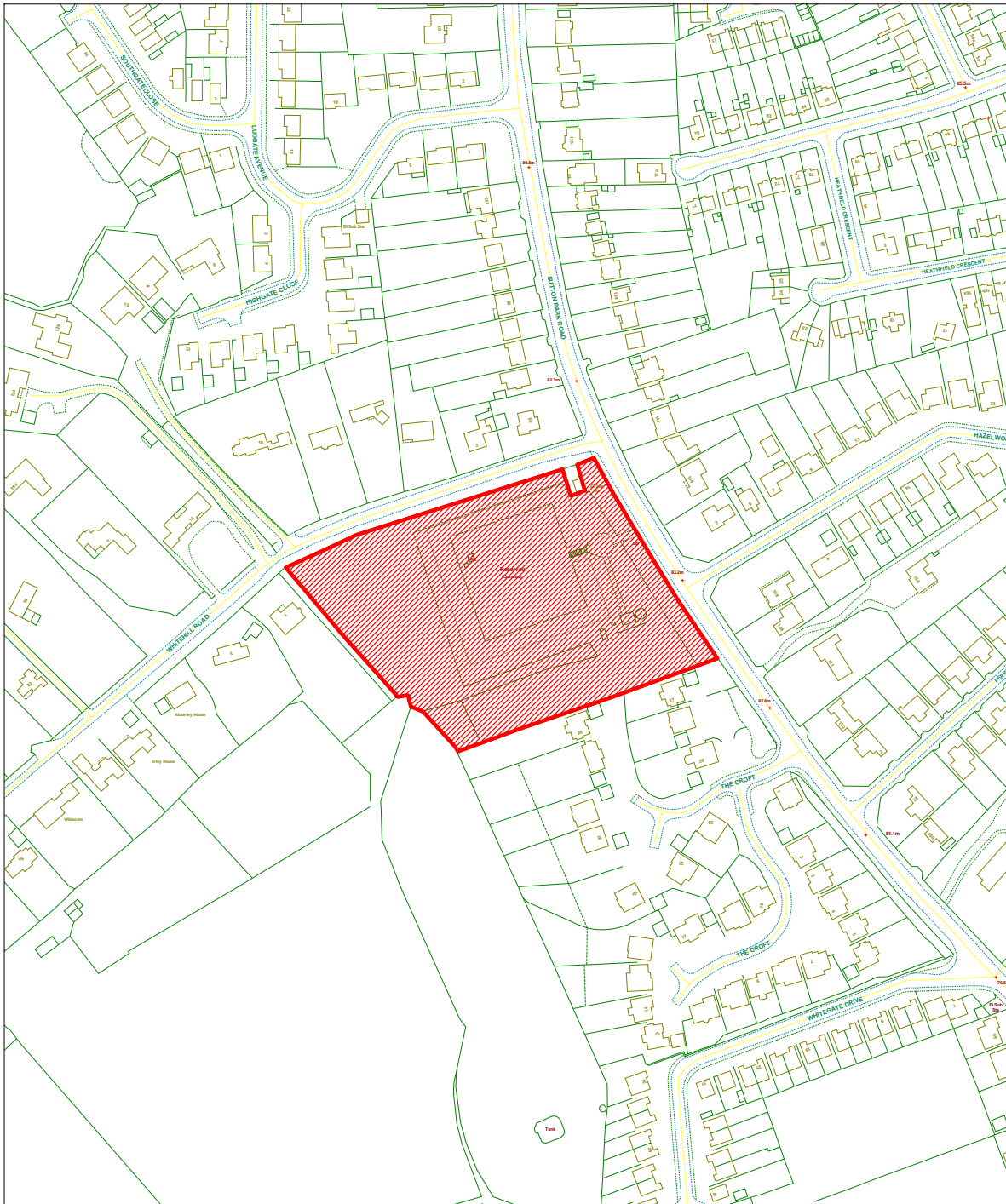
- 4.6 In this instance, Officers are satisfied that the handing of Plots 6 and 8 and the minor repositioning of the house and garage in respect of Plot 13 are matters so minor as to be barely discernible. Indeed, had it not been for the fact that David Wilson Homes highlighted these changes it is debatable as to whether they would ever have been detected. These alterations to what was originally approved are therefore considered to be acceptable, as too is the proposed alteration of the siting of the house and garage within Plot 10, which again is relatively minor. In all these instances, there would be no adverse impact upon the amenity of residents of the existing dwellings in the vicinity, or for that matter the future occupiers of The Oaks development itself.
- 4.7 With regard to the changes to the originally approved conservatories, both retrospective (Plot 1) and proposed (Plots 2, 5, 7, 8, 9 and 13), as previously identified these plots were originally shown as having a 3.3m wide x 3.5m deep conservatory located centrally located on the rear elevation of the properties.
- 4.8 In considering the original proposals, it was recognised that these are relatively large properties of a size and proportion consistent with the existing properties addressed on The Croft, with a low density of development reflective of the density in the immediate area. The relationships both within the development and to properties beyond (in particular to The Croft and Whitehill Road) was found to be acceptable, with good separation distances between the properties, including the then proposed conservatories.
- 4.9 The now proposed conservatories are admittedly significantly larger than those originally proposed, with dimensions of 8.0m wide x 3.0m deep. That is to say actually 0.5m shorter than what was previously approved, but spanning the entire width of the back of the properties. However, that said, given the nature and design of these properties, these larger conservatories would not look at all out of place on these properties. Had these larger conservatories been proposed in the first place, from a design perspective there appears to be no reason to think that they would not have been found to be acceptable.
- 4.10 In terms of impact upon the amenities of neighbouring properties, within the development, given that the depth of the conservatories is actually less than originally proposed, the separation distances are actually improved. Beyond the development, in respect of properties in The Croft, the conservatories whilst spanning the entire rear of the Plots in question (Plots 1 and 2), do not extend any nearer to the properties in The Croft than the previously approved dwellings themselves, and as such there would be no greater impact on the amenities of these existing properties. In the cases where the Plots back onto Whitehill Road, again the separation distances are better than previously approved, and in any event the Plots are separated from the properties in Whitehill Road by the highway itself there is a minimum separation distance of 28m, which is acceptable in this location.

13/0618/FULL

- 4.11 Furthermore, it is perhaps worthy of note that significantly larger conservatories, or other extensions for that matter, could be added to these properties in the future without the need for planning permission (i.e. under permitted development rights). These could be of various sizes and designs. What this application does provide is an opportunity to facilitate a consistent and controlled approach to extensions/conservatories off the main body of the houses in question. That said, it is acknowledged that these conservatories, as previously indicated, remain as an “optional extra” for prospective purchasers of these properties, and as such Members are advised that there is no guarantee that, with the exception of the conservatory already constructed at Plot 1 (the “Show Home”) any of the other proposed conservatories on the remaining Plots will be constructed.

## 5.0 Conclusions and Recommendations

- 5.1 It is regrettable that this application includes a retrospective element, but as highlighted previously planning guidance allows for such applications to be considered on their merits, in the same way as any other application. In terms of Plots 6, 8, 10 and 13, the nature of the changes from what was originally approved are so relatively minor that these are considered to be entirely acceptable.
- 5.2 With regard to the larger conservatories on Plots 1 (retrospective), 2, 5, 7, 8, 9 and 13, whilst significantly larger than those previously approved under 12/0528/FULL, they have been assessed in terms of their appearance and relationship to the host properties as well as their relationship with existing adjoining residential development and Officers are of the opinion that these larger conservatories are acceptable.
- 5.3 It is therefore recommended that the application be **APPROVED**, subject to the following conditions:
1. A6 (Full with No Reserved Matters).
  2. A11 (Approved Plans).
  3. B6 (External Materials).



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**The Oaks**  
**Sutton Park Road**  
**Kidderminster DY11 6JQ**

Date:- 18 December 2013

Scale:- 1:2500

OS Sheet:- S08175NW

Crown Copyright 100018317 2013



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

<b>Application Reference:</b>	13/0620/FULL	<b>Date Received:</b>	25/11/2013
<b>Ord Sheet:</b>	382352 278106	<b>Expiry Date:</b>	20/01/2014
<b>Case Officer:</b>	James Houghton	<b>Ward:</b>	Franche

**Proposal:** Change of use to 3 No. one bed flats

**Site Address:** 28 MIDDLETON ROAD, KIDDERMINSTER, DY11 5EZ

**Applicant:** Mr J Dalman

<b>Summary of Policy</b>	CP11 (CS) SAL.CC1, SAL.CC2, SAL.DPL4, SAL.UP7 (SAAPLP)
<b>Reason for Referral to Committee</b>	Third party has registered to speak at Committee
<b>Recommendation</b>	<b>APPROVAL</b>

## 1.0 Site Location and Description

1.1 The application property is a three bed, pitch roofed semi detached building occupying a prominent corner plot on a bend of Middleton Road. The property benefits from a detached garage to the rear and a single storey side and rear extension approved through application 13/0482/FULL.

## 2.0 Planning History

2.1 13/0482/FULL - Single storey side and rear extension : Approved 21/10/13.

## 3.0 Consultations and Representations

3.1 Highway Authority – No objection subject to the addition of conditions relating to the construction of a vehicle access, the provision of access, turning and parking areas and cycle parking along with a note relating to the alteration of a highway to provide a new or amend an existing vehicle crossover.

3.2 Worcestershire Regulatory Services – No comments received.

3.3 Neighbour/Site Notice – Eight letters of objection have been received from the occupants of nearby dwellings. The objections raised are summarised below:

- The provision of flats would be uncharacteristic for the area and would not benefit the family character of the estate.
- The use of the site to provide flats would constitute overdevelopment of the site and would be overbearing and out of scale.

13/0620/FULL

- The change of use would result in the loss of amenity at neighbouring properties in that there would be a loss of privacy at neighbouring dwellings.
- The potential for the conversion of the building to have a detrimental effect on the amenity enjoyed by the occupant of the neighbouring property particularly with regard to the levels of noise and disturbance.
- Potential loss of views for neighbouring properties.
- The provision of additional parking and refuse storage areas would be uncharacteristic for the area.
- The provision of parking to the front of the property could result in loss of light and privacy to the neighbouring property.
- Insufficient parking proposed to serve the property.
- The extra vehicle movements generated as a result of the development may have an impact on road safety.
- The provision of “non family oriented residents” and their vehicles may have an impact on the character of the area.
- The change of use is purely proposed for profit rather than for the good of the community. (Officer comments – Not a planning consideration).
- There are discrepancies in the description of the existing use and building.
- Concerns over the precedent set by the conversion of the building into flats.

A number of the letters referred to the previous owner and occupant of the property and the state in which the property was maintained.

#### 4.0 Officer Comments

4.1 The applicant seeks approval for the subdivision of the existing building to form three one bed flats. Whilst objections refer to a possible discrepancy in the description the application is clearly for the conversion of a dwelling into three self contained one bedroom flats. The ground floor and new extension would form two units and an additional flat would be formed at first floor. The access for one flat would be identical to that for the existing dwelling, the entrances to the other two flats would be in the rear elevation and the side elevation. The existing garage would provide cycle storage with refuse storage immediately adjacent, parking would be provided for two vehicles between the garage and the pavement with a third space to the front of the property.

4.2 Of particular relevance to this application is Policy SAL.DPL4 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan which sets out the criteria for the subdivision of existing buildings to form flats. The policy stipulates that proposals will be supported provided that:

- *Conversion is not detrimental to the appearance of the building and that the building and the plot is of suitable size for conversion;*
- *Appropriate provision is made for parking, cycle parking, private amenity space and refuse storage;*

13/0620/FULL

- *The proposal would not be detrimental to the character of the area; and*
- *The internal layout minimises noise disturbance and overlooking to neighbours.*

4.3 The reasoned justification accompanying the Policy states:

*The sub-division of existing dwellings can be a suitable means of providing smaller accommodation. Where the existing dwelling is important to the character of the area, conversion into flats can secure the future of the building. However, it is important that the conversion of larger homes into flats does not have a detrimental impact on the character of the area. The intensification of the use of the building can lead to detrimental impacts for neighbouring properties including increased levels of noise and issues associated with an increased number of vehicles at the property.*

4.4 The Policy aims to minimise the impact of the conversion of a dwelling into flats and to ensure that only appropriate sites are eligible for conversion. In this case a three bedroom dwelling would become three self contained one bedroom flats. This conversion would result in a property which is not substantially different, in terms of number of residents to what can be provided by the existing building.

4.5 The change of use would require no alterations to the side and front elevations visible from the highway and is of sufficient size to provide three units each with a bedroom, bathroom, kitchen and lounge. The only physical alteration required would be the relocation of a door on the North West elevation of the single storey extension previously approved through application 13/0482/FULL. The proposed change of use and minor alteration to the form of the building would not be considered to result in the creation of an out of scale or overbearing structure within this residential area and would, physically, offer no detriment to the street scene or the character of the area. The building would retain its appearance as a dwelling and, by virtue of the property comprising flats, would no longer benefit from the provisions of the Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the legislation which allows certain alterations and extensions to dwellings thus allowing proposals for the alteration of the appearance of the building to be controlled.

4.6 It is noted that the extension previously approved through application 13/0620/FULL has not yet been built, however this building was to provide habitable rooms. The proposed change of use would not result in the addition of habitable rooms where previously there had been none or none had been approved.



13/0620/FULL

- 4.7 The conversion of part of the upper floor of a dwelling has the potential to result in the transmission of noise through to what is likely to be a bedroom at the neighbouring property. In order to minimise this impact a condition would normally be applied to conversions of this type requiring the submission of details of the noise insulation to be installed within the converted property.
- 4.8 The site is sufficiently large enough to provide three parking spaces which satisfy current parking requirements. The parking layout would utilise part of the front garden of the property as other properties in the area have done and would also utilise part of the rear garden which could be accessed from Middleton Road. The parking layout would not appear atypical or uncharacteristic for this area and would not result in the loss of light or privacy for the occupant of the neighbouring property. The Highways Officer has no objection to the proposal.
- 4.9 Refuse storage areas for each of the three units would be provided adjacent to the existing garage structure. It is not considered that the storage of bins in this area would have any impact on the amenity enjoyed by the occupants of neighbouring properties.
- 4.10 Members will have noted the objections set out at paragraph 3.3, and matters raised regarding the character of the area and the conversion of the property to flats. In this regard members may wish to note a recent appeal decision at 22 Belbroughton Road, Blakedown. Following permission granted for the erection of a six bedroom dwelling (11/0343/FULL) it was proposed that a similar building would be erected to provide 5 no. 1 bed apartments and 1 no. 2 bed apartment. The application was refused by Planning Committee on the basis that the provision of apartments would be out of character with the immediate area and surrounding properties and that the provision of self contained living accommodation overall floors of the building would have an adverse effect on the privacy and amenity enjoyed at neighbouring properties. The appeal was allowed and permission granted for the development. The Inspector concluded that the development complied with the requirements of the relevant policies and would integrate well with the existing street scene and would have a minimal impact on local character as the number of occupants of the building would not be substantially larger than the possible occupancy of the previously approved dwelling and the provision of parking areas would not appear atypical for the area. The Inspector also noted that the levels of overlooking would be similar to those from the previously approved dwelling and would fall within what may be reasonably expected in a residential area. Whilst this appeal relates to a new build, the issues highlighted by the Inspector are similar to those being raised in this instance.

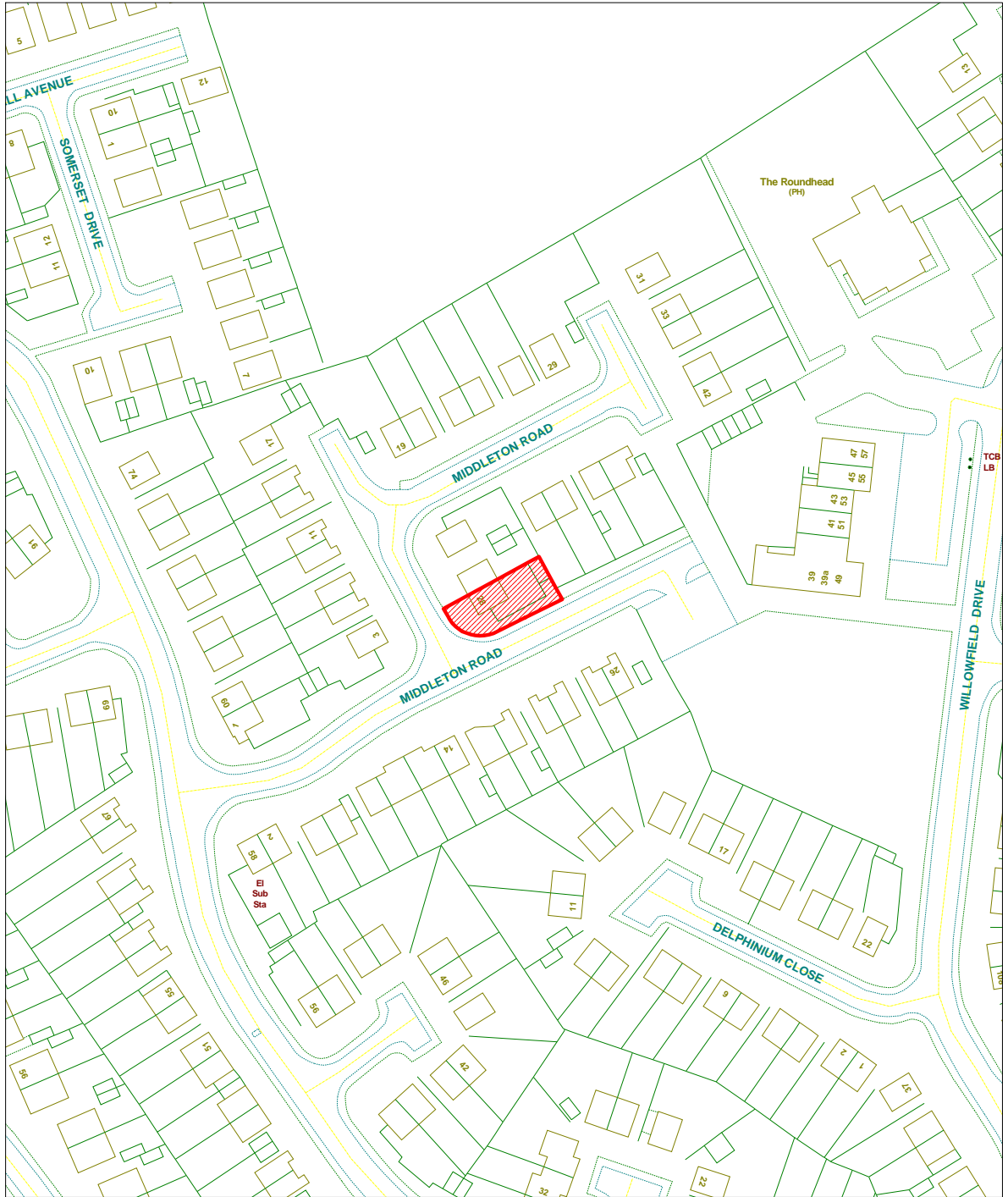
13/0620/FULL

## 5.0 Conclusions and Recommendations

- 5.1 The proposed conversion of the dwelling to form three one bed flats is considered acceptable. The conversion would have no significant impact on the character of the area or the original building. The property has sufficient space to provide off street parking for three vehicles, cycle parking, amenity space and refuse storage. The proposal is considered to accord with the relevant policies in the Site Allocations and Policies Local Plan.
- 5.2 It is recommended that the application is **APPROVED** subject to the following conditions.
1. A6 (Full with no reserved matters).
  2. A11 (Approved plans).
  3. F4 (Noise insulation of flats).
  4. Access, turning and parking.
  5. Cycle parking.

### Note

Alteration of highway to provide new or amend vehicle crossover.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**28 Middleton Road  
Kidderminster DY11 5EZ**

Date:- 18 December 2013

Scale:- 1:1250

OS Sheet:- SO8278SW

Crown Copyright 100018317 2013

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



WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**14<sup>TH</sup> JANUARY 2014**

**PART B**

<b>Application Reference:</b>	13/0574/FULL & 13/0575/LIST	<b>Date Received:</b>	04/11/2013
<b>Ord Sheet:</b>	383126 276608	<b>Expiry Date:</b>	03/02/2014
<b>Case Officer:</b>	Paul Round	<b>Ward:</b>	Greenhill

**Proposal:** Proposed Residential Development to form 13 Apartments; Part conversion and part new build additional storey

**Site Address:** 17-26, VICAR STREET, KIDDERMINSTER, DY10 1DA

**Applicant:** Marcus King & Co (c/o Ivan Smith)

<b>Summary of Policy</b>	DS01, DS02, CP01, CP02, CP03, CP04, CP05, CP11 (CS) SAL.PFSD1, SAL.DPL1, SAL.DPL4, SAL.CC1, SAL.CC2, SAL.CC7, SAL.UP6, SAL.UP7, SAL.UP8 (SAAPLP) KCA.PFSD1, KCA.DPL1, (KCAAP) Vicar Street Conservation Area Character Appraisal Design Quality SPG Planning Obligations SPD Sections 6, 7, 9, Paragraph 14 (NPPF)
<b>Reason for Referral to Committee</b>	'Major' planning application
<b>Recommendation</b>	<b>DELEGATED APPROVAL</b> <b>subject to Section 106 Agreement (13/0574/FULL)</b> <b>APPROVAL (13/0575/LIST)</b>

**1.0 Site Location and Description**

1.1 The application site forms the upper floors of 17-26 Vicar Street, which lies within the heart of the shopping area of Kidderminster Town Centre. Previously used as Offices for the Financial Services section of the District Council, they have laid vacant for a number of years. Pedestrian access can be gained from Vicar Street with pedestrian and vehicular access being obtained from Crown Lane to the rear.

13/0574/FULL  
13/0575/LIST

- 1.2 The property lies within the Vicar Street Conservation Area and part of the application site is the former Barton's Carpet Factory Building, which is a Grade II Listed Building, with the remaining part the more modern 1960's office building.
- 1.3 Prior approval has been given for 6 residential units already on this site, under the Government's permitted development relaxation agenda. The application seeks for conversion of the Listed Building and extension of the modern block to create 13 residential apartments.

## **2.0 Planning History (of relevance)**

- 2.1 13/3030/PNRES - First and second floor change of use from B1 office use to C3 residential use to form 6No. 2 bed apartments : Prior Approval Given 02.12.13.

## **3.0 Consultations and Representations**

- 3.1 Highway Authority – Views awaited.
- 3.2 Strategic Housing Services Manager – No objections to the scheme and welcome the provision of 3 no. 1 bed units on site. Should discussions with the Registered Provider not be forthcoming or services charges too high Officers should seek an off-site provision.
- 3.3 Conservation Officer – I confirm that I now have no objections to the scheme as proposed, which generally appears to comply with Policy SAL.UP6.
- 3.4 Neighbour/Site Notice – No comments received.

## **4.0 Officer Comments**

- 4.1 The adoption of the Kidderminster Central Area Action Plan Development Plan Document in July 2013 sent a clear message of intent to encourage residential development within the Town Centre boundaries. Within Policy KCA.DPL1 it sets out the aim of providing at least 900 homes within the plan period until 2026. The policy position supports the Government's aim within the National Planning Policy Framework in supporting the provision of residential units across the Country and the support of vibrant Town Centres.

13/0574/FULL  
13/0575/LIST

- 4.2 Works to the Listed Building are on the whole internal, although part of the proposal involves the removal of a modern two storey toilet block extension and replacement with an extension to provide a stairwell with access from Crown Lane. The Conservation Officer has assessed the works submitted and has no objections to the scheme. I would agree that the works will have limited impact on the character, appearance or integrity of the Listed Building. In fact I consider that the proposal is significant in retaining the building by providing a viable use to secure the long term stewardship of building.
- 4.3 The major physical change will be the addition of a third floor on the 1960's building. The additional storey will replicate exactly the flat roof design and fenestration details of the existing building and although being an additional storey higher will still be subservient to and not compete with the Listed Building or dominate the Conservation Area. Although this extension will be visible from wider views the character and appearance of the Conservation Area and the Listed Building will be preserved.
- 4.4 The planning application provides for 10 no. 1 bed flats and 3 no. 2 bed flats. The 13 units are subject to financial contributions as set out in the Planning Obligation SPD. The requirements are set out in the table below:

**Education Contributions**

<b>Total Education Contributions</b>	£2,544.00
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**Public Open Space**

<b>Total Public Open Space Contribution</b>	£1,431.36
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- 4.5 Policy CPO4 of the Adopted Wyre Forest Core Strategy requires 30% provision of affordable units for developments of 10 or more. The applicants have agreed to provide the necessary 3 units as part of the scheme. Consultation has taken place with the Strategic Housing Services Manager who is happy to accept an on-site provision, subject to confirmation of the Registered Provider and agreement of services charges. Should discussions be unable to agree a satisfactory on-site provision the adopted Affordable Housing Toolkit allows an off-site contribution to be made. Whatever form the affordable housing provision takes, I am satisfied that the developers have met their obligations in respect of affordable housing.

13/0574/FULL

13/0575/LIST

- 4.6 The proposal does not propose any parking in association with the scheme. This is justified through its Town Centre location, close proximity to bus station, taxi rank and train station. Whilst the Highway Authority are happy in principle and have approved other car free development with the town centre, they are seeking further justification from the Applicants including further details of a 'Welcome Pack' and promotion of sustainable transport methods. At the time of writing this outstanding issue has not been resolved and further updates will be presented via the Addenda and Corrections Sheet. The principle of a car free development in this location is accepted and supported by the 'Walkable Town' principles set out on the Kidderminster Central Area Action Plan.

## 5.0 Conclusions and Recommendations

- 5.1 The scheme provides the re-use of a vacant building for residential purposes securing the use of the Listed Building. The extensions and alterations of the buildings are acceptable and do not diminish the character or appearance of the Listed Building or the Conservation Area in which it is situated. Matters of access and parking are acceptable bearing in mind the Town Centre location of the building. The obligations in respect of affordable housing, education contributions and public open space contributions have been met.
- 5.2 I therefore recommend **delegated APPROVAL** of application **13/0574/FULL** subject to:
- a. the signing of a **Section 106 Agreement** to secure:
    - i Education Contributions of £2,544.00;
    - ii Public Open Space Contributions of £1,431.36; and
    - iii 3 no. Affordable Housing Units on site or an off-site financial contribution; and
  - b. the following conditions:
    - 1. A6 (Full with no reserved matters).
    - 2. A11 (Approved plans).
    - 3. B1 (Samples/details of materials).
    - 4. G1 (Details of works to Listed Buildings).
    - 5. G3 (Protection of part of building to be retained).
    - 6. Highway.

Note

SN2 (Section 106 Agreement).

13/0574/FULL  
13/0575/LIST

5.3 I therefore recommend **APPROVAL** of application **13/0575/FULL** subject to the following conditions:

1. A7 (Listed Building/Conservation Area Consent).
2. A11 (Approved plans).
3. Samples/details of materials).
4. G1 (Details of works to Listed Buildings).
5. G3 (Protection of part of building to be retained).



<b>Application Reference:</b>	13/0602/FULL	<b>Date Received:</b>	11/11/2013
<b>Ord Sheet:</b>	382519 277244	<b>Expiry Date:</b>	06/01/2014
<b>Case Officer:</b>	Emma Anning	<b>Ward:</b>	Franche

**Proposal:** Use of part of warehouse and former office building community facility including; multifunctional assembly area (for church meetings, fitness classes, conferences and functions), meeting rooms, crèche, hair salon, cafeteria, ancillary office space and associated amenity and parking areas

**Site Address:** SIMPLY LIMITLESS, PUXTON LANE, KIDDERMINSTER, DY11 5DF

**Applicant:** Simply Limitless (Mr R Pars)

<b>Summary of Policy</b>	CP02 CP03 CP08 (CS) SAL.CC2 SAL.CC7 SAL.GPB1 (SAAPLP) Section 1 (NPPF)
<b>Reason for Referral to Committee</b>	Planning application represents departure from the Development Plan
<b>Recommendation</b>	<b>APPROVAL</b>

## 1.0 Site Location and Description

1.1 The Bond Worth carpet factory, now predominantly used for warehousing/offices is located at the extreme end of Puxton Lane, a narrow thoroughfare accessed from Mill Street (adjacent to the Franche Road/Marlpool Lane traffic island). The site is identified as an employment site on the Proposals Map and is located within Flood Zone 2.

## 2.0 Planning History

- 2.1 06/0030/FULL - Change of use of part of warehouse to occasional meeting room & use of offices not associated with carpet factory: Refused.
- 2.2 07/0936/FULL - Change of use of part of warehouse to occasional meeting room & use of offices not associated with carpet factory: Approved.
- 2.3 08/0427/FULL - Variation of condition 3 of planning permission 07/0936/FULL to allow the use of occasional meeting room & office areas outside of the hours stipulated by that permission: Approved.
- 2.4 08/0945/FULL - Renewal of planning permission 07/0936/Full for a period of 5 years to allow the use of part of warehouse as occasional meeting room & use of offices not associated with the carpet factory, both up to 9-30pm: Approved.

13/0602/FULL

### 3.0 Consultations and Representations

#### 3.1 Highway Authority – No objection to the grant of permission.

Whilst Puxton Lane is narrow and there are existing employment uses operating in this area the information provided by the applicant indicates that the vast majority of these additional activities will occur outside the normal peak traffic flow associated with the other users served off this road. In addition I note that some of the activities proposed would be considered to be ancillary to church activities and therefore the associated movements could occur on the network without the need for planning permission. Therefore I consider that the elements of this application which would require planning permission only generate modest traffic movements which would not conflict with the existing movement patterns on Puxton Lane and therefore consider the application to not have a severe residual impact on the highway network.

#### 3.2 Environment Agency – No comments received.

#### 3.3 Worcestershire Regulatory Services (Air Quality) - No objections on air quality grounds.

#### 3.4 Worcestershire Regulatory Services (WRS) (Contaminated land) - The application site is within 250m of a registered landfill site which is known to have received waste material likely to produce gas from degradation processes. It is considered necessary to condition the application requiring the applicant to undertake a gas survey to ascertain if gas protection measures are required. This is as a result of intensification of uses at the site. The previous planning applications at this site were for occasional use of warehouse as a meeting room and offices. Consequently it is considered appropriate for a suitable condition to be applied to any permission granted.

#### 3.5 Senior Water Management Officer - Regarding this application: My view is that if we have given consent before for the temporary use of the building then I would agree that asking for a flood risk assessment now is not appropriate. The amount of actual building works going on will be minimal. As such I don't think it would be needed to attach any conditions regarding working near a watercourse.

#### 3.6 Planning Policy Manager - The District Council's Local Development Plan is made up of the Adopted Core Strategy (December 2010), the Site Allocations and Policies Local Plan (July 2013) and the Kidderminster Central Area Action Plan (July 2013). This application lies outside of the area covered by the Kidderminster Central Area Action Plan and as such the relevant policies are set out within the Adopted Core Strategy and the Site Allocations and Policies Local Plan.

13/0602/FULL

The site lies within an area of land allocated for Employment Uses on the Adopted Policies Map 2013. Policy CP08 of the Adopted Core Strategy sets out the circumstances which must be demonstrated in order for a loss of employment land to be considered to be acceptable. Consideration should be given to how these criteria relate to the site.

Paragraph 22 of the NPPF states that *“Planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable development.”* Therefore, consideration should be given to the likelihood of employment development coming forward on this site in determining the application. Whilst the site is allocated for employment uses, it is not currently being used for employment and it is located outside of the District’s main employment areas. A now expired temporary planning permission was granted for community uses consideration should be given as to whether there has been any recent demand for employment development within the location.

In conclusion, whilst the site is allocated for employment uses, consideration needs to be given to the other material considerations surrounding this proposal in the application of policies CP08 and SAL.GPB1, particularly the guidance within paragraph 22 of the NPPF.

3.7 Neighbour/Site Notice – No comments received.

#### 4.0 **Officer Comments**

##### THE PROPOSAL

4.1 Consent is sought for the use of the above premises as a community facility with its mix of ancillary operations to be made lawful on a permanent basis. The application site is part of a former warehouse and office buildings, however since 2007 it has been occupied, on a temporary basis, by the ‘Simply Limitless’ group as a community facility however that consent expired on 22 December 2013. The original 2007 consent granted temporary consent for the use of the buildings as a meeting room and offices, however since then the facility has grown and now the space accommodates the following;

13/0602/FULL

Ground Floor

- Multifunctional assembly area for large group gatherings, fitness classes and drama productions.
- Glass Brick Room used as a classroom and meeting room facility, drama groups and as the cafe overflow area.
- Crèche.
- Tropical Lounge meeting room.
- Night café.
- Hair Salon.
- Ancillary kitchen, washroom and storage areas.

First Floor

- Meeting room and storage facilities.

4.2 As detailed in the comments provided by the District Council's Planning Policy Manager, the site is identified as being an employment site. Core Strategy Policy CP08 seeks to resist the loss of employment land unless it can be demonstrated that;

- a) *The site is identified in an up-to-date Employment Land Review as being suitable to be considered for alternative uses.*
- b) *The continued use of the buildings, or their redevelopment for an employment use, is not viable (in physical, operational or commercial terms) and this is supported by robust evidence, such as the marketing of the site and evidence that the site is unviable to be developed for employment use.*
- c) *The proposed new use would be compatible with neighbouring uses and would not prejudice the amenity, viability or future development of other businesses.*
- d) *When considering alternative uses preference will be given to mixed-use development prior to any single-use development.*

4.3 Having considered point 'a' of the above the Planning Policy Manager is mindful that the premises has not been included in the employment land offer of the District since 2007 and as such to approve the application would have a neutral impact on the existing employment offer given that the site has been operating as an alternative use within an employment area for some time. Given that the site incorporates a range of uses, albeit uses ancillary to the use as a community facility, officers are satisfied that the proposal would not compromise part 'd' of the above policy.

4.4 Given that the use has been operational on site since 2007 it is well established and considered to sit comfortably adjacent to neighbouring residents and occupiers. No neighbours have responded negatively to this application and there are no known recent complaints to the District Council relating to the 'simply limitless' site. For this reason officers are satisfied that point 'c' of Policy CP08 is satisfied.

13/0602/FULL

- 4.5 The applicants have provided satisfactory written confirmation from the Managing Director of Bond Worth Limited who confirms that the company has been working closely with local estate agents over the past twelve months to market the excess space at Bond Worth. Despite the marketing campaign there has been no realistic interest in the buildings, due in part to their physical condition and the availability of other more suitable premises in other parts of the District. The requirements of part 'b' of Policy CP08 have therefore been met.
- 4.6 In being mindful of the above policy, Officers have also considered paragraph 22 of the National Planning Policy Framework which states that authorities should not seek to protect employment sites in the long term when there is little realistic prospect of a viable employment use coming forward. In this instance given that the use of the site for non-employment purposes has been established over the past six years and that the applicants have clearly demonstrated that the use of the site for employment purposes is not viable, then it is considered that to allow the continued use of the site on a permanent basis would not prejudice the employment offer of the District.
- 4.7 Officers are minded to agree that the proposal to allow this community-centred facility to continue to operate at their established base in Kidderminster is of wider benefit to the local community and would cause no harm to either the employment offer of the District or the amenity of neighbouring occupiers.
- 4.8 In recommending approval of this application Officers consider it prudent to apply the same conditions to the development as have been relevant in the past namely;
- A restrictive condition limiting the use to those uses shown on the approved plans and subject to those uses being ancillary to the primary use of the premises as a place of worship (Class D1(h) of the Order as amended). This is to prevent the establishment of any other use in Class D1 such as a school, a museum or exhibition hall which may not be suitable in this location for reasons of highway safety.
  - A condition to prevent any noise emitting activities such as live music being carried out on the premises. This restriction is currently in place by virtue of planning permission 08/0427/FULL.
- 4.9 The comments made by WRS suggest a contaminated land condition is applied which would require the applicant to carry out a risk assessment for landfill gas presence prior to commencement of the development. As detailed above Simply Limitless have occupied this site and the same buildings since 2007 and therefore the use has long since commenced and is well established. Officers do not consider it reasonable in this instance to include such a condition given that the same use has been carried out on site for some time. In the interests of safety a note would be added to and consent alerting the applicants to the comments of WRS and advising them that they may wish to carry out the suggested assessment.

13/0602/FULL

**5.0 Conclusions and Recommendations**

5.1 The proposal accords with relevant local and national planning policies and is therefore considered to be acceptable. It is therefore recommended that the application be **APPROVED** subject to the following conditions:

1. Approved plans.
2. Restriction on use to D1(h) of the Use classes order only and ancillary functions (as shown on the approved plans).
3. No live music, other amplified sounds or similar shall emanate from the site between 19.30 and 09.00 on any day.

Note

Landfill gas risk assessment informative.

## Wyre Forest District Council

Planning Committee Meeting 14 January 2014

### 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
08/0035/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
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

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
08/0500/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
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



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
12/0763/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
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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
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
13/0321/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
13/0318/FULL	10/06/2013	05/08/2013	CLOVERFIELD ROCK KIDDERMINSTER DY149XL	Proposed single storey rear extension	Mr M Brighton	James Houghton
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
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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
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
13/3020/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
13/0483/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
13/0488/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
13/0494/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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0509/FULL	26/09/2013	21/11/2013	COURT FARM WOLVERLEY ROAD WOLVERLEY KIDDERMINSTER DY103QE	Change of use and conversion of swimming pool to form annexe accomodation with cellar and link between the main house	Mr R Evans	Emma Anning
13/0502/FULL	27/09/2013	22/11/2013	31 QUEENSWAY BEWDLEY DY121ET	Change of use to A5 Indian Takeaway	Mr J Khan	Julia McKenzie-Watts
13/0518/FULL	03/10/2013	28/11/2013	BARN CLOSE COTTAGE THE HOLLOWAY CHADDESLEY CORBETT KIDDERMINSTER DY104QD	Single and two storey extensions to existing dwelling, detached double garage	Mr J Oldershaw	James Houghton
13/0528/FULL	08/10/2013	03/12/2013	HARVINGTON HALL FARM HARVINGTON HALL LANE HARVINGTON KIDDERMINSTER DY104LR	Conversion of outbuilding into dwelling	Mr & Mrs Gallop	James Houghton
13/0558/FULL	18/10/2013	13/12/2013	30 BIGBURY LANE STOURPORT- ON-SEVERN DY139JG	PVCu conservatory to the front side elevation	Mr & Mrs A Jones-Bratt	James Houghton
13/0550/LIST	21/10/2013	16/12/2013	BURLTONS ALMSHOUSES PARK LANE BEWDLEY DY122EL	Conversion of 4 No. existing flats to form 2No. two bedroom dwellings	TRUSTEES OF BURLTONS ALMSHOUSES (Mrs J Bishop-Elvi	Julia McKenzie-Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0553/EIA	23/10/2013	12/02/2014	LAND AT NELSON ROAD SANDY LANE STOURPORT-ON-SEVERN DY139QB	Creation of a new basin including a 408 berth marina (sui generis); provision of a new footbridge across the marina entrance; 106 holiday apartments (1 & 2 bed)(use class C3 restricted), club house including restaurant (use class A3), bar (use class A4), gym (use class D2), boat sales (use class A1), boat hire facility (sui generis) and site managers accommodation (use class C3 restricted); chandlery (use class A1), workshops (use class B1); provision of access together with parking, servicing and landscaping areas	Clive Fletcher Developments	Julia Mellor
13/0568/FULL	23/10/2013	22/01/2014	UPPER MOOR SMALL HOLDING TIMBER LANE STOURPORT-ON-SEVERN DY139LU	Change of use to use as a 4 pitch Gypsy and Traveller site and associated ancillary development	Mrs S Loveridge	Paul Round
13/0559/FULL	26/10/2013	21/12/2013	CROSS BANK HOUSE CROSS BANK BEWDLEY DY122XB	Extension to existing outbuilding to provide a garage with storage over	Mr S Howles	James Houghton
13/0573/FULL	28/10/2013	23/12/2013	COOPERS ARMS CANTERBURY ROAD KIDDERMINSTER DY116ET	CHANGE OF USE OF THE EXISTING COOPERS ARMS PH TWO STOREY BUILDING TO 3 RESIDENTIAL FLATS TOGETHER WITH ERECTION OF PAIR OF SEMI DETACHED DWELLINGS, 4 MAISONNETTES AND A FLAT OVER THE ARCH AND DEMOLITION OF THE EXISTING SINGLE REAR BUILDINGS.	Mr H Sanghara	Emma Anning
13/0575/LIST	04/11/2013	30/12/2013	17-26 VICAR STREET KIDDERMINSTER DY101DA	Proposed Residential Development to form 13 Apartments; Part conversion and part new build additional storey	Marcus King & Co (C/o Ivan Smith)	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0578/FULL	04/11/2013	30/12/2013	11 WOODBURY ROAD NORTH STOURPORT-ON-SEVERN DY138XL	Two storey side extension and replacement roof	Mr M Dutton	James Houghton
13/0593/FULL	04/11/2013	30/12/2013	377 CHESTER ROAD NORTH KIDDERMINSTER DY102RS	Single storey side extension	MR J SMITH	Julia McKenzie-Watts
13/0574/FULL	04/11/2013	03/02/2014	17-26 VICAR STREET KIDDERMINSTER DY101DA	Proposed Residential Development to form 13 Apartments; Part conversion and part new build additional storey	Marcus King & Co (C/o Ivan Smith)	Paul Round
13/0597/FULL	04/11/2013	30/12/2013	DOVEDALE HOUSE LONGBANK BEWDLEY DY122UN	Demolition of existing garage and outbuilding and rebuild of new garage with storage	Mr D Withey	Emma Anning
13/0579/WCCR	05/11/2013	26/11/2013	FORMER BRITISH SUGAR STOURPORT ROAD KIDDERMINSTER DY117DX	Phase 2 of the development of Hoobrook Link Road. A proposed 600m extension to the development access road through the former British Sugar Site, which will complete the link from the A451 Stourport Road to the A442 Worcester Road.	Worcestershire County Council (Mr P Jago)	Julia Mellor
13/0594/FULL	05/11/2013	31/12/2013	72 CORONATION WAY KIDDERMINSTER DY103AU	Ground Floor single storey side extension.	Mrs Pauline Watkins	Julia McKenzie-Watts
13/0591/ADVE	07/11/2013	02/01/2014	WYRE FOREST DISTRICT COUNCIL TOWN HALL VICAR STREET KIDDERMINSTER DY101DB	2x Solar powered black powder coated notice boards located either side of entrance door	WYRE FOREST DISTRICT COUNCIL	John Baggott
13/0592/LIST	07/11/2013	02/01/2014	WYRE FOREST DISTRICT COUNCIL TOWN HALL VICAR STREET KIDDERMINSTER DY101DB	Installation of 2No. Replacement aluminium powder coated illuminated notice boards located either side of entrance to building	WYRE FOREST DISTRICT COUNCIL	John Baggott



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0612/RESE	08/11/2013	03/01/2014	26-28 LESWELL STREET KIDDERMINSTER DY101RP	Demolition of existing properties and erection of 6No. Apartments (4No. 2 bed and 2No. 1 bed)	Leswell Enterprises	Paul Round
13/0603/FULL	11/11/2013	06/01/2014	PINE & HORSELEY PADDOCKS HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	Change of use of land to the keeping of horses and erection of stable building with tack shed.	Mrs B Jancso	Emma Anning
13/0600/FULL	11/11/2013	06/01/2014	CORNER PADDOCK HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	Change of Use of Land to the Keeping of Horses. Erection of Stable Block.	MRS A NICHOLLS	Emma Anning
13/0608/FULL	11/11/2013	06/01/2014	PEWTERERS HOUSE PEWTERERS ALLEY BEWDLEY DY121AE	Sub-division of existing dwelling to form 2No. Two-bed dwellings	Mrs B Payne	Emma Anning
13/0601/FULL	11/11/2013	06/01/2014	THE ROCK TANDYS LANE HARVINGTON KIDDERMINSTER DY104NG	Single storey front extension, two storey side and rear extension	Mr S Orme	Emma Anning
13/0602/FULL	11/11/2013	06/01/2014	SIMPLY LIMITLESS PUXTON LANE KIDDERMINSTER DY115DF	Use of part of warehouse and former office building community facility including; multifunctional assembly area (for church meetings, fitness classes, conferences and functions), meeting rooms, crèche, hair salon, cafeteria, ancillary office space and associated amenity and parking areas	Simply Limitless (Mr R Pars)	Emma Anning
13/0615/FULL	13/11/2013	08/01/2014	22 PERRIN AVENUE KIDDERMINSTER DY116LL	Two storey side extension and single storey rear extension	Mr T Corbett	James Houghton
13/0465/FULL	14/11/2013	13/02/2014	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

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/3040/PNRES	14/11/2013	09/01/2014	29a WORCESTER STREET KIDDERMINSTER DY101ED	Proposed first floor change of use from B1 office use to C3 residential use to form two, one bedroom apartments.	Mr T Kay	John Baggott
13/0614/FULL	15/11/2013	10/01/2014	FLAT 25 DRUMMART HOUSE AUSTCLIFFE ROAD COOKLEY KIDDERMINSTER DY103UP	Conversion of 3 bed staff house into 2No. 1 bed flats in a group dwelling scheme	Wyre Forest Community Housing	Julia McKenzie-Watts
13/0613/TREE	18/11/2013	13/01/2014	S/O 18 SKYLARK WAY KIDDERMINSTER DY104EN	Crown lift Oak and cut back limbs overhanging adjacent buildings	CLS (Mr A Douglas)	Alvan Kingston
13/0618/FULL	18/11/2013	13/01/2014	THE OAKS SUTTON PARK ROAD KIDDERMINSTER DY116JQ	Substitution of house types on plots 1,2,5,6,7,8,9,10 and 13 in connection with planning approval 12/0528/FULL	DAVID WILSON HOMES MERCIA	John Baggott
13/0616/LPAC	20/11/2013	11/12/2013	LANE AT PEARL LANE STOURPORT-ON-SEVERN DY130PB	Outline application for residential development of up to dwelling with all matters reserved except access, and amenity space and associated works.	Malvern Hills District Council	Paul Round
13/0632/FULL	20/11/2013	15/01/2014	73 ST. JOHNS AVENUE KIDDERMINSTER DY116AX	Conservatory extension to rear side elevation	Mr & Mrs Mullett	James Houghton
13/0624/LIST	21/11/2013	16/01/2014	40 PARK LANE KIDDERMINSTER DY116TG	Display of externally illuminated signage, modifications to existing terrace and internal alterations	Mr R Davis	James Houghton
13/0623/FULL	21/11/2013	16/01/2014	40 PARK LANE KIDDERMINSTER DY116TG	Change of use of ground and first floor to micro pub (A4) with new ground floor terrace seating area to rear	Mr R Davis	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0626/LIST	21/11/2013	16/01/2014	10 NEW STREET STOURPORT- ON-SEVERN DY138UL	Hanging of sign above front door	Mr K Bell	Julia McKenzie- Watts
13/0628/FULL	21/11/2013	16/01/2014	31 FRANCHE ROAD KIDDERMINSTER DY115AL	Two storey rear and single storey side extension with porch to front	Mr O Ronan	James Houghton
13/0636/FULL	21/11/2013	16/01/2014	2 WANNERTON ROAD BLAKEDOWN KIDDERMINSTER DY103NG	Two storey side extension, pitched roof dormer to replace existing flat roof	Mr & Mrs S Williams	James Houghton
13/0627/FULL	21/11/2013	16/01/2014	ROANOKE BLUNTINGTON TANWOOD LANE CHADDESLEY CORBETT KIDDERMINSTER DY104NR	Proposed first floor extension	Mr R M Powell	Emma Anning
13/0643/FULL	21/11/2013	16/01/2014	53 PARK LANE BEWDLEY DY122HA	Single storey and part two storey extension to rear and enlarged patio area	Mr M Pearson	James Houghton
13/0619/TREE	22/11/2013	17/01/2014	UNIT 1 FIRS INDUSTRIAL ESTATE KIDDERMINSTER DY117QN	Pollard one sweet Chestnut and cut second back from building	OCEAN DESIGNS LTD	Alvan Kingston
13/0622/FULL	22/11/2013	17/01/2014	PARWELD LTD LONG BANK BEWDLEY BUSINESS PARK BEWDLEY DY122TZ	Change of use of part of unit 2 to gymnasium (Retrospective)	C. PARKER INVESTMENTS LTD	Julia McKenzie- Watts
13/0629/FULL	24/11/2013	19/01/2014	NEW HOUSE FARM SLADD LANE WOLVERLEY KIDDERMINSTER DY115SP	Repairs and alterations to existing stable block	Mr M Cuppit	James Houghton
13/0625/LIST	25/11/2013	20/01/2014	LAND ADJACENT 2 PARK LANE BEWDLEY DY122EL	Remedial works to the rear garden wall including additional support pier and make good existing pier	Mr N Johnson	Julia McKenzie- Watts
13/0620/FULL	25/11/2013	20/01/2014	28 MIDDLETON ROAD KIDDERMINSTER DY115EZ	Change of use to 3 No. one bed flats	Mr J Dalman	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0631/FULL	25/11/2013	20/01/2014	THE LITTLE RANCH YEW TREE LANE BEWDLEY DY122QD	Proposed demolition of existing bungalow & erection of one pair of Semi detached bungalows	Dr R Hoare	James Houghton
13/0633/FULL	26/11/2013	21/01/2014	10 BROOMFIELD ROAD KIDDERMINSTER DY115PB	Proposed Change of use from Doctors Surgery into Residential Care Home with associated external and internal works.	Sunnycroft Homes Ltd (Mr I Currie)	Julia McKenzie-Watts
13/0634/LIST	26/11/2013	21/01/2014	19 YORK STREET STOURPORT-ON-SEVERN DY139EH	Proposed internal alterations and refurbishment of existing commercial premises (Application for renewal of Listed Building Approval 10/0534/LIST)	Mr B Johnson	James Houghton
13/0635/FULL	26/11/2013	21/01/2014	2 INGRAM CRESCENT BEWDLEY DY122BS	Rear single storey extension	Mr N Smith	Julia McKenzie-Watts
13/0637/FULL	26/11/2013	21/01/2014	68 BIRCHFIELD ROAD KIDDERMINSTER DY116PG	Two storey side extension and single storey rear extension	Mr & Mrs Westbury	Julia McKenzie-Watts
13/0641/ADVE	27/11/2013	22/01/2014	STOURPORT ON SEVERN HIGH SCHOOL MINSTER ROAD STOURPORT-ON-SEVERN DY138AX	2 No. Proposed freestanding totem signs	Competition Line UK Ltd (Mr G Hall)	Julia McKenzie-Watts
13/0644/CERTE	27/11/2013	22/01/2014	153 WINDERMERE WAY STOURPORT-ON-SEVERN DY138QH	Certificate of lawfulness for two buildings used as a joinery workshop and store to the rear	Mr D Rosewarne	James Houghton
13/0642/FULL	27/11/2013	22/01/2014	31 CHESTER ROAD SOUTH KIDDERMINSTER DY101XJ	Detached garage and storage	Mr & Mrs Bahra	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0645/FULL	28/11/2013	27/02/2014	LAND ADJACENT TO UPTON ROAD KIDDERMINSTER DY102YB	Construction of 20No. Affordable dwellings with associated highway and external works	Wyre Forest Community Housing (Mike Preston)	Emma Anning
13/0646/ADVE	29/11/2013	24/01/2014	W H SMITH LTD 19 VICAR STREET KIDDERMINSTER DY101DD	No.1 non illuminated fascia sign & No.1 non illuminated projecting sign	WHG Smith	Paul Round
13/0647/LIST	29/11/2013	24/01/2014	W H SMITH LTD 19 VICAR STREET KIDDERMINSTER DY101DD	No.1 non illuminated fascia sign & No.1 non illuminated projecting sign	WH Smith	Paul Round
13/0640/FULL	29/11/2013	24/01/2014	SPRING PADDOCK HORSELEY HILL FARM HORSELEY HILL WOLVERLEY KIDDERMINSTER DY115TD	Change of use of land to the keeping of horses and erection of stable block menage	Mrs L Henderson	Emma Anning
13/0651/FULL	02/12/2013	27/01/2014	STOURPORT ON SEVERN HIGH SCHOOL MINSTER ROAD STOURPORT-ON-SEVERN DY138AX	Proposed new sports hall and link to existing building	Mrs L Quinn	Emma Anning
13/0649/LIST	03/12/2013	28/01/2014	THE GEORGE HOTEL 65 LOAD STREET BEWDLEY DY122AN	Fix commemorative plaque to existing listed building	JD Weatherspoon PLC	James Houghton
13/0650/FULL	03/12/2013	28/01/2014	104 HURCOTT ROAD KIDDERMINSTER DY102RG	Detached garage and garden room	Mrs P Bigmore	Julia McKenzie-Watts
13/0657/FULL	04/12/2013	29/01/2014	FORMER GARAGE SITE OFF ORCHARD CLOSE ROCK KIDDERMINSTER DY149XZ	Erection of 2No. 3 bed/5 person houses and 4No. 2bed/ 4 person affordable houses with associated access and landscaping	Mr Mike Preston	Emma Anning
13/0567/OUTL	06/12/2013	31/01/2014	FORMER TIMBER YARD PARK LANE KIDDERMINSTER DY116TE	Erection of 8No. 1 bedroom flats	ALBUTT INVESTMENTS LTD	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0665/FULL	06/12/2013	31/01/2014	DESPENCER HOUSE 7 DRAYTON GROVE STOURBRIDGE DY9 0BY	Replacement of existing timber clad shed to side of property with new brick side extension to match existing	Mr C Gattas	James Houghton
13/0654/TREE	06/12/2013	31/01/2014	FORMER LUCY BALDWIN SITE OLIVE GROVE STOURPORT-ON-SEVERN DY13 8XY	Fell Eucalyptus	Taylor Wimpey (Mr M Allsopp)	Alvan Kingston
13/0653/FULL	06/12/2013	31/01/2014	HORSEHILL FARM HOUSE RIBBESFORD BEWDLEY DY122TT	Change of use of land and the installation of Solar PV Panels	Mr W Dowley	James Houghton
13/3043/PNCOU	06/12/2013	31/01/2014	BIG BARN COMMON FARM CROWN LANE IVERLEY STOURBRIDGE DY8 2SA	Change of use of Agricultural Building to Offices	Mr KS Gora (B.S.Gora)	James Houghton
13/0660/FULL	09/12/2013	03/02/2014	1 GROVE BUNGALOWS CAKEBOLE CHADDESLEY CORBETT KIDDERMINSTER DY104RF	Detached garage and storage space over	Mr R Yardley	Julia McKenzie-Watts
13/0656/FULL	09/12/2013	03/02/2014	FOLEY HOUSE 123 STOURPORT ROAD KIDDERMINSTER DY117BW	Demolition of existing building and redevelopment of the site to provide a class A1 retail unit and a class A3/A5 unit, car parking, landscaping and associated works (amendment to and resubmission of withdrawn application 13/0521/FULL)	QW Retail Estates Limited	Emma Anning
13/0659/ADVE	10/12/2013	04/02/2014	40 PARK LANE KIDDERMINSTER DY116TG	Addition of three wooden fascia signs to the front, side & rear elevations	Mr R Davis	James Houghton
13/0663/FULL	11/12/2013	05/02/2014	9 THE LEA KIDDERMINSTER DY116JY	Single storey extension and modification to front elevation and replacement single storey rear extension	Mr & Mrs Bogh	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0666/FULL	11/12/2013	05/02/2014	PONY PADDOCK GREY GREEN LANE BEWDLEY DY121LS	Proposed garage and store	Mr & Mrs D Barnsley	Julia McKenzie-Watts
13/0668/FULL	12/12/2013	06/02/2014	PORTLAND HOUSE DORHALL CHADDESLEY CORBETT KIDDERMINSTER DY104QJ	Proposed two storey side extension, with a single storey front porch extension and single storey rear extension	Mr & Mrs R Neale	James Houghton
13/0664/FULL	12/12/2013	06/02/2014	166 HURCOTT ROAD KIDDERMINSTER DY102TT	Replace an old and dangerous concrete patio with a new timber deck at the same level, built on blockwork walls	Mrs C Bolt	Julia McKenzie-Watts
13/0676/FULL	13/12/2013	07/02/2014	LAND AT REAR OF THE ROYAL FORESTERS ROCK KIDDERMINSTER DY14 9XR	Proposed live working unit (sui generis) with ancillary parking and associated works	Mr & Mrs McGaugharan	James Houghton
13/0667/FULL	13/12/2013	07/02/2014	LLOYDS GARAGE 8 BRIDGE STREET STOURPORT-ON-SEVERN DY138XA	Demolition of buildings comprising the former Lloyds Garage Site and replacement with Temporary Car Parking for a period of two years	Wyre Forest District Council	Julia Mellor

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0670/FULL	16/12/2013	17/03/2014	WEAVERS WHARF KIDDERMINSTER DY10 1AA	Full planning permission for the redevelopment of land within and adjacent to Weavers Wharf comprising; the demolition of Crown House and buildings between Lower Mill Street and Weavers Wharf (excluding McDonalds); the erection of a retail store (Use Class A1), canal side restaurants and cafes (Use Class A3), retail/restaurants (flexible use within class E for A1/A3/A4) and altered vehicular and pedestrian accesses, landscaping, construction of infrastructure and public realm works, car parking and associated works, including bridges over the Staffordshire and Worcestershire Canal and River Stour	Henderson UK Retail Warehouse Fund	John Baggott
13/0673/FULL	16/12/2013	10/02/2014	236 STOURBRIDGE ROAD KIDDERMINSTER DY102XB	Two storey extension to side; first floor extension to rear	Mr & Mrs Evans	Julia McKenzie-Watts
13/0669/FULL	16/12/2013	10/02/2014	123 BEWDLEY ROAD STOURPORT-ON-SEVERN DY138XX	Single storey rear extension, first floor side extension and replacement garage	Mr & Mrs N Probert	Julia McKenzie-Watts
13/0671/RESE	17/12/2013	11/02/2014	136 PARK LANE KIDDERMINSTER DY116TE	Reserved Matters approval for 3No. Two bed town houses following outline permission 12/0511/OUTL		Paul Round
13/0672/FULL	19/12/2013	13/02/2014	22 AGGBOROUGH CRESCENT KIDDERMINSTER DY101LQ	Demolition of existing garage; single and two storey extension to side; pitched roof over existing flat roof to other side; first floor extension to front	Mr M Worton	Julia McKenzie-Watts



WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
13/0677/LIST	19/12/2013	13/02/2014	64 LOAD STREET BEWDLEY DY122AW	Redecoration and repair works to the exterior elevations and internally to the guestroom; Removal of a partition and door to the hotel reception; Replacement of a partition to the guestroom ensuite	DV Architects	Julia McKenzie-Watts
13/0674/FULL	20/12/2013	14/02/2014	8 THE CRESCENT COOKLEY KIDDERMINSTER DY103RY	Proposed garage and ground floor side extension and rear extension	Mr M Rees & Miss S Latham	James Houghton
13/0675/FULL	20/12/2013	14/02/2014	FOXMEAD CALLOW HILL ROCK KIDDERMINSTER DY149XW	Retention of Agricultural implement store building	Mrs M Kent	James Houghton

## WYRE FOREST DISTRICT COUNCIL

Planning Committee

14 January 2014

### 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	TOP ACRE OFF CURSLEY LANE SHENSTONE KIDDERMINSTER	HE  09/11/2012	21/12/2012		26/03/2013 Kidderminster & Rock Suite	
		DY104DX	Application under S.73 to vary conditions 1 and 2 of Planning Permission 06/1062/FULL to remove all reference to the limited time period of 5 years for the stationing of caravans for residential purposes, the laying of hardstanding and erection of a close boarded and gravel board fence					

Appeal and Application Number	Planning Inspectorate Reference	Appellant	Site (Proposal)	Form of Appeal and Start Date	Written Reps. or Statement Required By	Proof of Evidence required by	Public Inquiry, Hearing or Site Visit date	Decision
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			
WFA1426 13/0173/FULL	APP/R1845/A/13 /2205679	Mrs M Cook	REAR OF 37 NORTHUMBERLAND AVENUE KIDDERMINSTER  Erection of dormer bungalow	WR  01/10/2013	12/11/2013			

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
WFA1428 13/0462/FULL	APP/R1845/D/13 /2207751	Mr Steve Harris	12 GOLDEN HIND DRIVE STOURPORT- ON-SEVERN DY139RJ	WR 30/10/2013	11/12/2013			Dismissed  13/12/2013
			Retrospective consent for front boundary					

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# Appeal Decision

by **Richard Thomas BA, DipArch, RIBA, IHBC**

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

Site visit made on 10 December 2013

Decision date: 13 December 2013

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**Appeal Ref: APP/R1845/D/13/2207751**

**12 Golden Hind Drive, STOURPORT-ON-SEVERN, Worcestershire, DY13 9RJ**

- 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 S Harris against the decision of Wyre Forest District Council.
  - The application Ref 13/0462/FULL was refused by notice dated 9 October 2013.
  - The development proposed is retrospective consent for front boundary walls.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

## Reasons

3. The appeal property is a contemporary two storey detached dwelling situated on a prominent corner plot near the entrance to an estate of houses of a similar age and style. The houses are set back from the pavement by what were originally grassed front garden areas and driveways. The absence of defining boundary treatments gives the estate a green, open plan character.
4. Many of the front garden areas have since been paved over to provide additional off-road parking and others have had their boundaries defined by low level planting. Nonetheless, the soft nature of the boundary treatments used helps to retain the open character of the estate.
5. The front boundary walls at No.12 Golden Hind Drive have been constructed in brick to match the existing house. However, their hard, angular finish causes them to appear unduly prominent when compared to the soft boundary treatments utilised elsewhere in the locality. This hard definition of its boundary causes No.12 to appear more enclosed than its neighbours, reducing the open appearance of the estate and resulting in unacceptable harm to its established character.
6. For these reasons, the proposal is contrary to the requirements of policy CP11 of the Wyre Forest District Core Strategy (2004) and policy SAL.UP7 of the Wyre Forest District Site Allocations and Policies Local Plan (2013), which among other things seek to ensure that development connects sensitively to surrounding streets and integrates well within the existing street scene.

*Other Matters*

7. I have noted various other examples of boundary treatments in the area that were drawn to my attention. However, I consider that the particular significance of the appeal site's location in this case is such that these examples do not provide a direct comparison.
8. I have also considered the Inspector's decision on appeal ref. APP/R1845/C/11/2158124, which was brought to my attention by the appellant. The circumstances of that appeal are similar to those before me, inasmuch as they relate to a comparable form of development. Nonetheless, the details of each case are different, and in any event the fact that apparently similar development has been permitted is not a reason, on its own, to allow unacceptable development. I have considered this appeal on its own merits and concluded that the development would cause harm for the reasons set out above.
9. I am not satisfied that it would be possible to successfully overcome that harm via the use of a landscaping condition in this case. Moreover, I consider that to allow this appeal would make it more difficult for the Council to resist other proposals for boundary walls on the estate, the proliferation of which would significantly harm its open character. Therefore, although my decision does not turn on this matter, it adds weight to my conclusion on the main issue.

**Conclusion**

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Richard Thomas

INSPECTOR

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**  
**14<sup>TH</sup> JANUARY 2014**

**Outline application for residential development of up to 62 houses, access, amenity space, associated works  
 Land at Pearl Lane, Astley Cross  
 Reference: 13/0616/LPAC**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Economic Prosperity and Place
<b>CONTACT OFFICER:</b>	Paul Round – Ext. 2516 Paul.Round@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1 - Location Map

**1. PURPOSE OF REPORT**

- 1.1 To make a decision on the Planning Consultation received from Malvern Hills District Council for development on Land at Pearl Lane, Astley Cross.

**2. RECOMMENDATION**

- 2.1 **The Committee is asked to resolve to respond to the consultation by offering the following OBJECTIONS to the application:**

1. **The proposed residential development on this Greenfield site located within the open countryside is clearly contrary to both Adopted and emerging local planning policies. It is considered that there are sequentially preferable sites identified to meet housing needs within the Malvern Hills District. The location and scale of this proposal would not represent sustainable development and is therefore wholly inappropriate in its nature.**
2. **The proposed development would be of a scale that would be out of kilter with the size and character of the surrounding village and would effectively create an urban extension to Stourport-on-Severn pushing built development into the open countryside. The effect of this intrusion would significantly harm the character and appearance of the landscape and the surrounding area as a whole**

**3. BACKGROUND**

- 3.1 The consultation relates to development located just outside the District boundary to the south of Areley Common, on a triangle of land formed between Pearl Lane and Areley Common. Members may recall considering a previous consultation for 106 dwellings at this site at the Planning Committee in April 2013. The Committee resolved to object to the consultation on the following grounds;

1. The proposed residential development on this Greenfield site located within the open countryside where development is restricted and as such is clearly contrary to both Adopted and emerging local planning policies. It is considered that there are sufficient sequentially preferable sites identified to meet housing needs within the Malvern Hills District. The location and scale of this proposal would not represent sustainable development and is therefore wholly inappropriate in its nature.
2. The proposed development would be of a scale that would be out of kilter with the size and character of the surrounding village and would effectively create an urban extension to Stourport-on-Severn pushing built development into the open countryside. The effect of this intrusion would significantly harm the character and appearance of the Landscape and the surrounding area as a whole

The application was withdrawn by the Applicants on 29<sup>th</sup> September 2013.

- 3.2 The Applicants have now submitted a revised proposal and, as such, the Wyre Forest District Council has received a further planning consultation from Malvern Hills District Council.
- 3.3 The site is a 5.4 ha site previously used for agricultural purposes. The site is located within the open countryside, the Worcestershire Landscape Character Assessment identifies the site as being within the Sandstone Estatelands Landscape Character Type which is defined as

*“...open, rolling landscapes characterised by an ordered pattern of large, arable fields, straight roads and estate plantations. Fields are typically defined by straight thorn hedges, reflecting the late enclosure of much of this landscape from woodland and waste. This historic land use pattern is also reflected in the occurrence of isolated brick farmsteads and clusters of wayside dwellings, interspersed with occasional small villages. Despite the fact that this is a functional landscape, the consistent geometric pattern can convey a strong sense of visual unity.”*

- 3.4 The application is submitted in outline form with access only being considered at this stage, and seeks for the construction of up to 62 houses and associated works. The application is submitted by Bovis Homes Ltd.
- 3.5 The consultation process allows Wyre Forest District Council to have an input into the determination process of Malvern Hills District Council putting forward comments of how the scheme impacts on Wyre Forest. In this regard comments on the detail of the scheme will be kept to a minimum, concentrating on more strategic issues.

#### **4. COMMENTS ON THE CONSULTATION**

##### Policy and Strategic Considerations

- 4.1 Comments received from the Planning Policy Manager provide a useful policy context and are set out below:

*“My comments relate to the overarching principle of residential development on this site, with regard to the Planning Policy framework for both the Malvern Hills*



*and Wyre Forest Districts. I have also provided comments on the proposed location for and scale of residential development.*

*Malvern Hills Adopted Local Plan policies have been saved until replaced by the emerging South Worcestershire Development Plan. I note that this site is not allocated for residential development within the saved policies. Similarly, it is not allocated to meet Malvern Hills District's housing needs within the emerging South Worcestershire Development Plan, which is currently at its examination stage and has been through several stages of public consultation prior to this.*

*The South Worcestershire Development Plan is therefore at an advanced stage in its development and it is evident that the site is not required to meet Malvern Hill's District Housing Needs and that other more sequentially preferable and sustainable sites have been allocated within the emerging plan. Residential development at this rural, Greenfield site would therefore be contrary to both the Saved Malvern Hills Local Plan policies and the emerging South Worcestershire Development Plan.*

*Wyre Forest District has an Adopted Core Strategy which identifies the level of dwellings required to meet the District's own housing need to 2026. This is for 4,000 dwellings with a required annual delivery of 200 dwellings. It should be noted that the District currently has a 6.5 year housing land supply and therefore this development for 62 dwellings would also not be required to meet Wyre Forest District's housing needs.*

*The Core Strategy has a clear development strategy which is strongly focussed on the regeneration of sustainable brownfield sites within Kidderminster and Stourport on Severn town centres. This has been carried forward to site specific allocations within the recently Adopted Site Allocations and Policies Local Plan (July 2013). It is strongly considered that such residential development at Astley Cross would be detrimental to the District's regeneration strategy. This is a matter of grave concern to the District Council and it is considered that development at this site would constitute a cross boundary strategic planning matter which would bring Duty to Co-operate Requirements into play.*

*I am very concerned, given the location of this proposal, to note the applicant's lack of consideration or indeed any awareness within their planning statement under Section 4 (Planning Policy) of our District's Adopted Development Plan framework. Furthermore, there is no reference to the Duty to Co-operate requirements that would so evidently be invoked by such cross boundary development. I would consider this to be a serious oversight on behalf of the applicants.*

*Location and scale of proposed development*

*The site is located outside of any settlement boundaries and lies within the open countryside. Its open nature is an important facet in retaining the separation between Areley Kings and the small settlement of Astley Cross. There are little or no nearby services within the Malvern Hills District within easy reach of the site and therefore its residents would be dependent upon*

*services located at Areley Kings and Stourport-on-Severn. On a point of detail, I note the error at Paragraph 2.7 of the applicant's planning statement which refers to the presence of convenience and general stores/post office within Astley Cross itself. There are clearly no such services within this small Malvern Hills District settlement and instead the development would be reliant on the general stores/post office within the Areley Kings area of Stourport on Severn. This is evidenced by the Malvern Hills District Village Facilities Survey which was used to inform the development strategy within the South Worcestershire Development Plan.*

*It is therefore considered that the impacts would fall disproportionately and unfairly on the Wyre Forest District, which is already making adequate provision to meet its own population's housing needs. Again it is considered that such strategic cross boundary planning issues would incur Duty to Co-operate requirements due to the potential detrimental impacts on service provision within the town of Stourport-on-Severn.*

*The scale of the proposed development is also disproportionate to the nearest Malvern Hills settlement of Astley Cross. I note that as the site is located within open countryside the proposals would not be consistent with Policy SWDP2 (Development Strategy & Settlement Hierarchy) of the Submission South Worcestershire Development Plan, which states that open countryside is defined as land beyond any development boundary. In these areas, development will be strictly controlled and limited to dwellings for rural workers, small scale employment, house extensions, replacement buildings and renewable energy projects. Therefore the relatively significant scale of this proposal clearly would not comply with the policy requirements.*

#### *Summary*

*The proposed residential development on this Greenfield site located within the open countryside is clearly contrary to both Adopted and emerging local planning policies. It is considered that there are sequentially preferable sites identified to meet housing needs within the Malvern Hills District. The location and scale of this proposal would not represent sustainable development and is therefore wholly inappropriate in its nature.*

*Most importantly development at this site would represent a strategic cross boundary planning issue which would necessitate Duty to Co-operate requirements under the Localism Act. Such strategic issues are a matter for the Development Plan process to address rather than the decision making process under Development Control. Both Malvern Hills District Council and Wyre Forest District Council have clearly stated that the location of this site is a) not considered to be sequentially preferable to meet Malvern Hills District's housing needs and b) is not required to meet Wyre Forest District's housing needs within the plan period 2006-2026".*

- 4.2 The comments from the Planning Policy Manager provide a clear perspective of both Wyre Forest and South Worcestershire. Whilst this application represents a significant reduction in both housing numbers and area of the site that is proposed for development from the previous proposal, it still provides a significant number of dwellings in the open countryside on a previously undeveloped site.

- 4.3 The policy position is stronger than when the site was previously considered, and whilst the South Worcestershire Development Plan has not reached adoption stage it is sufficiently advanced to enable it to inform the preferred locations of development. It is clear that there is no requirement for housing in this location to meet the needs of either Wyre Forest or Malvern Hills. As such the strategic objection raised previously still applies and has not been diminished through the reduction in proposed housing numbers.

Landscape Considerations

- 4.4 As highlighted in the previous application, the site is located outside of any settlement boundaries and lies within the open countryside. Its open nature is an important facet in retaining the separation between Areley Kings and the small settlement of Astley Cross. As set out above one of the key characteristics of this area of countryside is its open nature with dwellings only featuring in the form of wayside dwellings and discrete established villages. It is appreciated that the existing residential area already intrudes into the surrounding landscape; however the proposal effectively is an urban expansion which would exacerbate this harm. Again, it is appreciated that the size of the development has been reduced, however the development still provides an unnatural urban extension into the open countryside which results in significant visual harm. In this respect the second reason for objection still stands.

**5. FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 There are no legal or policy implications.

**7. EQUALITY IMPACT ASSESSMENT**

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

**8. CONCLUSION**

- 8.1 In summary the revised proposal for a lesser number of dwellings does not overcome the significant concerns expressed by the District Council to the previous application. As such the stance to object to development in this location should be maintained.
- 8.2 On this basis it is concluded that an OBJECTION response should be returned to Malvern Hills District Council based on the reasons set out in paragraph 2.1.

**9. RISK MANAGEMENT**

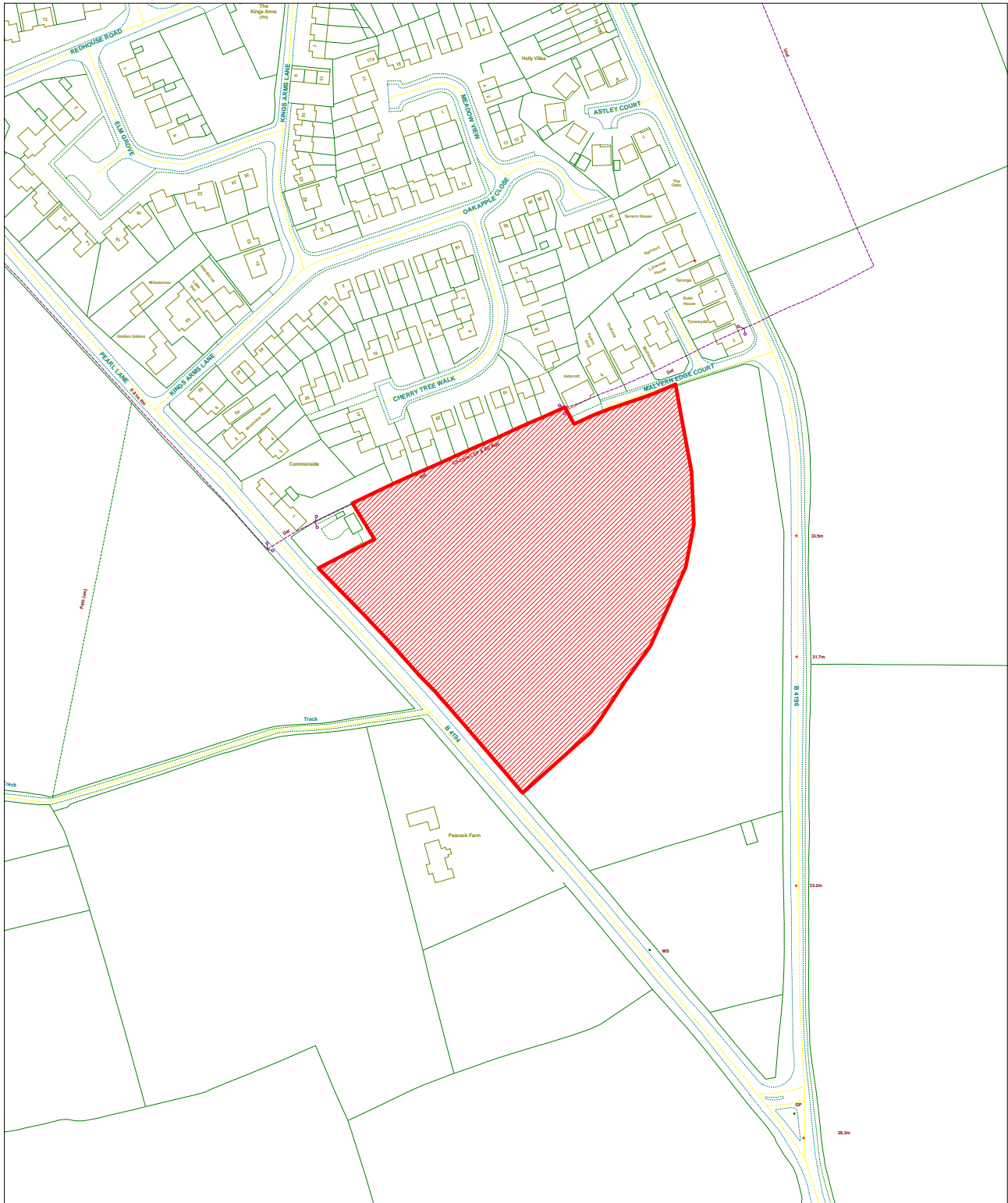
- 9.1 There are no risk management issues.

**10. CONSULTEES**

- 10.1 Planning Policy Manager.

**11. BACKGROUND PAPERS**

- 11.1 Planning Committee report on Planning Consultation 13/0086/LPAC 9<sup>th</sup> April 2013 and associated minute.
- 11.2 Planning Consultation 13/0616/LPAC.
- 11.3 Malvern Hills District Council Planning Application 13/01405/OUT.
- 11.4 Malvern Hills District Local Plan.
- 11.5 Emerging South Worcestershire Development Plan.
- 11.6 National Planning Policy Framework.
- 11.7 Adopted Wyre Forest District Core Strategy.
- 11.8 Adopted Wyre Forest Site Allocations and Policies Local Plan.
- 11.9 Worcestershire Landscape Character Assessment.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Land at Pearl Lane  
Stourport-on-Severn  
DY13 0PB**

Date:- 18 December 2013

Scale:- 1:2500

OS Sheet:- SO8069SW

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

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**14<sup>TH</sup> JANUARY 2014**

**Phase 2 of the development of Hoobrook Link Road. A proposed 600m extension to the development access road through the former British Sugar Site, which will complete the link from the A451 Stourport Road to the A442 Worcester Road  
Reference: 13/0579/WCCR**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Economic Prosperity and Place
<b>CONTACT OFFICER:</b>	Julia Mellor – Ext. 2517 Julia.Mellor@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1 - Location Map

**1. PURPOSE OF REPORT**

- 1.1 To make a decision on the planning consultation received from Worcestershire County Council in respect of Phase 2 of the development of the Hoobrook Link Road.

**2. RECOMENDATION**

- 2.1 The Committee is asked to resolve to respond to the consultation by raising NO OBJECTIONS subject to the following:**

- i. clarification regarding those areas of land and ecological features where it is anticipated that the District Council would take on the long term maintenance and the associated costs (if any) involved;**
- ii. additional details of the landscaping proposed for the area between the Staffordshire and Worcestershire Canal and River Stour which requires consideration to ensure that the development does not detract from this existing wildlife corridor;**
- iii. the submission of a detailed tree survey indicating which trees are to be retained and which are to be lost;**
- iv. clarification of the impact of noise from the proposed road upon the approved and committed residential development within Phase 1 of the former British Sugar Site; and**
- v. conditions suggested at paragraph 9.5 of the report.**

**3. BACKGROUND**

- 3.1 In January 2013, the Government announced that £170 million of Local Pinch Point Funding would be allocated to schemes designed to remove bottlenecks on the highway network to support growth enhancing development. The current application

for the Hoobrook Link Road has been allocated £4.9m of this funding. The planning application for the development has been submitted by Worcestershire County Council: the same authority will also determine the proposal. Wyre Forest District Council is a consultee in this process.

- 3.2 In more detail the proposed development comprises the construction of a 600m single lane carriageway. The western boundary of the site commences at the end of the link road approved under the outline consent for Phase 1 of the former British Sugar Site. From there the road would travel in an easterly direction across the site where it would cross the River Stour and the Staffordshire and Worcestershire Canal via a bridge which is also proposed as part of the application. The carriageway would then connect with the A442 Worcester Road via the Hoobrook Industrial Estate with a proposed new signalised junction. The development would complete the link from the A451 Stourport Road to the A442 Worcester Road. The application site encompasses an area of approximately 4.49 hectares and lies within the area covered by South Kidderminster Enterprise Park Local Development Order (LDO). The LDO gives greater flexibility to businesses to extend and expand without requiring the benefit of planning consent.
- 3.3 In addition to the development outlined above, due to the required clearance level for the proposed bridge there is a need to move the 132kV power lines which provide power to the Kidderminster area. These are located between the River Stour and the Hoobrook Industrial Estate. It is proposed to relocate the power lines by replacing the penultimate pylon with a new terminal pylon approximately 40m to the north east; and from this new terminal pylon the power cables would be taken underground where they would reconnect to the existing power cables. These additional works to the power network will require consent under Section 37 of the 1989 Electricity Act, and an application, which will be submitted by Western Power Distribution to the District Council to determine, is anticipated shortly.
- 3.4 The proposed link road would intersect the Staffordshire and Worcestershire Canal Conservation Area and the Canal towpath which forms part of the National Cycle Network Route 54. It would also cross the River Stour. At the point at which the proposed link road crosses the Canal and River a single span bridge is proposed with the canal towpath running underneath the proposed bridge. Part of the application site which lies within the vicinity of the Canal and River is located within flood zones 2 and 3.
- 3.5 The surrounding area comprises a mix of remediated areas associated with the former British Sugar site. To the north is the Foley Park residential area and the locally listed Severn Valley Railway viaduct. To the east is the Hoobrook Industrial Estate and to the south is the Wilden Marsh and Meadows Site of Special Scientific Interest (SSSI). At its closest point the application site lies 50m from the SSSI.
- 3.6 The proposed link road would be 7.3m wide with a combined 3.5m wide off road cycle footway along the northern carriageway and a 2m wide pedestrian footway along the southern carriageway. Where the proposed road enters the Hoobrook Industrial Estate, the road alignment will follow the route of the existing estate road (road no.1) which would be upgraded to a 7.3m wide carriageway.
- 3.7 The proposed link road is expected to take approximately 12 months to construct, and should planning permission be granted works are programmed to start in December

2014/January 2015 for an opening to traffic early in 2016. The project would require the removal of 5 buildings and the re-location of 8 businesses currently located within the Hoobrook Industrial Estate to accommodate the proposed link road.

3.8 The application has been accompanied by the following reports:

- Environmental Statement (ES).
- Consultation Report.
- Planning Statement.
- Transport Statement.
- Geoenvironmental Assessment.
- Flood Risk Assessment.

#### **4. RESPONSES TO CONSULTATION UNDERTAKEN BY THE DISTRICT COUNCIL**

4.1 **North Worcestershire Economic Development & Regeneration** - Given that this is a strategically important piece of infrastructure it is important to understand the background to the project in its entirety.

4.2 The Hoobrook Link Road is a £20m piece of transport infrastructure linking the A451 Stourport Road to the A449 Worcester Road through the 24ha former British Sugar Site (now known as Silverwoods) which delivers mixed residential and employment opportunities.

4.3 Phase 1 is already under construction and serves the first phase release of development from the A451 (£8m of the cost). The first phase is funded by the developer with some Growing Places funding from both the Greater Birmingham and Solihull Local Enterprise Partnership (LEP) and the Worcestershire LEP. This planning application refers to Phase 2 and is likely to cost around £12 million to implement.

4.4 The project is a key priority for Wyre Forest District Council and has been supported by both the Greater Birmingham and Solihull LEP and the Worcestershire LEP, who recognise the value of the scheme in unlocking a key development site and improving accessibility within, and to, the South Kidderminster Enterprise Park (SKEP) area.

4.5 POTENTIAL BENEFITS OF THE PROPOSAL - Implementation of the entire Hoobrook Link Road will unlock development on Phase 2 of the British Sugar site by removing a direct development barrier. Hence, the direct economic impact of the proposed link road relates to the unlocking of the second phase of the British Sugar site. This direct impact is articulated in the form of the following affects:

4.6 Construction based Gross Value Added (GVA) and employment outputs, as a result of the £32m combined construction expenditure of Phase 2 of the proposed link road and development proposals:

- This is estimated at £12m of GVA and 259 construction based gross new full-time equivalent jobs (between 2013 and 2022).

4.7 Operational GVA and employment outputs, as a result of the 20,820 sq m of employment floorspace delivered on the site:



- This is estimated as 532 gross new full-time equivalent jobs from a range of manufacturing, value adding services and distribution sectors (between 2014 and 2021). This would result in £252m of additional GVA for the local economy.

4.8 In summary, the direct economic impacts of the proposed link road are:

- 791 gross new full-time equivalent jobs.
- £264 million of gross new additional GVA for the local economy.

4.9 Phase 2 of the proposed link road will also accelerate development, by removing a critical indirect development barrier for key employment sites within the South Kidderminster Enterprise Park area; namely, Easter Park, the former Romwire site and the residual parcels of land at Finepoint. Hence, the indirect economic impacts of the proposed link road relate to the accelerated delivery of employment and additional GVA on these sites, primarily during the operational stage.

4.10 This indirect economic impact of the proposed scheme is estimated at:

- 1,970 gross new full-time equivalent jobs.
- £1.003 billion of gross new additional GVA for the local economy.

4.11 Clearly there are significant economic benefits that can be delivered as a result of this proposal and these are considered to be key material considerations for this particular planning application.

4.12 The proposed alignment of the route provides the potential for uplift in development on the existing Hoobrook Industrial Estate. The implementation of the road does mean that some existing businesses will need to be relocated but the investment in the area will enable the wider site to become a more attractive investment proposition for businesses than at present; mainly due to the increased road frontage and improved accessibility. NWEDR are committed to helping the affected businesses relocate by offering support and advice on potential alternative premises.

4.13 It should also be noted that a Local Development Order is in place for the SKEP and the Order allows for businesses to expand or to develop without the need for planning permission – subject to a number of conditions being satisfied. The link road enables greater access to other employment sites along the A451 which are currently less attractive for redevelopment due to the presence of significant peak hour traffic congestion and the implementation of the road could make it more attractive for businesses to expand and therefore benefit from this simplified planning regime.

4.14 **POLICY POSITION** - The provision of the Hoobrook Link Road was originally identified in the ReWyre Prospectus, which was adopted by the Council and is a material planning consideration. The link road, in conjunction with the former British Sugar site was identified as one of four priority areas for the District Council. This planning application represents the final stage of realising the ambition set out in the Prospectus.

4.15 In addition to inclusion within the Prospectus, the road is also identified within the Adopted Core Strategy, under Policy CP03: Promoting Transport Choice and Accessibility. This Policy identifies that

- *The following strategic transport infrastructure schemes will be sought to support regeneration through the plan period:*
- *Provision of a new A451/A449 Hoobrook link road to facilitate the Stourport Road Employment Corridor*

- 4.16 Clearly this application is in accordance with this strategic policy objective, as outlined in the Adopted Core Strategy.
- 4.17 The Adopted Site Allocations and Policies Local Plan provides further policy support for the implementation of the road, as follows:
- SAL.CC3: Major Transport Infrastructure
  - SAL.SK1: South Kidderminster Enterprise Park
  - SAL.SK2: Former British Sugar Site
- 4.18 Each of these policies either support or safeguard the route of the road in order to protect the line and allow for the full link to be developed. This application is considered to be in accordance with the policies outlined above and therefore has in-principle support from the adopted policy framework.
- 4.19 Finally, it is also worth noting that the South Kidderminster area as a whole is identified as one of Worcestershire's 'Economic Gamechangers' in recognition of the fact that the proposals identified by Wyre Forest, if implemented, could provide a significant boost to the local economy. It is under this strategic framework that the planning application should be considered.
- 4.20 CONCLUSION - This planning application represents the next significant step in bringing forward a strategically important piece of infrastructure for Wyre Forest District. The proposal is considered to be in line with the ambitions stated in the ReWyre Prospectus and conforms to the adopted Local Policy position, as set out in the Core Strategy and the Site Allocations and Policies Local Plan. The completion of the road will provide a significant economic boost to the local economy and therefore the application is fully supported by NWEDR.
- 4.21 **Conservation Officer** – The access road cuts through a wooded slope lying to the west of the canal and which is also part of the Staffordshire and Worcestershire Canal Conservation Area, a designated heritage asset.
- 4.22 This land to the west of the canal had formed Oldington Wood, which was almost completely cleared during the 1920's at which time the topography of the land was heavily altered when the site was developed as a sugar beet factory. These works included the formation of an embankment to carry railway sidings. Almost all trace of the sugar beet factory has now gone and the part of the Conservation Area to the west of the canal is gradually returning to nature; although adjacent to industry the site is quiet and reasonably tranquil.
- 4.23 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that proposals for development within a Conservation Area should be considered to preserve or enhance it, however it is my opinion that construction of the access road does neither. This is due not only to the earthworks required during construction but also the noise of the traffic using the road when in use.

- 4.24 In assessing the level of harm caused to the Conservation Area, it is necessary to consider the extent of the Area harmed and the level of mitigation proposed.
- 4.25 In this case whilst the road itself has a major impact on the immediate locality, it would have very little impact on the significance of the Area as a whole, which stretches for several miles, and thus the harm caused is in my opinion less than substantial. The applicant has also provided in mitigation landscape proposals and provision for the fauna of the site.
- 4.26 Paragraph 134 of the NPPF allows for developments which will lead to less than substantial harm to be weighed against the public benefits of the proposal, including securing its optimum viable use. Provided the Council is satisfied of the public benefits of the new road then I would suggest that is enough reason to recommend approval.
- 4.27 THE BRIDGE - The single-span bridge would have a considerable impact on views along the Canal and towpath in its immediate vicinity, however due to it being set low and featuring a (deceptively) simple design I think that it will impact very little on the Conservation Area as a whole.
- 4.28 Longer distance views along the towpath are already somewhat restricted by the bend in the canal, the trees and the ugly utilitarian structure carrying the gas main. I think that at this location the overall impact of the bridge itself on the Conservation Area will be neutral.
- 4.29 The view south from the Severn Valley Railway trains crossing Falling Sands viaduct has also to be considered. More than 100,000 people per year travel on this route and this view is the first glimpse of countryside on leaving Kidderminster. The proposed bridge would sit low to the canal and, provided suitable re-planting is undertaken, I think it will soon become part of the landscape. I do not consider the bridge itself to adversely affect views of the Conservation Area – at worst the impact will be neutral, and thus it is in compliance with Policy SAL.UP6.
- 4.30 The design of the bridge itself has largely been constrained by the technical requirements and health and safety, however I agreed during the pre-application process that this bridge should be of a modern design and not make references to historic precedent. By the careful selection of facing materials and colour palette in time it should become absorbed into the infrastructure and landscape of the Conservation Area and assume its own significance.
- 4.31 The proposals in part comply with Policy SAL.UP6 and provided that paragraph 134 of the NPPF is satisfied I have no objections in principle to the proposals
- 4.32 **Countryside Conservation Officer** - This application has the potential to cause harm to protected species, to nationally important wildlife resources (SSSI's), County level sites of importance, local wildlife sites and damage a significant wildlife corridor. The above issues have been highlighted in the ecological report and associated Environmental Statement (ES).
- 4.33 The above documents do much to mitigate this harm by suggesting appropriate ecological improvement measures but there are several areas which fall outside the scope of the report that if not adequately addressed will undermine the measures

proposed in the ES and lead to an application that has a good potential to cause biological harm.

- 4.34 Firstly the ES highlights the importance of a Construction Environmental Management Plan (CEMP). The ES also recommends a PPG Compliance plan. I could not see either document included with the submission. The ES and PPG plan are to be complied with in such a manor as to prevent sediment and or other contaminants being washed into the watercourses and potentially onto the SSSI during construction and during a flood event. Should these documents not be able to reliably minimise this risk to a level where the potential for harm is seen as negligible, then the application poses the potential for significant harm to important wildlife habitats.
- 4.35 There are some trees that have good potential for bat roosts and given the use of the site by bats for foraging, if works are delayed into the Spring 2014 then re-surveying will be necessary. Similarly this will also need to be the case for otter. In addition, the CEMP will need to pick up that otter have the potential of using the site during the construction phase and the suggested ecological clerk of works will need to inspect the working environment at the start of each day to ensure otter have not taken to using a temporary feature created as part of the works. Temporary features such as trenches will need escape routes etc.
- 4.36 Japanese knotweed is present. I am unsure whether it is within the red line of the application site or not but it certainly exists in the area indicated for vegetation clearance. A Japanese Knotweed removal Plan is required to detail how this plant will be dealt with and by whom and when. If this is not able to be done then there is the potential that the development could be responsible for the spread of a noxious weed.
- 4.37 Much of the ecological mitigation measures will require maintenance or they will, in a very short space of time, have much of their ecological value removed through the infiltration of aggressive, invasive and noxious weeds. This management could be carried out by hand but this would be labour intensive in this physical situation and hence expensive. Grazing has been suggested as an alternative method, utilising the Wyre Forest Grazing Animals Project (GAP). The GAP project would have no objection to implementing this but as with any potential grazing project, in order for animals to graze any area of land, appropriate infrastructure needs to be in place. The animals need to be contained, have access to water and the grazier needs the means to be able round the animals up to extract them from site. The ES does not investigate if the above is feasible. Of particular concern is the north western mitigation area as if this could not be grazed then additional fencing will be required to prevent grazing animals accessing this area from the former British Sugar site, (as the management of this adjoining land is also proposed to be through conservation grazing with cattle). Unless work is done to show that the management of the ecological mitigation areas is possible their effect is negated putting in balance the scheme's biological viability.
- 4.38 Further detail will be needed of the proposed landscaping to ensure that the application has a negligible impact on the connectivity of the wildlife corridor. Of particular concern is the lack of planting on the land strip between the River Stour and the Canal. It is likely that construction will see this are cleared of vegetation and the River Stour left exposed to people using the canal corridor hence having a negative impact on how animals such as otter would be able to use the river wildlife corridor. This needs to be addressed. At the moment some coir roles are proposed but more

needs to be done to screen the wildlife corridor at a minimum to the state which it currently is; otherwise we risk ecological harm to one of the District's most important wildlife corridors.

- 4.39 **Arboricultural Officer** - I realise this road is an important part of the development of the British Sugar site, but from a purely Arboricultural perspective I object to the loss of trees and woodland to facilitate the link road. Although none of the trees within this development are within the Tree Preservation Order and the woodland is not ancient or consisting of individual specimens with a high amenity value, I am always disappointed by the loss of woodland to development. In addition there are some individual trees located in the industrial estate on the Worcester Road side of the development that do offer amenity value in the street scene. The nicest of which is T1 a Field Maple which I am not sure is to be retained or not. I am happy to see a number of new trees planted next to the new road on the Worcester Road side and I am very keen to see these trees planted as mitigation for the loss of existing trees. On both sides of the bridge there seems to be the loss of woodland and the installation of acid grass land, which is good from an ecological point of view, being a rare and important habitat, but again it is a loss of woodland which I object to. From my point of view I would like to see as much woodland either retained or replaced as possible. Due to the political nature of this project I will not be placing a TPO on the trees, but I would like to see more tree and woodland planting to mitigate for the loss of woodland. In addition I would like to see T1 retained as it is a wonderful specimen that offers amenity to the area.

## **5. OFFICER COMMENTS**

- 5.1 **PLANNING POLICY** - At the heart of national planning policy there is a clear focus on achieving sustainable economic growth. The core principles outlined in the NPPF include:
- Promoting sustainable economic development to deliver homes, business, infrastructure and thriving local places;
  - Effectively reusing land that has been previously developed;
  - Promoting mixed use developments; and
  - Managing patterns of growth to maximise use of public transport, walking and cycling.
- 5.2 It is considered that the provision of the transport infrastructure in the form of a link road which includes a cycleway/footway adheres to the above core principles. Notably the NPPF emphasises that infrastructure is crucial to supporting economic development and building a strong competitive economy.
- 5.3 The proposals are also supported at a regional and local level. Firstly the Hoobrook Link Road is included under the Kidderminster Urban Package of Transport Improvements within Local Transport Plan 3 (LTP3). Secondly as stated within the comments made by NWEDR it is supported by both the Greater Birmingham and Solihull LEP and the Worcestershire LEP.
- 5.4 The provision of the Hoobrook Link Road was also identified in the Kidderminster ReWyre Prospectus, which was adopted by the Council and is a material planning consideration. Moreover the Adopted Core Strategy confirms that traffic congestion and the lack of capacity on the highway network within the Stourport Road Employment Corridor and the Worcester Road Employment Corridor is a key

constraint to bringing forward new development and regeneration. Policy CP03 supports the implementation of the Hoobrook Link Road to unlock development and accelerate the economic growth prospects of the District.

- 5.5 The provision of the proposed link road and the promotion of business and industry within the South Kidderminster Enterprise Park (SKEP), which includes the Stourport Road Employment Corridor and the Worcester Road Employment Corridor, is also promoted within the Policies SK1 SK2 and CC3 of the Adopted Site Allocations and Policies Local Plan.
- 5.6 It is hoped that the provision of the link road would unlock employment land, directly and indirectly create jobs and support economic diversification in the area by increasing the reliability and efficiency, in terms of journey times, of the transport network within Kidderminster. It would also unlock the potential for additional residential development on the former British Sugar site in addition to employment development and support the development of the railway halt approved within Phase 1.
- 5.7 IMPACT UPON HERITAGE ASSETS - There are no listed buildings within the site area although the SVR viaduct located approximately 180m to the north is locally listed and the Failing Sands Bridge, again located to the north, close to the viaduct is noted to be of special interest within the Conservation Area Appraisal.
- 5.8 Importantly the proposed link road would dissect the Staffordshire and Worcestershire Canal Conservation Area. The comments of the Conservation Officer have been set out in full above. It is acknowledged that the proposed development would affect views into and out of the Conservation Area however there are no objections in principle. This consideration is in the knowledge that, as the ES indicates the proposed bridge abutments and wing walls are proposed to be clad in red sandstone to produce a finish which would be more sympathetic to its surroundings. It is suggested that the proposed materials are agreed via a suitably worded condition.
- 5.9 VISUAL IMPACT - In addition to the viewpoints into and out of the Canal Conservation Area the proposed link road would also have an impact upon viewpoints from within existing residential areas; those residential areas approved under Phase 1 of the former British Sugar site; the additional residential areas committed by virtue of Policy SK2 of the Adopted Site Allocations Local Plan (which allows another 70 dwellings in addition to the 250 approved on Phase 1); existing and committed commercial and industrial occupiers; and people using the site and surroundings for recreational purposes. As stated previously the canal and its towpath are a recreational resource, plus there will also be a publicly accessible cycleway/footway within Phases 1 and 2 of the former British Sugar site at the top of the embankment above the canal.
- 5.10 The construction of the road will be at grade in the east, but will then be raised on an embankment on the approach to the bridge over the River and Canal. It would require the removal of a corridor of trees within the River valley including those that provide screening to the Canal from the industrial estate. A detailed tree survey indicating which trees are to be retained and which are to be lost is anticipated prior to the meeting.

- 5.11 The construction of the road and bridge would cause some negative visual effects both in the short and long term. It is indicated within the accompanying ES that the new bridge would:
- have a negative impact upon the setting of the SVR viaduct and Falling Sands bridge;
  - result in the permanent loss of vegetation and severance to the linear tree belts which currently align the River and Canal and provide important features within the wider landscape; and
  - be a permanent noticeable feature in the landscapewith the effects extending into the night time due to the introduction of lighting from headlights and lighting columns on the road.
- 5.12 Mitigation is however proposed by way of the following:
- red sandstone finish to the bridge abutments
  - no lighting on the proposed road or bridge within the Conservation Area; and
  - planting on the embankments of the road and either side of the road within the Hoobrook Industrial Estate;
- 5.13 It is inevitable that the proposed link road and bridge will have some permanent impact upon the landscape, and that the proposals will be visible to existing and future residential and industrial occupiers together with recreational users of the area. It is however that the considered that the effects will be significantly reduced by the proposed mitigation measures whilst these impacts have to be weighed in the balance with other planning policy considerations.
- 5.14 IMPACT UPON BIODIVERSITY - The application site lies within close proximity, or 2km of the following areas recognised for their nature conservation value:
- Wilden Marsh SSSI – (0.18km)
  - the River Stour Floodplain SSSI – (1.66km),
  - the Devil’s Spittleful SSSI, the River Stour Local Wildlife Site (LWS) – (1.48km),
  - the River Stour (LWS) – (part within site),
  - the Wilden Meadows (LWS) – (1.60km),
  - the Staffordshire and Worcestershire Canal (LWS) – (part within site),
  - Vicarage Farm Heath (LWS) – (1.02km),
  - Burlish Camp (LWS) – (1.76km)
  - Captains and Stanklyn Pools and Spennells Valley (LWS) – (1.33km)
  - Hoo and Barnett Brook (LWS) – (1.97km).
- 5.15 A phase 1 habitat survey has been undertaken with specific surveys for badgers, bats, great crested newts, otters, reptiles, water voles and birds.
- 5.16 The ES lists a total of 10 different processes to mitigate for the impacts upon biodiversity. These processes cover:
- EM1: Vegetation Clearance Protocol
- EM2: Pollution Prevention Guidelines document No.5 – works in, near or liable to affect watercourses
- EM3: European Protected Species Licensing (EPSL) and derogation licensing
- EM4: Soft Engineering Solutions (terrestrial linkage planting, arboreal linkages, positive management of BAP Habitats, areas of lighting restraint, - in order to mitigate the impact upon wildlife using the corridor along the Canal and River no

lighting will be present above or below the bridge or within the Canal Conservation Area).

EM5: Construction and Environmental Management Plan (CEMP)

EM6: Sustainable Urban Drainage System (SuDS)

EM7: Wildlife Enhancement Specifications (bat boxes, bird boxes, otter holts)

EM8: Wildlife Connectivity Measures (semi natural substrate for the footings of the bridge to ensure terrestrial connectivity, two wildlife tunnels under the proposed road, reptile and amphibian exclusion fencing)

EM9: Flood Compensation Measures (excavation within the River Stour floodplain is proposed to provide compensation for the land take required for the bridge and abutments, with the detention of water in high fluvial and pluvial events and slower release of water into the River Stour)

EM10: Habitat Management Plan

- 5.17 The principle of grazing the grassland and wetland areas either side of the watercourses has been agreed in principle with the District Council with the aim of controlling Himalayan Balsam, however as detailed within the comments of the Council's Countryside Officer, the details of the management of such a scheme have yet to be finalised. The land involved is either already in the ownership of the District Council or is currently within the ownership of the St Francis Group (i.e. the owners of the former British Sugar site) and will be adopted in the future by the District Council.
- 5.18 Subject to additional details regarding the planting of the area between the River and the Canal, clarification of grazing arrangements and agreement to which parts of the site the District Council is to maintain there are no objections subject to suggested conditions.
- 5.19 NOISE AND VIBRATION - The noise chapter of the ES predicts that there is the potential for noise impacts to arise from activities during the construction and operational phases. During the construction phase of the scheme the hours of construction are likely to be 0700 to 1900 hours Monday to Friday and 0700 to 1300 hours on Saturday with no works on Sundays or Public Holidays. The ES advises that significant impacts from the construction phase are predicted within a 150m radius. A list of mitigation measures are proposed which include careful consideration of equipment and site layout, shutting down equipment when it is not in use for longer than five minutes and deliveries only arriving within daytime hours.
- 5.20 The ES also advises that there would a major adverse impact with respect to noise once the road is up and running on the residential areas already approved under Phase 1 of the former British Sugar site. This potential impact was considered prior to the determination of the outline consent (12/0146/EIA) and hence mitigation via a planning condition relating to those dwellings which will front onto the link road was attached. The condition seeks to ensure that living conditions within the living rooms and bedrooms within these frontage properties is reasonable by requiring that noise conditions do not exceed a certain maximum decibel level. Such a restriction would be achieved by a higher specification of glazing. Confirmation on whether these decibel levels can still be achieved and clarification of the impact upon the remainder of the Phase 1 development is currently being sought.
- 5.21 IMPACT UPON FLOODING - Part of the application site within the vicinity of the Canal and River lies within flood zones 2 and 3. A Flood Risk Assessment has been submitted which considers the potential for flood risk and any necessary mitigation to prevent



flooding of the proposed road itself and for preventing an increased risk of flooding elsewhere as a result of construction within the floodplain.

- 5.22 Floodplain compensation calculations have been undertaken to compensate for the loss of floodplain due to the bridge abutments. As a result an area is proposed to be excavated located on the eastern floodplain of the River upstream of the proposed link road. The storage volume provided will be the equivalent volume of floodplain lost plus an additional 30% to allow for climate change.
- 5.23 HIGHWAYS – The application has been submitted together with a Transport Assessment (TA). It includes an assessment of the impact upon junction movements at the following junctions:
- A451 The Ringway / A451 Stourport Road / A442 Worcester Road.
  - A442 Worcester Road / A449 Chester Road South / Wilden Lane.
  - A451 Stourport Road / A4535 Sutton Road.
  - A449 Chester Road South / Spennells Valley Road.
  - A448 Comberton Road / Spennells Valley Road.
  - A451 Stourport Road / Hoobrook Link Road.
  - A442 Worcester Road / Hoobrook Link Road.
- 5.24 The TA reports that, *“The results of the traffic modelling have indicated that there is a reduction in overall congestion on the local highway network as a result of constructing the Hoobrook link road particularly around the town centre. Traffic reassigns from the A451 Stourport Road relieving the junction of the A451 Stourport Road / A4535 Sutton Road. This traffic reassignment along the link road, also eases pressure on the town centre ring road, and reassigns a small number of trips along Spennells Valley Road...,although there are some minor increase in delay at the A442 / A449 / Wilden Lane junction. Upon assessment of the junctions affected, there is an improvement to the capacity at the most congested junctions, and minimal negative impact on the other junctions.”*
- 5.25 The TA also indicates that the provision of a new bridge across the River Stour and the Staffordshire and Worcestershire Canal would increase accessibility by walking and cycling.
- 5.26 The comments of the Highways Authority will be reported directly to the County Council as the determining authority.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 In addition to the funding from Central Government and the County Council, the District Council has agreed to a contribution of £250k from the State of the Area Capital budget. This was agreed by the Cabinet Review Panel at their meeting on 22<sup>nd</sup> July 2013.
- 6.2 Secondly as stated previously, the ES suggests that certain areas of land on either side of the River and Canal are going to be maintained in the long term by the District Council. Whilst it was always foreseen that the maintenance of those areas within Phase 1 of the former British Sugar, by way of grazing, would be undertaken by the District Council, clarification of whether there would be additional resources required

for maintenance purposes is being sought. Maintenance requirements relating to land with the District's ownership to the east of the River Stour is also being sought.

**7. LEGAL AND POLICY IMPLICATIONS**

- 7.1 Should additional resources be required for purposes of the District Council maintaining land within the application site as a result of the development, a legal agreement between the County and District Councils would be required.
- 7.2 As stated previously the alignment of the road within the existing Hoobrook Industrial Estate would require the demolition and relocation of eight existing businesses, the legal implications are however a matter for the County Council.

**8. EQUALITY IMPACT ASSESSMENT**

- 8.1 There are no issues arising from the equality impact assessment

**9. CONCLUSION**

- 9.1 This is a significant application with strategic importance for the District Council. It is anticipated that the proposed Hoobrook Link Road would not only remove a barrier for the redevelopment of key employment sites within the South Kidderminster Enterprise Park area, but unlock the development potential of Phase 2 of the former British Sugar site and uplift the existing development within the Hoobrook Industrial Estate making this site a more attractive investment proposition.
- 9.2 The proposed development would build upon the support for economic regeneration promoted by the ReWyre Prospectus, the Policies of the Adopted Core Strategy and Site Allocation and Policies Local Plan and the South Kidderminster Enterprise Park Local Development Order.
- 9.3 It is considered that whilst the visual impact of the proposed scheme would permanently affect views into the site including views into and out of the Staffordshire and Worcestershire Canal Conservation Area there would be minimal harm upon the appearance and character of the Conservation Area; furthermore this minimal harm is considered to be outweighed by the public benefits of the development.
- 9.4 It is also acknowledged that there is the potential for harm to biodiversity and that the scheme would cause the loss of trees which would detract from the linear tree belts which align the existing watercourses, however it is considered that appropriate mitigation can be secured by condition.
- 9.5 The planning conditions suggested to the County Council are as follows:
- i. Details of materials for the cladding of the reinforced earth wall and abutments to the bridge submitted and agreed prior to commencement of development
  - ii. Details of an archaeology watching brief
  - iii. Detailed landscaping plan (based on drawing PA-04) indicating proposed tree species, planting densities, planting timetable and maintenance schedule submitted and agreed prior to commencement of development
  - iv. Submission of an Ecological Mitigation Plan incorporating parts EM1 to EM10 within the ES and a Construction Environmental Management Plan (CEMP)

- which includes details of lighting during construction prior to commencement of development
- v. Prior to commencement of development details of tree protection to the retained trees, and no storage of materials within protection zone
  - vi. All trees to be felled outside the bird breeding season unless otherwise agreed
  - vii. Updated surveys for badgers, bat and otters prior to commencement of development with recommendations for additional mitigation measures if deemed to be necessary and a timetable for their implementation
  - viii. Details and implementation of a Site Waste Management Plan submitted and agreed prior to commencement of development
  - ix. Details of the design and methodology of implementing the proposed bridge foundations to prevent water pollution submitted and agreed prior to commencement of development
  - x. Details of methods to prevent the migration of gas within the design of the road drainage submitted and agreed prior to commencement of development
  - xi. Detailed design of surface water scheme including treatment stages submitted and agreed prior to commencement of development
  - xii. Details of how the existing canal towpath is to be widened temporarily during the construction phase submitted and agreed prior to commencement of development
  - xiii. No additional lighting other than shown on plans
  - xiv. Implementation of herptile fencing, bat boxes, bird boxes, otter holt and wildlife tunnels prior to first use of the road by the public and retention thereafter
  - xv. Implementation of agreed SuDS scheme prior to first use of the road by the public and retention of fencing thereafter
  - xvi. Implementation of agreed flood compensation scheme prior to first use of the road by the public and retention of fencing thereafter

**10. RISK MANAGEMENT**

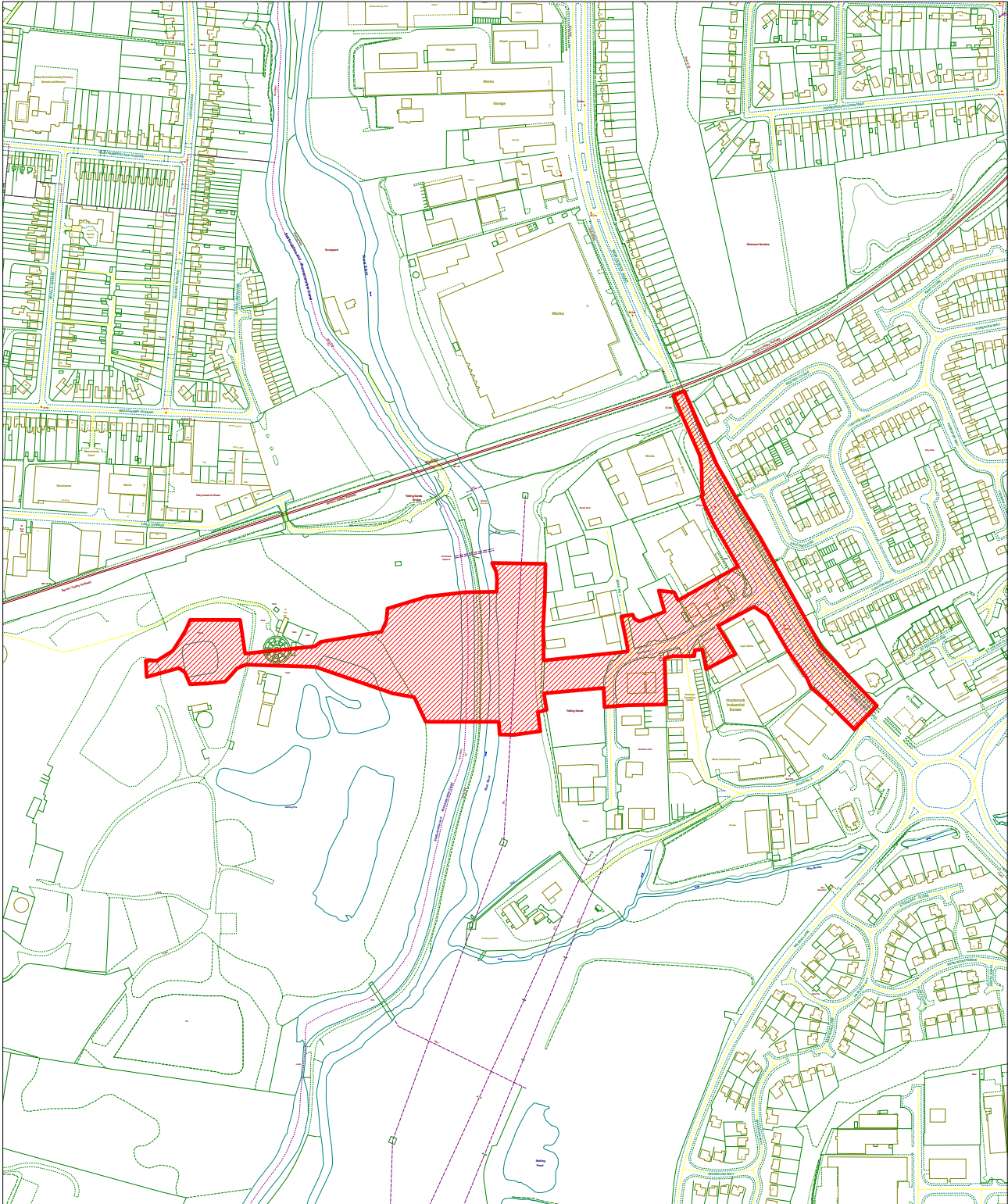
10.1 There are no risk management issues.

**11. BACKGROUND PAPERS**

11.1 Rewyre Prospectus.

11.2 Adopted Core Strategy.

11.3 Adopted Site Allocations and Policies Plan.



ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Former British Sugar  
Stourport Road  
Kidderminster DY11 7DX**



Date:- 18 December 2013

Scale:- 1:5000

OS Sheet:- SO8274

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