

Open

# Planning Committee

## Agenda

6pm  
Tuesday, 8th July 2014  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster



## Planning Committee

### Members of Committee:

	<b>Chairman: Councillor F M Oborski</b>
	<b>Vice-Chairman: Councillor S J M Clee</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 P B Harrison</b>
<b>Councillor M J Hart</b>	<b>Councillor R J Lloyd</b>
<b>Councillor B McFarland</b>	<b>Councillor C D Nicholls</b>
<b>Councillor D R Sheppard</b>	<b>Councillor M J Stooke</b>
<b>Councillor S J Williams</b>	<b>Councillor M J W Wrench</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**

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

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

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

## **NOTES**

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

Wyre Forest District Council

Planning Committee

Tuesday, 8th July 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>
1.	<b>Apologies for Absence</b>	
2.	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Solicitor to the Council, together with the name of the Councillor for whom he/she is acting.	
3.	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 19 <sup>th</sup> June 2014.	7
5.	<b>Applications to be Determined</b>  To consider the report of the Development Manager on planning and related applications to be determined.	11
6.	<b>Applications Pending Decision</b>  To receive a schedule of planning and related applications which are pending.	35

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>	57
8.	<p><b>Proposed Changes to Development Control Procedures and Protocols</b></p> <p>To receive a report from the Director of Economic Prosperity and Place which recommends to Council proposed changes to existing Development Control procedures and protocols.</p>	69
9.	<p><b>Blakebrook Conservation Area Draft Conservation Area Appraisal Consultation</b></p> <p>To receive a report from the Director of Economic Prosperity and Place which advises Members of the responses received on the Draft Conservation Area Appraisal for the Blakebrook Conservation Area, and to seek Planning Committee approval for the adoption of the Conservation Area Character Appraisal.</p>	103
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>Enforcement Matters</b></p> <p>To receive a report from Director of Economic Prosperity and Place which provides Members with a summary report on enforcement matters, and specifically the volume of new complaints.</p>	153
13.	<p><b>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p>	

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

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

**19TH JUNE 2014 (6.00PM)**

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**Present:**

Councillors: F M Oborski (Chairman), S J M Clee (Vice-Chairman), J Aston, C Brewer, B T Glass, D R Godwin, J Greener, P B Harrison, R J Lloyd, B McFarland, C D Nicholls, D R Sheppard, M J S Stooke, S J Williams, M J W Wrench and G C Yarranton.

**Observers:**

Councillor A Clent.

**PL.1 Apologies for Absence**

Apologies for absence were received from Councillor M J Hart.

**PL.2 Appointment of Substitutes**

Councillor G C Yarranton was appointed as a substitute for Councillor M J Hart.

**PL.3 Declarations of Interests by Members**

Councillor F M Oborski declared an Other Disclosable Interest (ODI) in application no. 14/0187/FULL, Cheshires Colourmail Ltd as her doctors are moving to the proposed site, but was not one which a member of the public knowing the circumstances would reasonably regard as being likely to prejudice her judgement of what is in the public interest.

Councillor A Clent declared a Disclosable Pecuniary Interest (DPI) in application no. 14/0017/FULL, Heath Lane, Shenstone, Kidderminster as he has a personal connection with the applicant.

Councillor M J W Wrench declared a DPI in application no. 14/0017/FULL, Heath Lane, Shenstone, Kidderminster as he has personal connection with the family.

Councillor M Stooke declared a DPI in application no. 14/0017/FULL, Heath Lane, Shenstone, Kidderminster as he has a personal connection with the family.

Councillor G C Yarranton declared a DPI in application no. 14/0017/FULL, Heath Lane, Shenstone, Kidderminster as he knows the applicant and is a Member of Kidderminster Foreign Parish Council.

**PL.4 Minutes**

**Decision: The minutes of the meeting held on 20<sup>th</sup> May 2014 be confirmed as a correct record and signed by the Chairman.**

**PL.5 Applications To Be Determined**

The Committee considered those applications for determination (now incorporated in Development Control Schedule No. 521 attached).

**Decision: The applications now submitted be determined, in accordance with the decisions set out in Development Control Schedule No. 521 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.6 Applications Pending Decision**

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

**Decision: The schedule be noted.**

**PL.7 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.**

The meeting ended at 6.07 p.m.



**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

19<sup>th</sup> June 2014 Schedule 521 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.

Councillors A Clent, M Stooke, M Wrench and G C Yarranton left the meeting before the application below.

<b>Application Reference: 14/0017/FULL</b>
<b>Site Address: HEATH LANE, SHENSTONE, KIDDERMINSTER, DY10 4BS</b>
<b>REFUSED</b> for the following reasons:
<ol style="list-style-type: none"> <li>1. The site is located within the West Midlands Green Belt. The development is considered to be inappropriate within the Green Belt which is by definition harmful. There is further harm caused to the openness and appearance of the Green Belt. It is considered that there are no very special circumstances to justify this inappropriate development and as such the proposal is contrary to Policies SAL.UP1 and SAL.DPL9 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and government guidance within National Planning Policy Framework and Planning Policy for Traveller Sites.</li> <li>2. Due to the topography of the area the site is readily visible particularly from Heath Lane and Butts Lane. The proposed development would detract from, and harm the character of, the landscape and the visual amenity of the Green Belt in this rural location, contrary to Policies CP06 and CP12 of the Adopted Wyre Forest Core Strategy, Policy SAL.DPL9 of the Adopted Wyre Forest Site Allocations and Policies Local Plan and Government guidance in National Planning Policy Framework.</li> </ol>

Councillors A Clent, M Stooke, M Wrench and G C Yarranton came back into the meeting, (6.04pm).

<b>Application Reference: 14/0187/FULL</b>
<b>Site Address: CHESHIRE'S COLOURMAIL LTD, 24 COVENTRY STREET, KIDDERMINSTER, DY10 2BG</b>
<b>APPROVED</b> subject to the following conditions:
<ol style="list-style-type: none"> <li>1. A6 (Full with no reserved matters).</li> <li>2. A11 (Approved plans).</li> <li>3. Details of materials.</li> <li>4. Details of landscaping.</li> <li>5. Landscaping maintenance.</li> <li>6. Details of the consolidation, surfacing and drainage of the cycle parking, vehicle</li> </ol>

- access, turning area and parking facilities.
- 7. Engineering details of the footway and access alterations.
- 8. Details of parking for site operatives and visitors.
- 9. Submission of travel plan which promotes sustainable forms of access to the site
- 10. Building not to be brought into use until car park available for use in accordance with site levels shown on drawing D1 rev. E.
- 11. Notwithstanding details shown, details of all boundary treatments to be agreed.
- 12. A1 floorspace to occupy the area shown on the Ground Floor (A456 Ringway Island Level) only.
- 13. Details of drainage.
- 14. Site investigation & remediation.
- 15. Site Investigation and recording (Archaeology).
- 16. Another bat survey if development not commenced within 18 months.

<b>Application Reference: 14/0194/FULL</b>
<b>Site Address: PARWELD LTD, LONG BANK, BEWDLEY BUSINESS PARK, BEWDLEY, DY12 2TZ</b>
<b>DELEGATED AUTHORITY TO APPROVE</b> subject to a 'no objection' response from North Worcestershire Water Management and the Countryside and Conservation Officer, and the following conditions: <ul style="list-style-type: none"> <li>1. A6 (Full with no reserved matters).</li> <li>2. A11 (Approved plans).</li> <li>3. B6 (External details – approved plan).</li> <li>4. No external lights without an approved lighting assessment.</li> <li>5. B1 &amp; B2 uses only.</li> </ul>

<b>Application Reference: 14/0277/FULL</b>
<b>Site Address: 14 COMBERTON PLACE, KIDDERMINSTER, DY10 1QR</b>
<b>APPROVED</b> subject to the following condition: <ul style="list-style-type: none"> <li>1. A6 (Full with no reserved matters).</li> <li>2. The site hereby approved shall not be brought into use as a use class A3 restaurant/cafe until: <ul style="list-style-type: none"> <li>i) a scheme for the extraction, treatment and dispersal of fumes and odours has been submitted to, and approved in writing by, the Local Planning Authority; and</li> <li>ii) the approved scheme has been implemented.</li> </ul> </li> </ul> <p>The development shall only be carried out on the site during such times as the approved extraction and treatment equipment is operational and effective to the level of the approved scheme</p>

**EXECUTIVE SUMMARY TO REPORT OF  
DEVELOPMENT MANAGER**

Planning Committee

08/07/2014

**PART A Reports**

Ref.	Address of Site	Recommendation	Page No.
14/0199/FULL	CROSS BANK HOUSE CROSS BANK BEWDLEY	REFUSAL	12

**PART B Reports**

Ref.	Address of Site	Recommendation	Page No.
14/0250/RESE	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER	DELEGATED APPROVAL	18
14/0282/FULL	CORBESLEY HOUSE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER	APPROVAL	30

WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**

**8<sup>TH</sup> JULY 2014**

**PART A**

**Application Reference:** 14/0199/FULL      **Date Received:** 08/04/2014  
**Ord Sheet:** 375351 273654      **Expiry Date:** 03/06/2014  
**Case Officer:** James Houghton      **Ward:** Rock

**Proposal:** Erection of an extension to office to provide additional work area & file storage accommodation; and erection of a domestic garage & carport.

**Site Address:** CROSS BANK HOUSE, CROSS BANK, BEWDLEY, DY12 2XB

**Applicant:** Mr Howles

<b>Summary of Policy</b>	DS04, CP08, CP11 (CS) SAL.UP7, SAL.UP8 (SAAPLP)
<b>Reason for Referral to Committee</b>	Councillor request for application to be considered by Committee
<b>Recommendation</b>	<b>REFUSAL</b>

**1.0 Site Location and Description**

1.1 The application site contains a detached house and a large outbuilding which has been converted to provide office space having been granted permission by virtue of application 12/0358/FULL. Additional floor space has been created within the roof space including the addition of dormers to the front. The site is on the junction of Lye Head Road and Cross Bank, Bewdley.

**2.0 Planning History**

- 2.1 WF/0493/05 – Full: Single storey extension to kitchen; take down existing timber building and re-built in brick and tile : Approved 22/06/05.
- 2.2 WF/0905/05 – Full: Extension to previously approved playroom and utility (amendment to planning approval WF/0493/05) : Refused 10/10/05.
- 2.3 12/0358/FULL – Change of use of existing detached double garage to office (retrospective) : Approved 28/08/12.
- 2.4 13/0559/FULL – Extension to existing outbuilding to provide a garage with storage over : Refused 23/12/13.

14/0199/FULL

### 3.0 Consultations and Representations

- 3.1 Rock Parish Council – No objection and recommend approval.
- 3.2 Highway Authority – No objections.
- 3.3 Planning Policy Manager - The National Planning Policy Framework (NPPF) is underpinned by the presumption in favour of sustainable development which local authorities are expected to apply in determining planning applications. The Framework places a strong emphasis on the need to support economic growth. One of the 12 Core Planning Principles relates to proactively driving and supporting sustainable economic development. Section 3 of the NPPF sets out the Government’s objectives for ‘supporting a prosperous rural economy’. Paragraph 28 requires the planning process to ‘support the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings’.

The Framework also places a strong emphasis on promoting good design. Paragraph 60 states that “Planning policy and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote local distinctiveness’. Therefore, consideration should be given to the extent to which the design of the proposed development promotes the local distinctiveness of the area.

The relevant parts of the District Council’s Adopted Local Plan are the Core Strategy (December 2010) and the Site Allocations and Policies Local Plan (July 2013). Policy DS04 of the Adopted Core Strategy seeks to enhance rural employment opportunities. Policy CP08 states that “Applications for small-scale employment proposals in the rural areas will be assessed on their merits and should have regard to national and regional policy as well as Policy DS04’.

Policy SAL.UP8 of the Site Allocations and Policies Local Plan sets out criteria relating to the design of residential and non residential extensions. Whilst the proposal is for the extension of a commercial building, part of it provides garaging which is ancillary to the residential use of the site and the building is within the curtilage of a residential property. Therefore part 1 of the policy which relates to residential extensions, is considered to be relevant. Criteria ii), iii) and iv) of the policy are considered to be particularly relevant and consideration should be given to how well the proposal accords with these.

Whilst the policies within the NPPF and the District’s Local Plan support the diversification of the rural economy consideration should be given to the degree to which the proposal accords with the design requirements of the NPPF and policy SAL.UP8 of the Site Allocations and Policies Local Plan.

14/0199/FULL

3.4 Neighbour/Site Notice – No representations received.

#### 4.0 Officer Comments

- 4.1 The existing outbuilding is finished with a half hipped roof to which dormers have been added at some time subsequent to application 12/0358/FULL. Permission was granted for the use of part of the building to provide office space although the rear of the building is still utilised as a pool bar, a use which may be considered ancillary to the use of the adjacent dwelling.
- 4.2 The applicant seeks approval for the addition of a pitch roofed extension to the existing outbuilding with maximum dimensions of 8.9m by 8.6m with a maximum ridge height of 5.0m. This extension would be of sufficient size to provide garage space for at least four cars and would be used to store the applicant's collection of motor cars which are currently stored off site. Above the garage additional office space is to be provided. The roof space of the existing pool bar area is to be converted to provide additional storage space, and will link the existing and proposed office space. In addition a car port is proposed between the existing outbuilding and the host dwelling. Work commenced on the garage element of the development prior to the submission of application 13/0559/FULL, which was subsequently refused.
- 4.3 The proposed extension, with its dimensions of 8.9m by 8.6m, would appear to have an eaves height of between 1.8m and 2.0m and a ridge height of between 3.9m and 4.15m when viewed from the rear, due to the topography of the site. From the front the eaves height would be 2.85m and the ridge height would be 5.0m. Both eaves and ridge would match those of the existing building. The existing building has a footprint of 77.76m<sup>2</sup> and the proposed extension, not including the carport would have a footprint of 76.54m<sup>2</sup> an increase in footprint of around 98%, over and above the existing outbuilding.
- 4.4 Of particular relevance to this application are Policies SAL.UP7 and SAL.UP8 of the Adopted Wyre Forest Site Allocations and Policies Local Plan. Policy SAL.UP7: Quality Design and Local Distinctiveness states that new development should "*have an appropriate building footprint for the locality and not represent over development of the site.*" Policy SAL.UP8 sets out requirements for the Design of Extensions. The policy refers specifically to the extension and alteration of existing residential properties, including curtilage buildings and previous extensions. The policy requires that extensions should be in scale and keeping with the form, materials, architectural characteristics and detailing of the original building and that an extension should be subservient to, and not overwhelm the original building which should retain its visual dominance.

14/0199/FULL

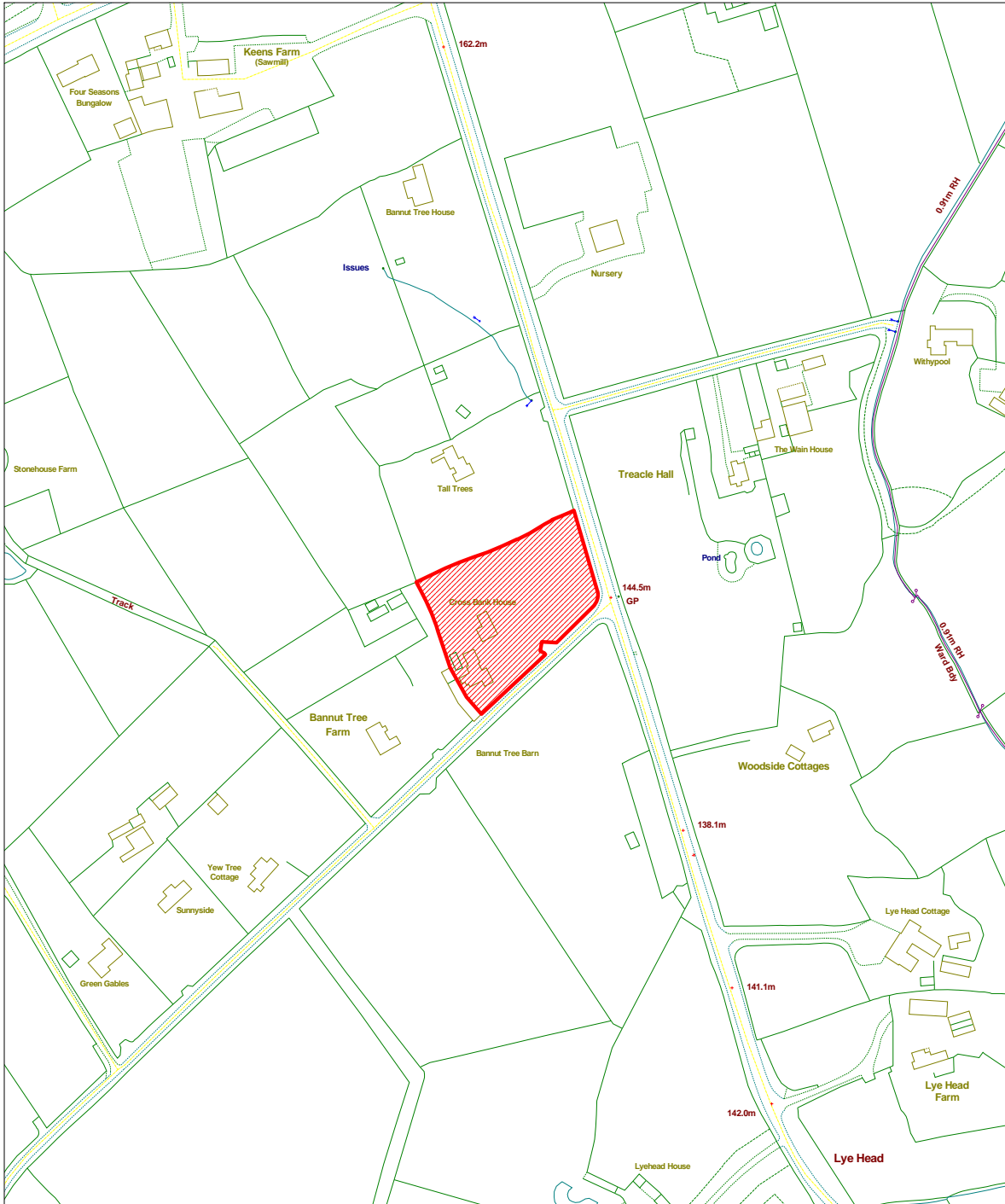
- 4.5 The extension proposed would effectively form an addition to the side of the existing single and two storey outbuilding. At a width of 8.9m the width of the extension is greater than the width of the original building (8.0m), although the front elevation is set back 7.95m from the front elevation of the existing building. The extension would not be considered to be in scale with the original building and would add considerable mass to the existing building.
- 4.6 The extension proposed has been redesigned following the previous refusal and now incorporates arched entrances to the garage as well as to the pedestrian door in the front elevation and a half hipped roof which serve to replicate some features of the existing building and whilst they are a welcome addition they do not disguise the sheer size of the proposed extension when compared with the original building. The proposed car port adds an alien and incongruous feature to both the existing building, and the adjacent host dwelling. By virtue of its size officers are of the opinion that the proposed extension would serve to add an incongruous, overwhelming and dominant addition to the building, and would therefore be contrary to Local Plan Policy.
- 4.7 It is noted that the site is bounded by a substantial hedge. In view of the size of the extension proposed it would be necessary to condition the retention of this hedge in order to limit the visual impact of the development on the landscape and the street scene. However to condition the retention of the hedge would not be considered enforceable or reasonable and as such a condition of this type would not meet the requirements of Circular 11/95 which provides guidance on the use of conditions in planning permission.

## **5.0 Conclusions and Recommendations**

- 5.1 By virtue of both its scale and design the proposed extension is considered unacceptable. The extension would effectively double the footprint of the building; would be wider than the original structure; and, would serve as to overwhelm the original building. The car port proposed shares no architectural characteristics with the existing outbuilding or the adjacent dwelling and would form an incongruous and alien addition to the site. The extension would provide a dominant and incongruous addition to the original outbuilding to such an extent that a favourable recommendation could not be substantiated.

- 5.2 It is therefore recommended that permission is **REFUSED** for the following reason:
1. By virtue of both its scale and design the proposed extension is considered unacceptable. The extension would effectively double the footprint of the existing building; would be wider than the original structure; and, would serve to overwhelm the original building. The extension would provide a dominant and incongruous addition to the original outbuilding. The car port proposed shares no architectural characteristics with the existing outbuilding or the adjacent dwelling and would form an incongruous and alien addition to the site. The development proposed is not considered to accord with the requirements of Policy CP11 of the Adopted Core Strategy and Policies SAL.UP7 and SAL.UP8 of the Adopted Wyre Forest District Site Allocations and Policies Local Plan.





ECONOMIC PROSPERITY AND PLACE DIRECTORATE

**Cross Bank House, Cross Bank  
Bewdley DY12 2XB**



Date:- 24 June 2014

Scale:- 1:2500

OS Sheet:- SO7573NW

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WYRE FOREST DISTRICT COUNCIL

**PLANNING COMMITTEE**  
**8<sup>TH</sup> JULY 2014**

**PART B**

<b>Application Reference:</b>	14/0250/RESE	<b>Date Received:</b>	01/05/2014
<b>Ord Sheet:</b>	382679 274655	<b>Expiry Date:</b>	31/07/2014
<b>Case Officer:</b>	Julia Mellor	<b>Ward:</b>	Oldington and Foley Park

**Proposal:** Redevelopment of part of Development Blocks DEV B(iii) and DEV C within Phase 1 of the former British Sugar site for 92no. dwellings including 6no. affordable units. Reserved Matters approval for scale, appearance, landscaping, layout and internal access within the Development Blocks following outline approval 12/0146/EIA

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

**Applicant:** Taylor Wimpey (Midlands)

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

**1.0 Site Location and Description**

1.1 The application site comprises almost half of development blocks DEV B (iii) and DEV C within Phase 1 of the former British Sugar site which gained planning consent in outline for a range of land uses in December 2012 (Application reference 12/0146/EIA).

14/0250/RESE

- 1.2 The application site lies towards the centre of Phase 1 which encompasses a total of 19 hectares extending from Stourport Road to the west, to the Staffordshire and Worcestershire Canal to the east. Since receiving outline planning consent the former British Sugar site has been rebranded as 'Silverwoods'. In June 2013 the County Council received Pinch Point funding towards the provision of the Hoo Brook Link Road which will connect the Stourport Road to the Worcester Road (A442) via the former British Sugar site and the Hoo Brook Industrial Estate. A planning application for the Link Road was approved by the County Council in February 2014 and work is due to commence in December 2014/January 2015 to be open to traffic in early 2016.
- 1.3 The redevelopment of the former British Sugar Site is highlighted within the Adopted Core Strategy as part of the vision for the District, with the Development Strategy advising that it is, "*Possibly the most important site to be allocated under this DPD with regard to the regeneration of Kidderminster...*" In addition the Re-Wyre Prospectus highlights the site, also called 'The Beet', as a key action area for regeneration.
- 1.4 The 2012 outline approval for Phase 1:
  - i. agreed the point of access into the site from the Stourport Road and the main roads within Phase 1 including the route of the first part of the Hoo Brook Link Road;
  - ii. allowed the following range of uses – Class C3 residential development (up to 250 dwellings), Class B1, B2 and B8 employment development; Class A1 retail development, Class A3, A4 and A5 restaurant/café/drinking establishment/hot food take away, Class C1 hotel, Class C2 care home, Class C2 extra care facility, Class D1 crèche, a railway halt, and open space; and
  - iii. granted planning consent for a layout comprising of Development Blocks and assigned which of the above uses could be implemented within which Development Block.
- 1.5 The outline consent permits up to 250 residential dwellings on four parcels of land or Development Blocks known as DEV A (ii), DEV A (iii), DEV B (iii) and DEV C.
- 1.6 The current reserved matters application forms a significant part of the northern half of Development Blocks DEV B (iii) and DEV C which combined form the largest parcel of housing development within Phase 1, with a total area of approximately 5.5 hectares. This is the last part of phase 1 where use class C3 residential development is permitted.

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- 1.7 To describe the application site within the context of Phase 1, it has a frontage to the approved link road of approximately 120 metres; it lies on the opposite side of the link road to the proposed Council leisure centre. To the south and east the site has a common boundary to land which has already received planning consent for 75 dwellings to be constructed by Bovis Homes (14/0025/RESE). This adjoining application site accommodates a Neighbourhood Equipped Area for Play (NEAP) which is to be privately maintained.
- 1.8 The application proposes a total of 92 dwellings; 11 x 2-bed, 31 x 3-bed and 50 x 4-bed. Of this total 6 would be affordable (6 x 2-bed). The proportion of affordable units was determined at the outline stage with the Section 106 Agreement requiring a total of 12% of the total number of units within Phase 1 to be affordable. These have been spread throughout the development of Phase 1 as detailed in the table below. The Table has been defined by the separate reserved matters applications and cross reference the applications listed under the planning history section of the report below.

<b>Development Block</b>	<b>Total number of dwellings approved</b>	<b>Total number of affordable units approved</b>
Part of Development Block A(ii)	4	0
Part of Development Block A(ii)	30	6
Development Block A(iii)	29	9
Part of Development Block B(iii)	19	0
Part of Development Blocks B(iii) & C	75	9
Part of Development Blocks B(iii) & C	92	6

Totals 249 30 (12%)

- 1.9 The current application seeks consent for the remaining reserved matters which are:
- Appearance.
  - Scale.
  - Landscaping.
  - Layout (to include internal access).

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## 2.0 Planning History

- 2.1 12/0146/EIA (Outline) - Redevelopment of the British Sugar Factory (Phase 1), including access and Phase 1 link road with all other matters reserved, comprising: demolition of any remaining existing structures on site; residential development up to a maximum of 250 dwellings (class C3); employment development of up to 4 hectares (class B1, B2 and B8); retail development (class A1); restaurant/café/drinking establishment/hot food take away (class A3, A4 and A5); hotel (class C1); care home (class C2); extra care facility (class C2); crèche (class D1); a railway halt; access into site, ancillary roads, footpaths and cycleways; and open space : Approved 07.12.12.
- 2.2 13/0110/RESE - Redevelopment of part of development block A(ii) within Phase 1 of Former British Sugar Site for 4no. Residential dwellings. Reserved matters approval for scale, appearance, landscaping and layout and internal access with the development block following outline approval 12/0146/EIA : Approved 03.07.13.
- 2.3 13/0111/RESE - Redevelopment of part of Development Block A(ii) within Phase 1 of the Former British Sugar Site for 30no. residential dwellings including 6no. affordable units. Reserved Matters approval for scale, appearance, landscaping and layout and internal access within the development block following outline approval 12/0146/EIA : Approved 03.07.13.
- 2.4 13/0134/RESE - Provision of 2no. Service housings to serve mains electricity and gas for the redevelopment of phase 1 of the Former British Sugar Site. Reserved matters approval for scale, appearance, landscaping and layout : Approved 25.07.13.
- 2.5 13/0227/RESE - Redevelopment of development block A(iii) within Phase 1 of the Former British Sugar Site for 29no. Residential dwellings including 9no. Affordable units. Reserved matters approved for scale, appearance, landscaping and layout including internal access within the development block following outline approval 12/0146/EIA : Approved 31.07.13.
- 2.6 13/0418/RESE – 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 : Approved 28.01.14.
- 2.7 13/0579/WCCR – 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 : No objection 17.01.14. 13/000060/REG 3 - County Council application : Approved at Committee 11.02.14.

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- 2.8 14/0089/FULL – Retrospective application for the Detention Pond serving the Former British Sugar site and Hoo Brook link road to accommodate surface water storage as approved under the surface drainage scheme and provision of amended footway linkage and landscape areas to accommodate the Hoo Brook link road; Variation of existing S.106 agreement associated with planning application Ref 12/0146/EIA : Awaiting determination.
- 2.9 14/0250/RESE - Redevelopment of part of Development Block B(iii) and part of Development Block C within phase 1 of the Former British Sugar Site for 75No. Residential dwellings including 9No. affordable units and children's play area. Reserved Matters approved for scale, appearance, landscaping, layout and internal access within the Development Blocks following Outline approval 12/0146/EIA : Approved 14.04.14.
- 2.10 14/0095/OUTL - New Leisure Centre and Associated Works with some Matters Reserved : Approved 09.05.14.

### 3.0 Consultations and Representations

- 3.1 Highway Authority – Awaiting comments.
- 3.2 Environment Agency (EA) – We note that this is a reserved matters application and have no comments to make on the information provided as part of this application. We would refer you to our previous response to the outline application dated 9 July 2012. (*Officer Comment – This previous comment was submitted in response to the outline application reference 12/046/EIA, when the EA removed their previous objection subject to conditions.*)
- 3.3 Severn Trent Water – No objections subject to condition.
- 3.4 Natural England : SSSI – No objection. Conditions requested. This application is in close proximity to Wilden Marsh and Meadows Site of Special Site Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity).
- local landscape character.
- local or national biodiversity priority habitats and species.

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Protected Species - We have not assessed this application and associated documents for impacts on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

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

Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

- 3.5 Worcestershire Regulatory Services - There is potential for residents to be adversely affected by noise from road traffic movements from the proposed Hoo Brook Link Road. I would therefore recommend that consideration should be given to applying a condition relating to noise similar to that applied to planning reference 13/0418/RESE.

Due to the close proximity of existing residential properties to the proposed development care should be taken during the demolition and construction phase to reduce any adverse impacts caused to local residents. I would therefore recommend that the applicant follow Worcestershire Regulatory Service's Code of Best Practice for Demolition and Construction Sites.

- 3.6 Canal & River Trust – No comments to make.
- 3.7 Health & Safety Executive – Awaiting comments.
- 3.8 Disability Action Wyre Forest – Awaiting comments.
- 3.9 Crime Prevention Design Advisor - The development area can be split into two, the dividing line being the green and footpath fronted by plots 225 and 226. I find everything to the east of this line acceptable. I do have some comments regarding the layout to the west.

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As seems to be the practice on this site as a whole two parking courtyards have been created. I have repeated below the advice given by Secured by Design (new Homes Guide 2014) and CABA.

Car parking courtyards are discouraged for the following reasons:

- They introduce access to the vulnerable rear elevations of dwellings where the majority of burglary is perpetrated.
- In private developments such areas are often left unlit and therefore increase the fear of crime.
- Particularly where un-gated the courtyards provide areas of concealment which can encourage anti social behaviour.

Where rear car parking courtyards are considered absolutely necessary they must be protected by a gate.

The Design Council CABA did some research in 2009/10 on how the design of modern urban housing developments affects crime. The study looked at parking in general and I think the findings are worth quoting here.

“It is clear particularly from the walkabout and stakeholder interviews that parking and problems associated with parking are a major source of neighbour disputes, anti-social behaviour and in some cases criminal damage and assault. Specifically:

- The default use of rear parking courts as the main parking type, especially if large with multiple access points, should be challenged – they performed poorly for crime both of vehicle crime, assault and criminal damage in those case studies that relied upon them significantly. Also there was clear evidence of residents avoiding using particularly poorly designed courts and displaced parking causing problems elsewhere. If rear or side parking courts are used they should be small, close to owner’s dwellings, well overlooked by occupied rooms, not connected to foot paths, designed to the same quality as the “fronts” of the development and should not open rear access to many dwellings.
- Specific attention should be made to where visitors are likely to park – visitors seem particularly unwilling to park in areas away from the public carriageway and will tend to park up on kerbs nearest the dwelling they are visiting. So a street design which incorporates clear on street parking is likely to reduce conflict with residents.
- Some schemes had garages in unusual locations such as at the rear of properties accessed via side lanes or rear access. These appeared to have a high burglary risk so should be considered very carefully.
- Schemes where parking seemed to be working particularly well also tended to have strong management approaches to monitor and correct unofficial parking or misuse of provision.”

Whilst both of the courtyards have houses at the entrance which give some surveillance over the entrance, the occupants of these house cannot be expected to be on guard all of the time and watch over the entire courtyard.



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As indicated above both of the courtyards have several back gardens backing onto them, this increases the chance of burglary to these properties. With reduced natural surveillance over any parked vehicles the chances of them becoming targets for crime is increased. In particular I think the carports to plots 237 to 239 unless properly lit will create areas of shadow making vehicles parked in them particularly vulnerable to attack.

The design of the courtyards does not lend itself to gates, therefore if the crime risk is to be reduced they need to be removed and the area redesigned.

3.10 Worcestershire Wildlife Trust – Awaiting comments.

3.11 Countryside and Conservation Officer - I would just stress the importance of the Construction Environmental Management Plan (CEMP) as conditioned at the outline stage as this will involve a walk over assessment to ensure no protected species have moved back on the site and that the works are carried out in a manner that will prevent harm to any protected species that may strayed on to the site from their known near by locations. It also ensures that the wider landscape is not impacted upon.

My only other concern is for a road that borders the open space. This will need to be lit in a manner that does not impact on the naturalness of the open space. At present we have no detail of this.

3.12 North Worcestershire Water Management - The drainage plans and the micro drainage calculations submitted for this application extend beyond the application boundaries.

Discharge rates - I believe that the discharge rates proposed as part of application are acceptable.

Flooded volumes - The Micro drainage calculations submitted reveal some substantial flooding from network 1 and 4 during the 1 in 100 year + climate change event. For network 1 a flooded volume of 12 m<sup>3</sup> (12,000 litres) has been modelled, whereas for network 4 this volume is 13.3 m<sup>3</sup> (13,300 litres).

Flooding during the 1 in 100 year + climate change event is acceptable, provided that the modelled flooded volumes will be contained on site and will not result in any internal flooding of any part of a building, including garages. The information submitted for former application 14/0025/RESE stated that flooded volumes then modelled would be contained within the highway, conveyed to gullies and that all finished floor levels would be set above the back of footway levels, providing further protection from flooding. I would welcome a similar confirmation of the applicant for the current application, as the modelled flooded volume for network 4 has increased (from 9.2 m<sup>3</sup> to 13.3 m<sup>3</sup>).

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- 3.13 Arboricultural Officer – I have no objections to the above application as there are no existing trees on the site. In addition I am happy with the proposed landscaping, however I cannot find any information on the establishment of the trees, which will need to take place over the next 3 to 4 years. This is especially important for trees located on land not within residential garden. Once I have this information I would be happy to support the application. (*Officer Comment – The standard landscaping conditions ensure that any trees that fail are replaced within the first five years.*)
- 3.14 Strategic Housing Services Manager – Awaiting comments.
- 3.15 North Worcestershire Economic Development and Regeneration – Awaiting comments.
- 3.16 Neighbour/Site Notice/Press Notice – No representations received.

#### **4.0 Officer Comments**

- 4.1 The current reserved matters application proposes a total of 75 dwellings within the northern half of Development Blocks DEV B (iii) and DEV C. The site forms part of the largest area permitted for residential development under the outline consent within Phase 1, and lies to the south of the Hoo Brook Link Road, with a frontage to the link road of approximately 120 metres. The majority of the site has a common boundary and links into the southern half of the Development Blocks, the development of which is to be constructed by Bovis Homes.
- 4.2 The outline approval for Phase 1 (12/0146/EIA) granted consent for the land uses and the associated points of access into the individual Development Blocks. Therefore this subsequent application seeks consent for the following reserved matters:
- Scale.
  - Layout.
  - Landscaping.
  - Appearance.
- 4.3 In terms of scale the submitted plans indicate a range of 2 storey properties which would be in keeping with the Bovis Homes scheme to the south. However it is considered that the proposed designs are typical of a volume house builder and could in no way be viewed as being out of the ordinary or for that matter particularly remarkable.

14/0250/RESE

- 4.4 The density of the development is again similar to that the Bovis Homes development to the south and the earlier residential parts of Phase 1. The layout is characterised by perimeter blocks with dwellings facing outwards to provide active frontages to the publicly accessible areas. As the Design and Access Statement describes,
- “The layout generally aims to create a network of streets that clearly defines the street hierarchy. Private spaces have been positioned in a back to side form thus minimising exposed boundaries and promoting active frontages and natural surveillance.”*
- 4.5 However as a result of following a perimeter block design the layout indicates the provision of two areas of courtyard parking which lie behind the street frontage. The Crime Prevention Design Advisor has raised concern at the proposed courtyards as he considers they have a lack of natural surveillance, which would potentially lead to vehicle crime and anti-social behaviour. A response by the applicants to these concerns has been sought and will be reported on the update sheet.
- 4.6 Notably the applications would accommodate a central green square linking two of the estate roads providing an attractive sitting out area and a sense of space within the development. The proposed scheme would also accommodate a shared surface sited to align the common boundary between the applicant’s land and the Bovis Homes layout to the south. The shared surface would continue the footpath leading from the Stourport Road through Phase 1 and would provide pedestrian access through the site to the NEAP to the south and easier pedestrian access to the open space at the top of the canal embankment to the east.
- 4.7 Careful consideration has been given to the proposed layout to ensure that it would not prejudice the layout of the land to the north of the application site which, although lying to the south of the Hoo Brook Link road, lies within Phase 2 of the former British Sugar site and outside the area granted outline planning consent. An illustrative layout of the land to the north has been submitted as part of the current application, however the Highway Authority has informally raised concern that the layout relating to the current scheme and the illustrative layout submitted for land to the north would not be feasible due to the impact of a forward visibility splay. Discussions regarding this matter are ongoing and will be reported on the update sheet.
- 4.8 The applications submitted by Bovis Homes to develop their land to the south of the current application site have been approved subject to conditions which require the implementation of the NEAP by certain trigger points (application references 13/0418/RESE and 14/0025/RESE). However officers have been concerned that should these triggers never be reached the NEAP, which is to serve the development of Phase 1 as a whole, may never be implemented. Furthermore, unlike in the case of the Bovis Homes applications a condition to require the implementation of the NEAP cannot be attached to the current application, as the land upon which the NEAP is sited lies on land outside of the applicant’s control.

14/0250/RESE

- 4.9 In order to resolve these concerns the current application has been submitted together with a Unilateral Undertaking that confirms the applicants agreement to deposit a sum of £100,000 to be held as a bond by the Council, and in the event that the NEAP has not been provided prior to the occupation of the 46<sup>th</sup> dwelling the bond would be utilised towards the maintenance and improvement of Brinton Park.
- 4.10 The third reserved matter is that of landscaping. The comments of the Arboricultural Officer will be reported on the Addenda and Corrections sheet.
- 4.11 The final matter reserved for determination at this stage is appearance. The designs of the proposed brick built houses are in general satisfactory with the inclusion of decorative features such as projecting bay windows, canopies and front facing gables.
- 4.12 The Senior Water Management Officer, on behalf of North Worcestershire Water Management, has submitted comments regarding the lack of confirmation with respect to how any flood waters in times of extreme exceedance would be contained. At the time of preparing the report, the applicants have been asked to address this matter.

## 5.0 Conclusions and Recommendations

- 5.1 It is considered that the proposed layout for a total of 92 dwellings is acceptable as it would provide an active frontage to the Hoo Brook Link Road and it would adequately link in with the approved layout of the Bovis development which adjoins the site to the south. Furthermore the proposed layout would provide an attractive form of development with good permeability for pedestrians. Finally the submitted Unilateral Undertaking would ensure that there would be the satisfactory provision of open space.
- 5.2 At the time of preparing the report there are however outstanding matters with respect to drainage and crime risk. There are also a number of outstanding consultation responses that are awaited.
- 5.3 The recommendation is therefore of **delegated** authority to **APPROVE** subject to:
- i) satisfactory response to the Crime Prevention Design Advisor;
  - ii) satisfactory response to the Senior Water Management Officer;
  - iii) no objections from any of the other outstanding consultees within the consultation period; and

iv) the following conditions:

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

<b>Application Reference:</b>	14/0282/FULL	<b>Date Received:</b>	18/06/2014
<b>Ord Sheet:</b>	389252 273772	<b>Expiry Date:</b>	13/08/2014
<b>Case Officer:</b>	Julia Mellor	<b>Ward:</b>	Blakedown and Chaddesley

**Proposal:** 6 x 3m shed

**Site Address:** CORBESLEY HOUSE, THE VILLAGE, CHADDESLEY CORBETT, KIDDERMINSTER, DY10 4SD

**Applicant:** Mr & Mrs Adams

<b>Summary of Policy</b>	DS01 CP11 CP1 (CS) UP1 UP3 UP6 UP7 GPB3 (SAAPLP) CC1 CC8 CC9 CC10 (Chaddesley Corbett Neighbourhood Plan, Submission Version [2014]) Sections 3, 7, 9, 11, 12 (NPPF) Chaddesley Corbett Conservation Area Character Appraisal (2005) Design Quality SPG (2004)
<b>Reason for Referral to Committee</b>	Statutory or non-statutory Consultee has objected and the application is recommended for approval
<b>Recommendation</b>	<b>APPROVAL</b>

## 1.0 Site Location and Description

- 1.1 The proposed development comprises a shed measuring 3 metres by 6 metres reaching a height of approximately 2.7 metres to eaves and 3.7 metres to the ridge.
- 1.2 The application site, which encloses solely the proposed shed, is located within a field which lies to the rear of The Village which runs through the centre of Chaddesley Corbett. The field has boundaries to The Swan public house to the east and the now vacant Chaddesley Corbett First School to the south. The field also lies within the Green Belt and adjoins the Conservation Area.

## 2.0 Planning History

- 2.1 WF/0861/03 – Extension of Existing Playing Field : Approved 14.10.93.

### **3.0 Consultations and Representations**

- 3.1 Chaddesley Corbett Parish Council – The Parish Council rejected this application on the grounds that the proposed position of the shed would be detrimental to the Protected Views shown in Appendix 3 of the Neighbourhood Plan; it can be seen from the Conservation Area and the materials proposed are not sympathetic to the surrounding area.
- 3.2 Conservation Officer - Although this plot of land lies outside the Chaddesley Corbett Conservation Area boundary it is significant because development on it will impact on views into and out of the Conservation Area.

Primarily the views into the Conservation Area are from the public footpath reference: CC620, on land to the west of and slightly higher than the village, separated from it by a wide shallow valley. Although the development plot is partially screened by mature trees along the course of the Hockley Brook there are several locations where there is no screen and thus the plot is visible from the west throughout the year.

Any development on this plot which is situated to the rear of the buildings lining The Street will thus assume a prominence perhaps not commensurate with its status when viewed from the west.

For the most part views of the surrounding countryside are not possible to those walking along The Street, however the principal view out of the Conservation Area is from the garden of the Swan Public House and from the pub car park. Both areas are freely accessible to the public for a substantial proportion of daylight hours, and afford good views across the plot towards the agricultural land on the opposite side of the Hockley Brook. These views are important because they enable the observer to understand the extent and relationship of the built-up area of the village relative to its agricultural rural surroundings.

Assuming that the applicant can demonstrate that the application satisfies Policy SAL.UP1, then any development affecting a Conservation Area must satisfy the Planning (Listed Building & Conservation Areas) Act 1990 which requires that it preserves or enhances the character of that Conservation Area (as well as WFDC's own Policy SAL.UP6 which requires that development should not adversely affect views into, within or out of the Conservation Area.

Also the development should satisfy Policy SAL.UP7 Quality Design and Local Distinctiveness. The very rudimentary design of the shed and its aluminium construction introduces an alien feature into the plot adjacent to the Conservation Area, and in doing so I consider this fails to preserve the character of the Conservation Area. Thus it remains for the development to enhance the Conservation Area if it is to be deemed acceptable.

Object to design submitted. I suggest that the structure is re-designed so that it does not adversely affect views into and out of the Conservation Area. This could involve cladding the structure at least partially in timber boarding to reduce the impact in the landscape, and the creation of overhanging eaves which create shadow lines and from a distance resembles a more traditional building form which one might reasonably expect to find within the environs of the village.

3.3 Neighbour/Site Notice – No representations received.

#### 4.0 Officer Comments

4.1 As referenced under the planning history section above, the field received planning consent for use as a playing field in 2003. This use has however ceased and the field is now in agricultural use. According to national and local policy the construction of a new building within the Green Belt is appropriate if it is required for the purposes of agriculture. Therefore the principle of the development is acceptable.

4.2 However according to Policy UP1 of the Adopted Site Allocations and Policies Local Plan,

*“Proposals within, or conspicuous from the Green Belt, must not be detrimental to the visual amenity of the Green Belt, by virtue of their siting, materials or design.”*

4.3 The Conservation Officer has raised concern at the potential impact upon views into and out of the Conservation Area whilst the Parish Council have raised objection as it is considered that the position of the shed would be detrimental to a ‘Protected View’. This is one of six views identified within Policy CC8 of the Chaddesley Corbett Neighbourhood Plan (CCNP). More specifically the Policy refers to;

*“(iii) The views east from footpath 620 across fields towards Chaddesley Village”.*

4.4 As an aside, the CCNP was submitted to the Independent Examiner in May 2014 and his Report, which has recommended certain modifications to the wording to ensure that it is sound and consistent with national and local planning policy, was received last month. The Plan will proceed to a Referendum in early autumn and if supported will be adopted in late autumn. Its policies can be attributed a limited amount of weight.



- 4.5 As acknowledged within Policy CC8 of the Neighbourhood Plan and by the Conservation Officer, the site would be visible from a public footpath which lies at a higher level and at a distance of some 290 metres to the west. The field is also identified as an Important Space within the Conservation Area Appraisal.
- 4.6 In addition there are the design quality policies of the Adopted Core Strategy, the Adopted Site Allocations and Policies Local Plan and the Design Principles Policies CC9 and CC10 of the CCNP. The Neighbourhood Plan Policies advise that development should firstly be small in scale and retain the open spaces surrounding the settlement, and secondly should be of a built form which responds to the characteristics of the site.
- 4.7 Since the comments of the Parish Council and the Conservation Officer were received amended plans have been submitted. The position of the shed in the far southern corner of the field has been rotated through 90° so that the 3 metre wide gable end of the proposed shed would point towards the footpath to the west. Secondly the plans indicate that the shed would be constructed of timber.
- 4.8 Having walked the footpath and appreciated views from a number of vantage points along the path officers acknowledge that there would be glimpses of the proposed shed. However due to the separation distance, the screening from the intervening trees, the scale and amended position of the development and the proposed materials it is considered that it would not appear overly prominent or conspicuous.
- 4.9 Furthermore again due to its scale and proposed materials it is not considered that the development would neither detract from the open character of the landscape nor from views into and out of the Conservation Area.

## **5.0 Conclusions and Recommendations**

- 5.1 Consideration has been given to the 'Protected View' highlighted within the CCNP, however it is felt that that the impact upon this view from the public footpath to the west would not be detrimental, and the proposed shed would not be conspicuous within the landscape.
- 5.2 In addition it is considered that the amended plans resolve the concerns raised with respect to the proposed materials and their subsequent impact upon views into and out of the adjoining Conservation Area.
- 5.3 Finally whilst the application lies within the designated Green Belt, the proposed use is, according to national and local policy, appropriate.

14/0282/FULL

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

1. A6 (Full with no reserved matters).
2. A11 (Approved plans).
3. Building to be constructed of timber and stained a colour to be agreed.
4. Details of proposed roofing material to be agreed.

## Wyre Forest District Council

Planning Committee Meeting 08 July 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
08/0034/LIST	17/01/2008	13/03/2008	20, 21 & 22 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of 20, 21 & 22 Horsefair	Wyre Forest Community Housing	John Baggott
08/0035/FULL	17/01/2008	13/03/2008	20,21,22 & 23 HORSEFAIR KIDDERMINSTER DY102EN	Demolition of existing buildings and erection of 5 No affordable dwellings	Wyre Forest Community Housing	John Baggott

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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

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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
12/0156/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
12/0155/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
12/0266/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

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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
12/0644/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
12/0763/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
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
13/0120/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

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13/0139/EIASC	19/03/2013	09/04/2013	TESCO STORES SEVERN ROAD STOURPORT-ON-SEVERN	Request for a Screening Opinion under Regulation 5 of Town & Country Planning (Environmental Impact Assessment) Regulations 2011 - Request for Screening Opinion in relation to the proposed development to remove the barrage and associated structures from the River Severn	TESCO STORES LTD	Julia Mellor
13/0157/CERTE	21/03/2013	16/05/2013	THE CREST RICKYARD MEADOW NORTHWOOD LANE BEWDLEY DY121AT	Certificate of lawfulness: Use of property as a permanent dwelling in excess of 4 years	Mrs R Russell	Emma Anning
13/0170/FULL	26/03/2013	21/05/2013	LAND TO WEST OF RESOLUTION WAY SITE IN RIVER SEVERN STOURPORT-ON-SEVERN	Demolition and removal of the existing old foot/access bridge from the bank of the river to the barrage wall, removal down to the water level of the concrete barrage; and remove corroded sheet piles and make good works to bridge and river bank	Tesco Stores Limited	Julia Mellor
13/0193/FULL	09/04/2013	09/07/2013	78 MILL STREET KIDDERMINSTER DY116XJ	Conversion of existing garage workshop, formerly part of the demolished mill, to 5 no. two-bed dwellings and the construction of 3no. two bedroom dwellings and 5 no. live-work units, with associated amenity and parking facilities.	Mr M Worton	Emma Anning
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

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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
13/0423/CAC	24/07/2013	18/09/2013	BEWDLEY MEDICAL CENTRE DOG LANE BEWDLEY DY122EG	Demolition of existing medical centre	BEWDLEY MEDICAL CENTRE PROPERTY LTD	Emma Anning
13/0553/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 (ADDITIONAL PLANS AND INFORMATION INCLUDING RESPONSES TO ENVIRONMENT AGENCY, DISTRICT AND COUNTY COUNCIL QUERIES)	Clive Fletcher Developments	Julia Mellor
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



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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
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
14/0017/FULL	09/01/2014	10/04/2014	HEATH LANE SHENSTONE KIDDERMINSTER DY104BS	Change of use of Agricultural land to travelling show people site, including stationing of 4 residential caravans, 6 touring caravans and 1 static caravan along with storage of equipment and vehicles and associated access, parking and drainage works.	Mr N Jennings	Paul Round
14/0027/OUTL	13/01/2014	14/04/2014	CHICHESTER CARAVANS VALE ROAD STOURPORT-ON-SEVERN DY138YL	Outline Application for 28No. Residential houses and apartments (Access and Layout to be determined)	Chichester Caravans	Paul Round
14/0038/LIST	13/01/2014	10/03/2014	2A HIGH STREET STOURPORT- ON-SEVERN DY138DJ	Change of use from basement to residential	Mr A Benton	James Houghton
14/0037/FULL	13/01/2014	10/03/2014	2A HIGH STREET STOURPORT- ON-SEVERN DY138DJ	Change of use from basement to residential	Mr A Benton	James Houghton
14/0039/FULL	14/01/2014	11/03/2014	THE OLD COACH HOUSE BROCKENCOTE CHADDESLEY CORBETT KIDDERMINSTER DY104PY	To provide new access to existing dwelling	Mr M Glendenning	James Houghton

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14/0026/FULL	15/01/2014	16/04/2014	LAND AT SEBRIGHT ROAD WOLVERLEY KIDDERMINSTER	Variation of Section 106 Agreement associated with planning application 10/0550/FULL to remove 80% maximum staircasing limit	Wyre Forest Community Housing (Mr D Owen)	Emma Anning
14/0089/FULL	04/02/2014	06/05/2014	FORMER BRITISH SUGAR STOURPORT ROAD KIDDERMINSTER DY11 7AQ	Retrospective application for the Detention Pond serving the Former British Sugar Site and Hoo Brook link road to accommodate surface water storage as approved under the surface drainage scheme and provision of amended footway linkage and landscape areas to accommodate the Hoo Brook link road; Variation of existing S.106 agreement associated with planning application Ref 12/0146/EIA	St Francis Group (BSK) Ltd (Mr A Plant)	Julia Mellor
13/0574/FULL	04/02/2014	06/05/2014	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
14/0087/FULL	07/02/2014	04/04/2014	13 PARKLAND AVENUE KIDDERMINSTER DY116BX	Extension to rear and canopy to front	Mr & Mrs D Finch	Julia McKenzie-Watts
13/0573/FULL	12/02/2014	09/04/2014	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 TERRACED DWELLINGS AND A FLAT, DEMOLITION OF THE EXISTING BUILDINGS TO REAR.	Mr H Sanghara	Emma Anning

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13/0405/FULL	25/02/2014	22/04/2014	DRAKELOW TUNNELS DRAKELOW LANE WOLVERLEY KIDDERMINSTER	Museum, museum gift shop, coffee shop and visitor parking and construction of 6 dwellings to facilitate costs of establishing museum and museum building	Quercus Ilex SA	Paul Round
14/0136/LIST	10/03/2014	05/05/2014	CALDWALL CASTLE CASTLE ROAD KIDDERMINSTER DY116TH	Single storey extension to dwelling	MR R DAVIES	James Houghton
14/0135/FULL	10/03/2014	05/05/2014	CALDWALL CASTLE CASTLE ROAD KIDDERMINSTER DY116TH	Single storey extension to dwelling	MR R DAVIES	James Houghton
14/0160/FULL	12/03/2014	07/05/2014	28 STOURPORT ROAD BEWDLEY DY121BD	PROPOSED NEW ACCESS DRIVE INCLUDING DROPPED KERB	Mr & Mrs K Dyas	Julia McKenzie-Watts
14/0165/FULL	13/03/2014	08/05/2014	9 HONEYBROOK CLOSE KIDDERMINSTER DY115TT	TWO STOREY SIDE EXTENSION	MRS M BILLINGHAM	James Houghton
14/0145/FULL	14/03/2014	09/05/2014	73 YORK STREET KIDDERMINSTER DY102LW	Erection of two storey side and single storey rear extensions	Mr S Singh	Julia McKenzie-Watts
14/0183/FULL	25/03/2014	20/05/2014	46 STEATITE WAY STOURPORT-ON-SEVERN DY138PQ	First floor rear extension	Mr G Edwards	Julia McKenzie-Watts
14/0187/FULL	01/04/2014	01/07/2014	CHESHIRE'S COLOURMAIL LTD 24 COVENTRY STREET KIDDERMINSTER DY102BG	Demolition of existing buildings and construction of a primary care centre (Use Class D1) with retail pharmacy (Use Class A1) and ancillary works	Matrix Medical	Julia Mellor
14/0197/FULL	04/04/2014	30/05/2014	DORHALL BUNGALOW DORHALL CHADDESLEY CORBETT KIDDERMINSTER DY104QQ	Single storey side extension	Mr & Mrs M Matthews	James Houghton

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14/0194/FULL	07/04/2014	07/07/2014	PARWELD LTD LONG BANK BEWDLEY BUSINESS PARK BEWDLEY DY122TZ	Variation to Previously Approved Scheme WF801/93 to Include Repositioning and Amendments to Units 10, 11 and 12 and Construction of New Units 14, 15 and 16	Mr C Parker	Julia McKenzie-Watts
14/0199/FULL	08/04/2014	03/06/2014	CROSS BANK HOUSE CROSS BANK BEWDLEY DY122XB	Erection of an extension to office to provide additional work area & file storage accommodation; and erection of a domestic garage & carport.	Mr Howles	James Houghton
14/0204/FULL	08/04/2014	03/06/2014	106 ST. JOHNS AVENUE KIDDERMINSTER DY116AX	Re-roofing existing rear extension	Mrs Beverley Webb	James Houghton
14/0218/FULL	10/04/2014	05/06/2014	93 BELBROUGHTON ROAD BLAKEDOWN KIDDERMINSTER DY103JJ	Conversion of garage to one bed annex	Mr Michael Christopher	Julia McKenzie-Watts
14/0221/FULL	11/04/2014	06/06/2014	1 WELBECK DRIVE KIDDERMINSTER DY116BJ	Construction of 2 metre high boundary wall with fence panel inserts following removal of existing hedge	Mr C Jones	Emma Anning
14/0225/FULL	11/04/2014	06/06/2014	106 PROSPECT ROAD STOURPORT-ON-SEVERN DY139DF	First floor side extension	Mr M Askey	Julia McKenzie-Watts
14/0200/FULL	14/04/2014	09/06/2014	BLACKMANSTITCH LONGBANK BEWDLEY DY122QW	Timber framed storage building on a concrete base with brown/green profile sheet pitched roof.	Mrs M Dalloway	Julia McKenzie-Watts
14/0236/FULL	15/04/2014	10/06/2014	3 MAYBERRY CLOSE STOURPORT-ON-SEVERN DY138TP	First floor extension to side and rear; detached garden building	Mrs D Millington	Julia Mellor

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14/0209/FULL	15/04/2014	10/06/2014	COURT FARM WOLVERLEY ROAD WOLVERLEY KIDDERMINSTER DY103QE	Single storey extension to rear and retention of existing outbuilding to provide ancillary accommodation	Mr R Evans	Emma Anning
14/0207/FULL	16/04/2014	11/06/2014	THE LOFT 24-25 LOAD STREET BEWDLEY DY122AE	Conversion and change of use of existing first floor archive space on 2 levels (mezzanine) into live/work studio - including the reshaping of mezzanine level	MARION EVANS FAMILY SOLICITORS	Emma Anning
14/0211/LIST	16/04/2014	11/06/2014	THE LOFT 24-25 LOAD STREET BEWDLEY DY122AE	Conversion and change of use of existing first floor archive space on 2 levels (mezzanine) into live/work studio - including the reshaping of mezzanine level	MARION EVANS FAMILY SOLICITORS	Emma Anning
14/0241/ELECO	23/04/2014	18/06/2014	HOOBROOK / FALLING SANDS KIDDERMINSTER	Application Under Section 37 of the Electricity Act 1989 for the alterations to the Stourport to Kidderminster 132Kv overhead electricity line	Western Power Distribution(Bernard Lee)	Julia Mellor
14/0234/FULL	28/04/2014	23/06/2014	8 ELM GROVE STOURPORT-ON- SEVERN DY130NT	Replacement boundary wall and fence to rear (2.44m in height)	Mr Nigel Harris	Julia McKenzie-Watts
14/0244/FULL	29/04/2014	24/06/2014	SANDON OLIVE GROVE STOURPORT-ON-SEVERN DY138XY	Single detached garage with loft store	Mrs Z Leedham	Julia McKenzie-Watts
14/0243/FULL	30/04/2014	25/06/2014	14 NEW STREET STOURPORT- ON-SEVERN DY138UW	Change of use of ground floor front room from residential to retail shop "Gallery and Studio"	Mr P Clarke	Emma Anning

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14/0250/RESE	01/05/2014	31/07/2014	FORMER BRITISH SUGAR SITE STOURPORT ROAD KIDDERMINSTER	Redevelopment of part of Development Blocks DEV B(iii) and DEV C within Phase 1 of the former British Sugar site for 92no. dwellings including 6no. affordable units. Reserved Matters approval for scale, appearance, landscaping, layout and internal access within the Development Blocks following outline approval 12/0146/EIA	Taylor Wimpey (Midlands)	Julia Mellor
14/0264/FULL	01/05/2014	26/06/2014	15 & 17 CHAFFINCH DRIVE KIDDERMINSTER DY104SZ	Change of use to residential	Mr & Mrs Gill and Mr & Mrs Minard	Julia McKenzie-Watts
14/0251/FULL	02/05/2014	27/06/2014	19 GROSVENOR AVENUE KIDDERMINSTER DY101SS	Two storey extension to side of existing dwelling	Mr C Ashcroft	James Houghton
14/0256/FULL	02/05/2014	27/06/2014	Land Adjacent to 10 HUSUM WAY KIDDERMINSTER DY103XY	Proposed new dwelling	Mr J Dyas	Emma Anning
14/0249/FULL	06/05/2014	01/07/2014	5 ALDER AVENUE KIDDERMINSTER DY102LD	2 storey extension to the rear	Mr D Thacker	Julia McKenzie-Watts
14/0252/TREE	08/05/2014	03/07/2014	KING CHARLES HIGH SCHOOL HILL GROVE HOUSE COMBERTON ROAD KIDDERMINSTER DY101XA	Fell 4 Trees	KING CHARLES HIGH SCHOOL	Emma Anning
14/0255/TREE	08/05/2014	03/07/2014	LAND AT THE REAR OF 7 PINTAIL GROVE KIDDERMINSTER DY104RT	Fell Tree	Dr C Ross	Emma Anning
14/0253/TREE	08/05/2014	03/07/2014	KING CHARLES HIGH SCHOOL HILL GROVE HOUSE COMBERTON ROAD KIDDERMINSTER DY101XA	Remove dead limbs and branches from Cedar Tree at the rear of Renwick Building	OAKLEAF GROUNDS SERVICES	Emma Anning

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14/0260/FULL	09/05/2014	04/07/2014	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY DY121LF	New Wolf House	WEST MIDLAND SAFARI PARK	Paul Round
14/0262/FULL	09/05/2014	04/07/2014	WEST MIDLAND SAFARI PARK SPRING GROVE BEWDLEY DY121LF	Extension to office	WEST MIDLAND SAFARI PARK	Paul Round
14/0265/FULL	12/05/2014	07/07/2014	9 ARLEY LANE HOUSES SHATTERFORD BEWDLEY DY121RZ	Single storey extension to front	Mrs Murphy	Julia McKenzie- Watts
14/0280/FULL	12/05/2014	07/07/2014	HURCOTT HALL FARM HURCOTT KIDDERMINSTER DY103PH	Change of use to keeping of horses and construction of equestrian ménage	Mrs S Vale	James Houghton
14/0266/FULL	12/05/2014	07/07/2014	4 HODGE HILL COTTAGES BIRMINGHAM ROAD KIDDERMINSTER DY103NS	Proposed two storey and single storey rear extensions	Ms H Dhadwal	James Houghton
14/0268/FULL	13/05/2014	08/07/2014	86 QUEEN ELIZABETH ROAD KIDDERMINSTER DY103BG	Two storey extension to the side of house; Single storey extension to rear with canopy to front at ground floor	Mr D Gill	Julia McKenzie- Watts
14/0269/FULL	13/05/2014	08/07/2014	26 BATHAM ROAD KIDDERMINSTER DY102TN	Erection of play house in rear garden	Ms T Bailey	Julia McKenzie- Watts
14/0267/FULL	13/05/2014	08/07/2014	3 HODGE HILL COTTAGES BIRMINGHAM ROAD KIDDERMINSTER DY103NS	Proposed two storey and single storey rear extensions	Ms H Dhadwal	James Houghton
14/0277/FULL	14/05/2014	09/07/2014	14 COMBERTON PLACE KIDDERMINSTER DY101QR	Change of use of ground floor to Restaurant & Cafe (Use Class A3)	Mrs M Poulton	Julia Mellor

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14/0278/FULL	15/05/2014	10/07/2014	HIGH HABBERLEY HOUSE / HOLYFIELD HOUSE NURSING HOME HABBERLEY ROAD KIDDERMINSTER DY115RJ	Extensions to improve existing rooms, provide additional facilities including new entrance, admin facilities and service provision (kitchen and laundry)	Barchester Healthcare Ltd	Paul Round
14/0274/ADVE	16/05/2014	11/07/2014	BRIDGE INN 10 BRIDGE STREET STOURPORT-ON-SEVERN DY138UX	2No. Externally illuminated fascia signs; 1No. Externally illuminated hanging sign and 2No. Non-illuminated placard	Heineken Ltd	Julia McKenzie- Watts
14/0276/FULL	16/05/2014	11/07/2014	FIR LODGE HAGLEY STOURBRIDGE DY8 2XY	Two storey and single storey side extension	Mr M Neale	Julia McKenzie- Watts
14/0285/FULL	19/05/2014	14/07/2014	STOURPORT BOWLING CLUB LICKHILL ROAD STOURPORT-ON- SEVERN DY138SB	Proposed new access to Bowling Club	Mr S Barkas	Julia Mellor
14/0286/FULL	19/05/2014	14/07/2014	7 WATERSIDE GRANGE KIDDERMINSTER DY102LA	Conservatory to side elevation of house	Miss M Magdalena	Julia Mellor
14/0281/FULL	19/05/2014	14/07/2014	FOXMEAD CALLOW HILL ROCK KIDDERMINSTER DY149XW	Retention of agricultural implement store	Mrs M Kent	James Houghton
14/0273/TREE	20/05/2014	15/07/2014	4 SUMMER HILL AVENUE KIDDERMINSTER DY116BU	Fell Conifer Tree	Mr E Haughtey	Emma Anning
14/3028/PNH	20/05/2014	01/07/2014	1 COPE GARDENS STOURPORT- ON-SEVERN DY130BL	Single storey rear extension	Mr T Shaw	John Baggott
14/0300/FULL	21/05/2014	16/07/2014	FORMER TILE CLEARING HOUSE 112 WORCESTER ROAD HOOBROOK INDUSTRIAL ESTATE KIDDERMINSTER DY101HY	Subdivision and change of use of existing vacant retail unit to create one B2 unit for use as an auto centre and one unit for B8 purposes space for sale and display of goods; demolition of lean-to, external alterations and ancillary works.	Formula One Autocentres Ltd	Paul Round



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14/0291/FULL	28/05/2014	23/07/2014	28 NORTHWOOD LANE BEWDLEY DY121AN	Proposed extension to rear of bungalow	MR J BRADLEY	James Houghton
14/0296/FULL	28/05/2014	23/07/2014	LAND ADJACENT 13 TELFORD DRIVE BEWDLEY DY122EP	Proposed dwelling, variation to previously approved scheme.	Mrs H Fletcher	Emma Anning
14/0299/FULL	28/05/2014	23/07/2014	LAND ADJACENT 18 WYRE HILL BEWDLEY DY122UE	Erection of 2No.bungalows with associated car parking	Mr A Evans	James Houghton
14/0295/LIST	28/05/2014	23/07/2014	DEASLAND FARM DEASLAND LANE HEIGHTINGTON BEWDLEY DY122XQ	Repairs and alterations to the east porch. To include timber frame and infill panel repairs, new door and windows, new roof covering and rainwater goods.	MR N FERNIHOUGH	James Houghton
14/0297/FULL	28/05/2014	23/07/2014	153 WINDERMERE WAY STOURPORT-ON-SEVERN DY138QH	Retention of outbuilding as B1 joinery workshop and retention of a link extension	Mr D Rosewarne	James Houghton
14/3029/PNRES	28/05/2014	23/07/2014	GROUND FLOOR 46 GEORGE STREET KIDDERMINSTER DY101PY	Change of use from retail to residential	Mr & Mrs Samson	John Baggott
14/0283/LIST	29/05/2014	24/07/2014	THE BAILIFFS HOUSE 68 HIGH STREET BEWDLEY DY122DJ	Retrospective Application: The proposal is for timber frame and roof repairs; Removal of dormer window and installation of conservation roof lights: New conservation roof light over stair; New window to the south elevation and new half round gutter and circular down pipe.	Mr I Barry-Jones	Paul Round
14/0288/ADVE	29/05/2014	24/07/2014	23 VICAR STREET KIDDERMINSTER DY101DA	1No. Internally illuminated fascia sign and 1No. Internally illuminated projecting sign	JONSIGNS LTD (MR J CAWTHORN)	Paul Round
14/0284/TREE	29/05/2014	24/07/2014	107 HABBERLEY ROAD KIDDERMINSTER DY115PW	Fell Norway Maple	Mr D Knott	Alvan Kingston

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
14/0292/FULL	29/05/2014	24/07/2014	STANKLYN HOUSE STANKLYN LANE STONE KIDDERMINSTER DY104AR	Single storey rear extension with veranda	MR & MRS FREDRICKS	Julia McKenzie-Watts
14/0293/FULL	30/05/2014	25/07/2014	RUSHOCK COURT FARM RUSHOCK DROITWICH WR9 0NR	Erection of agricultural steel portal framed building for grain storage	MR S JENNINGS	Julia Mellor
14/0298/FULL	30/05/2014	25/07/2014	10 GALAHAD WAY STOURPORT-ON-SEVERN DY138SQ	Demolition of existing garages and the erection of a 4 bedroom dwelling with associated parking.	MR A CANTRILL	Paul Round
14/0312/FULL	30/05/2014	25/07/2014	44 BEECHES ROAD KIDDERMINSTER DY115HF	Proposed first floor side extension and canopy	Mr M Hopkins	James Houghton
14/0294/FULL	30/05/2014	25/07/2014	BONNY BRIDGE BARN CAUNSALL ROAD CAUNSALL KIDDERMINSTER DY115YW	Retrospective application for the change Of Use of land for the keeping of horses with ménage and repositioned stable block	Mr C Stubbs	Julia McKenzie-Watts
14/0289/FULL	30/05/2014	25/07/2014	30 BIGBURY LANE STOURPORT-ON-SEVERN DY139JG	PVCu conservatory to the front side elevation	MR & MRS BRATT JONES	James Houghton
14/0290/FULL	30/05/2014	25/07/2014	47 COMBERTON AVENUE KIDDERMINSTER DY103EQ	Hip To Gable Extension, Conversion Of Loft and Dormer to Rear, Rear and front extensions.	Mr M Betts	Julia McKenzie-Watts
14/0302/FULL	30/05/2014	25/07/2014	BARN CLOSE COTTAGE THE HOLLOWAY CHADDESLEY CORBETT KIDDERMINSTER DY104QD	Demolition of existing house and replacement dwelling and new detached garage		James Houghton
14/3030/AG	30/05/2014	27/06/2014	THE WADHOUSE HEIGHTINGTON BEWDLEY DY122YE	Portal frame steel clad agricultural building	Mr A Malpas	Paul Round

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
14/3033/PNRES	30/05/2014	25/07/2014	DEANSFORD GRANGE HARVINGTON KIDDERMINSTER DY104ND	Change of use agricultural building to dwellinghouse	Mr M Allen	John Baggott
14/3026/PNRES	30/05/2014	25/07/2014	LAWLEY'S BARNs HEXTON FARM ARLEY BEWDLEY DY121SW	Change of use of agricultural buildings to form three dwellinghouses	Mr P Lawley	James Houghton
14/0314/FULL	02/06/2014	28/07/2014	136 WILDEN LANE STOURPORT- ON-SEVERN DY139LP	Proposed two storey extension to rear	MR & MRS P RATCLIFFE	James Houghton
14/0315/FULL	02/06/2014	28/07/2014	SHARMIC ENGINEERING LTD BALDWIN ROAD STOURPORT-ON- SEVERN DY139AX	Resubmission of proposed demolition of an existing warehouse and the erection of a replacement warehouse building. Ref 13/0692/FULL	SHARMIC ENGINEERING LTD	Paul Round
14/0307/FULL	02/06/2014	28/07/2014	21 NURSERY GROVE KIDDERMINSTER DY115BG	Single storey extension to front, side and rear	Mr M Hill	Julia McKenzie-Watts
14/0287/FULL	02/06/2014	28/07/2014	6 BRIAR HILL CHADDESLEY CORBETT KIDDERMINSTER DY104SQ	Two storey side extension; single storey rear extension	Mr G Cogzell	James Houghton
14/0305/FULL	02/06/2014	28/07/2014	18 HAY CLOSE KIDDERMINSTER DY115DH	Single storey ground floor extension to the front of the property	Mr Macey	Julia McKenzie-Watts
14/0313/FULL	02/06/2014	28/07/2014	TESCO SEVERN ROAD STOURPORT-ON-SEVERN	Proposed installation of kiosk with 2 ATM Machines at Store approved under 07/1105/EIA and 10/0706/RESE	Tesco Stores Ltd	Julia Mellor
14/0311/FULL	02/06/2014	28/07/2014	7 STONECHAT CLOSE KIDDERMINSTER DY104JF	First floor side extension	Mr D Wheeldon	Julia McKenzie-Watts
14/3031/PNH	02/06/2014	14/07/2014	52 CORONATION WAY KIDDERMINSTER DY103AX	Single storey rear extension	Miss T Edwards	John Baggott

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
14/3032/PNH	02/06/2014	14/07/2014	THE FIRS ROCK KIDDERMINSTER DY149YP	Single storey rear extension	Mr P Edmunds	John Baggott
14/0306/FULL	03/06/2014	29/07/2014	40 LAND OAK DRIVE KIDDERMINSTER DY102SY	Rear two storey extension	Mr S Reynolds	Julia McKenzie-Watts
14/0308/FULL	03/06/2014	29/07/2014	18 FRANCHE ROAD WOLVERLEY KIDDERMINSTER DY115TP	Single and two storey extensions two side and rear	Mrs L Palmer	Julia McKenzie-Watts
14/0301/FULL	04/06/2014	03/09/2014	TEC ELECTRIC MOTORS LTD BUILDING 2 RUSHOCK TRADING ESTATE RUSHOCK DROITWICH WR9 0NR	Proposed two storey side extension to existing office, single storey extension to existing storage building and erection of new storage building	TEC ELECTRIC MOTORS LTD	John Baggott
14/0309/CERTP	04/06/2014	30/07/2014	HEATHSIDE LOWER HEATH STOURPORT-ON-SEVERN DY139PG	Side extensions	Mr & Mrs T Todd	Julia Mellor
14/0310/FULL	04/06/2014	30/07/2014	19 MOOR HALL LANE STOURPORT-ON-SEVERN DY138RB	Two storey side and rear extension	Mr & Mrs Bennet	Julia Mellor
14/0304/FULL	05/06/2014	31/07/2014	123 WYRE HILL BEWDLEY DY122UQ	Single storey extension to side and rear; modification to front porch; replacement of current windows; replacement garage to side	Martin Evans Architects	James Houghton
14/0320/FULL	05/06/2014	31/07/2014	BEWDLEY HIGH SCHOOL STOURPORT ROAD BEWDLEY DY121BL	Extension to school hall	BEWDLEY HIGH SCHOOL & SIXTH FORM (MRS C FARRELL)	James Houghton
14/0323/FULL	05/06/2014	31/07/2014	KIMBAY KINGSFORD LANE WOLVERLEY KIDDERMINSTER DY115SN	Change of use land to domestic	Mr & Mrs Smith	Emma Anning

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
14/0303/FULL	05/06/2014	31/07/2014	47 BROADWATERS DRIVE KIDDERMINSTER DY102RY	Replace flat roof over kitchen to rear with pitched roof	Mr d Maiden	James Houghton
14/0319/FULL	05/06/2014	31/07/2014	15 HAFREN WAY STOURPORT- ON-SEVERN DY138SJ	Two storey side extension, single storey front and rear extensions and replacement of double garage	Mr & Mrs Varndell	James Houghton
14/0333/FULL	05/06/2014	31/07/2014	291 CHESTER ROAD NORTH KIDDERMINSTER DY102RR	Rear single storey extension	Mr & Mrs S Flowers	Julia McKenzie-Watts
14/0321/FULL	06/06/2014	01/08/2014	7 BATHAM ROAD KIDDERMINSTER DY102TW	Erection of single storey rear extension	Mrs J Todd	Julia McKenzie-Watts
14/0322/FULL	09/06/2014	04/08/2014	9 HAZELDENE STOURPORT-ON- SEVERN DY139NH	Single storey side extension	MRS COLE	James Houghton
14/0325/LIST	09/06/2014	04/08/2014	HARVINGTON HALL HARVINGTON HALL LANE HARVINGTON KIDDERMINSTER DY104LR	Replacement of modern door panel with historic door panel	HARVINGTON HALL MANAGEMENT COMMITTEE (MRS S BREEDE	Julia McKenzie-Watts
14/0326/FULL	09/06/2014	04/08/2014	W R V S LAX LANE BEWDLEY DY122DZ	Residential Development comprising of 5no. dwellings with associated access.	Matrix Realty Homes Ltd	Emma Anning
14/0324/FULL	09/06/2014	04/08/2014	REAR OF 80 BIRMINGHAM ROAD KIDDERMINSTER DY102SR	Retention of motor vehicle repair garage and proposed use of garage for mot's (Sui Generis)	BIRMINGHAM ROAD GARAGE (MR P BARLOW)	Julia Mellor
14/0317/FULL	10/06/2014	05/08/2014	67 BEWDLEY ROAD STOURPORT- ON-SEVERN DY138YA	Proposed single storey extension to side and rear	MR D PARKES	James Houghton

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
14/0331/FULL	10/06/2014	05/08/2014	YEW TREE COTTAGE ROCK KIDDERMINSTER DY149YP	Propose single storey extension to rear	Mr C Hadley	James Houghton
14/0318/FULL	10/06/2014	05/08/2014	THE BANNERINGS TRIMPLEY BEWDLEY DY121PW	Proposed inglenook fireplace and chimney	MRS A UNDERWOOD	Julia McKenzie- Watts
14/3034/PNRES	10/06/2014	05/08/2014	TRIMPLEY GREEN FARM TRIMPLEY BEWDLEY DY121NR	Change of use of Agricultural Building to a Dwellinghouse	MR R WASSELL	John Baggott
14/0338/ADVE	11/06/2014	06/08/2014	TESCO SEVERN ROAD STOURPORT-ON-SEVERN DY13	Proposed signage for retail store, associated car park and petrol filling station approved under Planning Application 07/1105/EIA & 10/0708/RESE	TESCO	Julia Mellor
14/0339/ADVE	11/06/2014	06/08/2014	TESCO SEVERN ROAD STOURPORT-ON-SEVERN DY13	Proposed 7m high gantry sign for new store and 5.7m high gantry sign for new petrol filling station	TESCO	Julia Mellor
14/0332/FULL	11/06/2014	06/08/2014	KIDDERMINSTER HARRIERS SOCIAL & SUPPORTERS CLUB HOO ROAD KIDDERMINSTER DY101NB	Replacement of existing timber temporary building with a permanent structure	KIDDERMINSTER HARRIERS SOCIAL & SUPPORTERS CLUB	Emma Anning
14/3036/PNH	11/06/2014	23/07/2014	5 GHELUVELT AVENUE KIDDERMINSTER DY102QP	Single storey rear extension	Mrs S Khan	John Baggott
14/0328/FULL	12/06/2014	07/08/2014	17 CLAUGHTON STREET KIDDERMINSTER DY116PR	Proposed conservatory to the rear elevation	Miss H Yardley	Julia McKenzie- Watts
14/0335/FULL	12/06/2014	07/08/2014	30 MANOR AVENUE KIDDERMINSTER DY116EA	First floor extension over existing rear ground floor extension with side extension w.c.	Mr & Mrs Freeman	Julia McKenzie- Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
14/0334/FULL	12/06/2014	07/08/2014	22 KIMBERLEE AVENUE COOKLEY KIDDERMINSTER DY103TN	Proposed single storey extension to side and front porch	Mr S Gellatly	James Houghton
14/0336/FULL	13/06/2014	08/08/2014	1 AUDLEY DRIVE KIDDERMINSTER DY115NE	Porch on front elevation	Mr D Dutton	Julia Mellor
14/0341/FULL	13/06/2014	08/08/2014	OXFORD HOUSE & WORCESTER HOUSE WORCESTER STREET KIDDERMINSTER DY101ER	Replacement of windows and redering (including insulation) external walls	DNG PROPERTIES	James Houghton
14/0316/FULL	16/06/2014	11/08/2014	202 BIRMINGHAM ROAD KIDDERMINSTER DY102DB	Proposed dropped kerb	Mr C Hawthorne	James Houghton
14/0327/TREE	16/06/2014	11/08/2014	411-413 CHESTER ROAD NORTH KIDDERMINSTER DY101TB	Cut back branches from Walnut, over hanging an apartment block by a maximum of 2.75m and cut back a Yew by a maximum of half a metre.	Oak House Mangement Ltd	Alvan Kingston
14/0337/FULL	16/06/2014	11/08/2014	CHARLESWOOD CARAVAN SITE NORTHWOOD LANE BEWDLEY DY121AP	Change of use of toilets to 2No. holiday lets	Mr M Loveridge	Paul Round
14/3035/PNRES	16/06/2014	11/08/2014	94-98 KIDDERMINSTER ROAD BEWDLEY DY121DQ	Change of use Offices to 8 Flats	Mr A Hartlebury	John Baggott
14/0330/FULL	18/06/2014	13/08/2014	WATERLOO STREET KIDDERMINSTER DY102ED	Renewal of Planning Permission for cars Sale Site	Summerfield Industries Ltd	Paul Round
14/0282/FULL	18/06/2014	13/08/2014	CORBESLEY HOUSE THE VILLAGE CHADDESLEY CORBETT KIDDERMINSTER DY104SD	6 x 3m shed	Mr & Mrs Adams	Julia Mellor
14/0329/LIST	18/06/2014	13/08/2014	BRIDGE INN 10 BRIDGE STREET STOURPORT-ON-SEVERN DY138UX	2No. Externally illuminated fascia signs; 1No. Externally illuminated hanging sign and 2No. Non-illuminated placard	Heineken Ltd	Julia McKenzie- Watts

WF No.	Valid Date	Target Date	Address of Site	Description of Proposal	Applicant	Case Officer
14/0340/FULL	18/06/2014	13/08/2014	9 HUNTS RISE BEWDLEY DY121HR	Two storey extension to side of house, single storey extension to rear and porch to front	MR B OWEN	Julia McKenzie- Watts
14/3027/PNH	27/06/2014	08/08/2014	9 CARTERS GARDENS KIDDERMINSTER DY116LR	Single storey rear extension	Mr I Curtis	John Baggott



## WYRE FOREST DISTRICT COUNCIL

Planning Committee

08 July 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	
			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
WFA1430 13/0688/FULL	APP/R1845/A/14 /2214511	Mr M Dangerfield	LAND TO THE REAR OF 8 CHESTNUT GROVE KIDDERMINSTER  Demolition Of Existing Garages and Erection Of New Bungalow and Associated Car	WR  05/03/2014	16/04/2014			Dismissed  09/06/2014
WFA1431 13/0620/FULL	APP/R1845/A/14 /2214746	Mr J Dalman	28 MIDDLETON ROAD KIDDERMINSTER DY115EZ  Change of use to 3 No. one bed flats	WR  05/03/2014	16/04/2014			Allowed  09/06/2014
WFA1434 13/0600/FULL	APP/R1845/A/14 /2217140	MRS A NICHOLLS	CORNER PADDOCK HORSELEY HILL WOLVERLEY KIDDERMINSTER  Change of Use of Land to the Keeping of Horses. Erection of Stable Block.	WR  09/05/2014	20/06/2014			

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
WFA1435 13/0603/FULL	APP/R1845/A/14 /2217147	Mrs B Jancso	PINE & HORSELEY PADDOCKS HORSELEY HILL WOLVERLEY  Change of use of land to the keeping of horses and erection of stable building with tack shed.	WR  09/05/2014	20/06/2014			
WFA1436 13/0640/FULL	APP/R1845/A/14 /2217152	Mrs L Henderson	SPRING PADDOCK HORSELEY HILL FARM HORSELEY HILL WOLVERLEY  Change of use of land to the keeping of horses and erection of stable block	WR  09/05/2014	20/06/2014			

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
WFA1437 12/0784/FULL	APP/R1845/A/14 /2218688	Mr I Grant	75 MILL ROAD STOURPORT-ON- SEVERN DY139BJ  Demolition of existing houses (75-77 Mill Road) and erection of 7 dwellings with associated access, parking and alteration of Public Right of Way. (Renewal of Planning Permission 08/0490/FULL)	WR  13/05/2014	24/06/2014			

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## Appeal Decision

Site visit made on 15 May 2014

**by Andrew Hammond MSc MA CEng MIET MRTPI**

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

**Decision date: 9 June 2014**

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**Appeal Ref: APP/R1845/A/14/2214511**  
**8 Chestnut Grove, Kidderminster DY11 5QB**

- 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 M Dangerfield against the decision of Wyre Forest District Council.
  - The application Ref 13/0688/FULL, dated 19 December 2013, was refused by notice dated 17 February 2014.
  - The development proposed is demolition of existing garages and erection of new bungalow and associated car parking.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are whether the appeal site comprises previously developed land and the effect on the character and appearance of Mouse Lane.

### Reasons

3. The appeal site comprises part of the rear garden of 8 Chestnut Grove upon which is currently sited a pair of attached garages in a poor state of repair.
4. Mouse Lane runs alongside the garden in question with the final section past 8 Chestnut Grove being a public footpath, such that the lane is a cul-de-sac. The proposed bungalow would front onto the turning head at the end of the road.
5. The National Planning Policy Framework (the Framework) supports the development of previously developed land for residential use. However Annex 2 of the Framework explains that certain categories of land, including land in built-up areas such as private residential gardens, are excluded from previously developed land. The Framework further states, at paragraph 53, that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
6. Saved Policy SAL.DPL1 of the Wyre Forest District Council Site Allocations and Policies Local Plan (LP) supports the development of previously developed land within Kidderminster but the Reasoned Justification specifically excludes garden land.

7. The appellant suggests that the site of the existing garages and associated hardstanding is previously developed land and that the footprint of the proposed bungalow would be similar to that of the garages. He further states that redevelopment of the site would contribute to the aims of promoting regeneration and focussing new development in areas which promote sustainable communities.
8. However, it is quite apparent that the existing garages are located within the garden area of 8 Chestnut Grove. It is clear that the area occupied by outbuildings associated with residential development cannot be defined as previously developed land for the purposes of policy as to do so would support in principle the replacement of any garden outbuildings with new residential accommodation, and that cannot be right.
9. The appeal site cannot, therefore, be defined for the purposes of policy as previously developed land.
10. LP Policy SAL.DPL1 goes further than the Framework in specifically excluding all garden land from land where new residential development will be allowed, and in this respect the Policy is inconsistent with the Framework, which only refers to resisting such development where development would cause harm to the local area. That aspect of LP Policy SAL.DPL1 therefore does not carry full weight in the determination of the appeal.
11. Nevertheless the proposed dwelling would be set just 1m behind the back of the footway of Mouse Lane, considerably forward of the neighbouring pair of semi-detached bungalows, such that it would appear unduly prominent in views along the road. In addition the new bungalow would have a severely restricted rear garden in contrast with immediately neighbouring properties to the North-East of Mouse Lane.
12. As a result the proposed dwelling would appear incongruous within the streetscene of Mouse Lane to the detriment of its character and appearance, in conflict with the aims of the Framework and with LP Policy SAL.UP7 and Wyre Forest Core Strategy Policy CP11, which both seek to ensure quality design and local distinctiveness.
13. For the above reasons, and taking account of all material planning considerations, the appeal is dismissed.

*Andrew Hammond*

Inspector

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## Appeal Decision

Site visit made on 22 April 2014

**by Elizabeth Jones BSc (Hons) MTCP MRTPI**

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

**Decision date: 9 June 2014**

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**Appeal Ref: APP/R1845/A/14/2214746**

**28 Middleton Road, Kidderminster, Worcestershire DY11 5EZ**

- 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 Julian Dalman against the decision of Wyre Forest District Council.
  - The application Ref 13/0620/FULL, dated 22 November 2013, was refused by notice dated 26 February 2014.
  - The development proposed is a change of use from 4 bed HMO (House of Multiple Occupation) to 3 no 1 bed flats.
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### Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey extension and a change of use of the existing dwelling to 3 no 1 bed flats at 28 Middleton Road, Kidderminster, Worcestershire DY11 5EZ in accordance with the terms of the application, Ref 13/0620/FULL, dated 22 November 2013, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Floor Plans and Elevations, Proposed Site and Location Plan.
  - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
  - 4) No development shall take place until details of the access, turning space and parking have been submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented before the first use of any of the dwellings. The parking area shall not thereafter be used for any purpose other than the parking of vehicles.
  - 5) No dwelling shall be occupied until space has been laid out within the site in accordance with the proposed site and location plan for 6 bicycles to be parked. The bicycle parking area shall be permanently retained as such thereafter.
  - 6) No dwelling shall be occupied until a bin storage area has been laid out within the site in accordance with the proposed site and location plan for 6 bins. The bin storage area shall be permanently retained as such thereafter.

### **Application for costs**

2. An application for costs was made by Mr Julian Dalman against Wyre Forest District Council. This application is the subject of a separate decision.

### **Procedural Matters**

3. The application form indicates that permission is sought for a change of use from HMO (house of multiple occupation) to 3 no 1 bed flats. Both parties agree in their submission that No 28 has never been used as a house in multiple occupation and is a single dwelling house. For the avoidance of doubt I confirm that my determination of the appeal is for a change of use of a single dwelling house to 3 no 1 bed flats as determined by the Council. I have altered the description accordingly.
4. Whilst not included in the description of development, both parties have agreed that in order to create the space necessary to facilitate the proposal, the single storey side and rear extension granted planning permission ref 13/0482/FULL dated 21 October 2013 would need to be built. It is clear from the information before me that the Council included this extension in their determination. I noted at my site visit that these works have not yet started. The ground floor together with the extension would form two flats with a third flat at first floor. For the avoidance of doubt I confirm that my determination of the appeal includes the single storey side and rear extension and I have altered the description accordingly.
5. The Planning Practice Guidance (PPG) came into force on 6 March 2014 and I have taken this into account in reaching my decision.

### **Main Issues**

6. The main issues are the effect of the proposal on a) the character and appearance of the surrounding area and b) the living conditions of neighbouring residents with particular regard to privacy and noise and disturbance.

### **Reasons**

#### *Character and appearance*

7. Middleton Road comprises predominantly of a mix of detached and semi-detached residential properties. Typically the properties are set back from the highway beyond front gardens with off-street parking. The appeal premises is a semi-detached house occupying a corner plot with a single storey side extension and detached garage situated at the bottom of the rear garden.
8. Policy SAL.DPL4 of the adopted Wyre Forest District Site Allocations and Policies Local Plan supports flat conversions provided, amongst other criteria, that the conversion is not detrimental to the appearance of the building, that the building and the plot is of suitable size for conversion and that the proposal would not be detrimental to the character and appearance of the area.
9. The Council contend that the proposal would cause harm to the defined character of the area because it creates a new frontage of 11 metres along the undeveloped south side of Middleton Road and leaves a minimal set back of 2 metres to the footway. However, a planning permission granted on 21 October 2013, ref 13/0482/FULL already exists for an almost identical



extension in the same position on the site. Regardless of my decision on this appeal, in these circumstances the Council did not find the harm which they have now identified, as a reason to refuse the approved scheme. The extension would have materials to match and would be of a scale commensurate with the existing dwelling. In addition, the existing front door would be the entrance to one of the flats. The entrance to the other two flats would be at the rear of the property. Both these doors would not be visible from Middleton Road. Consequently, I consider that the proposed extension would not be harmful to the street scene.

10. The Council has expressed concerns that the overall plot width would be reduced at the rear due to the location of the proposed parking. The 'proposed' area analysis plan provided by the Council at Appendix C differs from the 'proposed site plan and location' drawing submitted with the application. The submitted drawing shows the introduction of two parking spaces in the front garden and the retention of one parking space in front of the existing garage. Consequently, the width of the rear garden remains unchanged. I have not been provided with any substantive evidence regarding minimal garden sizes. Nor is there evidence to suggest that the existing garden area would be divided. In addition, there is garden space to the front, side and rear of the property. Thus I consider there is sufficient amenity space for the occupants of the three flats. I do not consider the overall layout and design would cause visual harm either to the appeal property or the surrounding area.
11. For the above reasons, I consider the proposal would not appear out of character with the surrounding area. Thus, there would be no conflict with Policies CP11 of the Wyre Forest District Core Strategy (2010) and Policies SAL.DPL4 and SAL.UP7 of the Wyre Forest District Site Allocations and Policies Local Plan (2013) and the guidance of the Council's Supplementary Planning Guidance document *Design Quality* (2004), which amongst other criteria, seek to ensure development would not be detrimental to the character of the area and would integrate well within the existing street scene.

#### *Living conditions*

12. The Council has expressed concerns that the intensification of use within the site would result in a loss of privacy, an intensification in terms of noise and activity and that the number of people living at the property and visiting the site would be in excess of what might reasonably be expected from a single dwelling.
13. The Council argue that the sources of noise and disturbance and loss of privacy are due to the positioning of the parking spaces, bin storage and use of amenity space. The existing plans show that the appeal property was previously a three bedroom house with a downstairs study, garage and a garden. Although, the Council would have no control over the use of the rooms, each flat would have one bedroom, a lounge, kitchen and bathroom. The plans show a separate unit of accommodation at first floor with a bedroom served by a window on the rear elevation. The level of overlooking from first floor windows would remain much the same as the existing use as a three bedroom house and what might reasonably be expected in a residential area. Consequently, there would be no significant loss of privacy as a result of the proposal.

14. On-site parking areas are a common feature in the street scene as many of the nearby dwellings have such parking areas to their front and/or side. Consequently, I consider that the parking spaces would not generate more noise and disturbance than similar parking areas at other nearby properties. The permitted three bedroom house could have a similar number of occupants as the proposal. Furthermore, there is no substantive evidence before me to suggest that the number of visitors would be more than what could reasonably be expected for a single dwelling of this size. I do not consider that even if the proposal led to an increase in the use of the parking spaces and amenity space, it would have a significant impact on the living conditions of neighbouring residents in terms of noise and disturbance and privacy. Similarly, the use of the proposed bin storage is unlikely to have an impact on neighbours to a harmful degree.
15. Therefore, I consider the proposal would not have an adverse impact to a harmful degree on the living conditions of neighbouring residents in relation to privacy and noise and disturbance. Thus, there would be no conflict with Policies CP11 of the Wyre Forest District Core Strategy (2010) and Policies SAL.DPL4 and SAL.UP7 of the Wyre Forest District Site Allocations and Policies Local Plan (2013), which amongst other criteria, seek to ensure, the intensification of the use of the building does not lead to detrimental impacts for neighbouring properties.

#### **Other matters**

16. Both main parties have drawn my attention to the National Planning Policy Framework (the Framework) and the PPG. However, I have not been provided with any substantive evidence which would lead me to conclude that the policies referred to above are inconsistent with the Framework. Nor can I find anything in either the Framework or PPG that would lead me to reach a different decision.
17. A number of representations have been received from local residents voicing concern about the potential impact of the development. I have noted concern about the non-family orientated residents, parking and highway safety. The proposal would entail the provision of residential accommodation in a sustainable location and I have not been provided with any evidence which indicates a shortage of family homes in the area. I do not consider the occupation of the flats would give rise to noise and disturbance which would be harmful in a residential area and, in my view, the design of the proposal would preserve neighbours' privacy. Residents are concerned that the proposal would lead to an increase in on-street parking. However, the proposal would provide three off-street parking spaces, and there is no evidence to suggest that the proposal would materially increase on-street parking to the extent that highway safety would be compromised.
18. Residents have raised concerns regarding the issue of potential for transfer of noise between the proposed flats and No 30. The consultation response from the Council's Environmental Health Officer dated 28 January 2014 states that sound insulation within residential properties should be dealt with under Building Regulations. I agree and therefore a condition requiring such sound insulation is not necessary.
19. Comments expressed by residents in relation to the effect of the proposal on the value of their properties, the setting of a precedent for similar

- development, the proposal being for personal profit and not for the good of the community and the loss of views are noted but do not influence my decision. Reference has been made to the Localism Act 2011 however; I have determined the appeal before me on its own merits in relation to the development plan, the Framework and any other material considerations.
20. Comments expressed by the appellant in relation to the fall back position concerning the use of the property as a house in multiple occupation are noted but do not influence my decision.
  21. The Council has drawn my attention to an appeal decision (27 July 2007) following the issue of an enforcement notice for; *a material change of use of the land from a single dwelling into six self-contained units* (APP/G5180/C/06/2030720). The full details are not before me. However, this appeal related to a change of use from a single dwelling to six self-contained units. From the appeal decision it would appear that this concerned a terraced property and twice the number of units and therefore does not mirror the proposal before me which I have determined upon its own merits.
  22. The appellant has drawn my attention to an appeal decision (22 August 2013) for; *a change of use from a single dwelling to five self-contained one bedroom apartments and one two bedroom self-contained apartment including communal area space for use of tenants and occupants only* (APP/R1845/A/12/2189056). The full details are not before me, however, from the appeal decision it would appear that this concerned the demolition of a building and the erection of a new building and therefore is not directly comparable with the proposal before me which I have determined upon its own merits.

### Conditions

23. I have considered the conditions suggested by the Council in the light of Paragraph 206 of the Framework and the guidance contained in the PPG. However, for clarity and to ensure compliance with the Framework, I have modified, combined and amended wording of some of the suggested conditions where appropriate.
24. For the avoidance of doubt and in the interests of proper planning, it is necessary to require that the development is carried out in accordance with the relevant plans. To ensure a satisfactory appearance to the development I agree that details of the materials to be used for the development are necessary. A condition would be necessary in respect of cycle storage arrangements in the interests of sustainable development. A condition would also be required in relation to refuse storage arrangements to provide satisfactory living conditions for future occupiers. A condition requiring details of the parking and means of access is necessary in the interests of highway safety.
25. The Council suggests a condition restricting various permitted development rights. The PPG states that conditions of this nature will rarely pass the test of necessity and should only be used in exceptional circumstances. Having regard to the character of the area and the relationship with neighbouring dwellings, I consider a restriction of this nature would be unreasonable.

**Conclusion**

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

*Elizabeth Jones*

INSPECTOR

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**8<sup>TH</sup> JULY 2014**

**Proposed Changes to Development Control Procedures  
and Protocols**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Economic Prosperity and Place
<b>CONTACT OFFICER:</b>	John Baggott - Extension 2515 john.baggott@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix A – DCLG Improving Planning Performance Criteria for Designation (revised 2014) Appendix B – Current Scheme of Delegation Appendix C – Proposed revised Scheme of Delegation Appendix D – Proposed revised Planning Practice Note No. 5.

**1. PURPOSE OF REPORT**

- 1.1 To seek the Approval of Planning Committee for proposed changes to existing Development Control procedures and protocols, which have been identified as “System Conditions” which are currently acting as an impediment to delivering timely planning decisions and “making good development happen”, against the backdrop of the Government’s continued emphasis upon Planning performance.

**2. RECOMMENDATION**

- 2.1 To **APPROVE** the adoption of the series of amendments and alterations of established procedures and protocols as set out in paragraphs 10.3, and, 10.6 of this report.
- 2.2 To recommend **APPROVAL** to Full Council for the proposed changes to the Officer Scheme of Delegation and the Pre-Application and Permitted Development Charges, in accordance with paragraphs 10.4 and 10.5 of the report.

**3. CONTEXT**

- 3.1 The Government, in the form of DCLG, is committed to setting challenging targets in terms of Planning Performance, with particular interest in “Major” applications. The Growth and Infrastructure Act 2013 introduced an option for applicants to choose an alternative application route, directly to the Planning Inspectorate, in those cases where the relevant local planning authority is “designated” as not delivering an effective planning (Development Control) service. Local planning authorities are at risk of being “designated” as under-performing where they have a record of failing to decide “Major” applications on time, or where a significant proportion of the authority’s decisions have been challenged successfully at appeal.
- 3.2 Within 12 months of the first introduction of the concept of a “designated” authority, the threshold in terms of deciding “Major” planning applications has been increased (from 30% to 40%, over a two year period). “Major” applications, by their very nature, can involve numerous complex issues and as such their determination within the statutory time period (13/16 weeks) is not always achievable. Added to which, given that the overall number of such applications received by the Council is relatively low, any application determined beyond the statutory time period can have a significant impact upon the performance statistics relied upon by DCLG.
- 3.3 In light of the above, it is essential that Officers take every opportunity to determine such applications within the relevant time period, but not, it must be stressed, to the detriment of a quality decision.

**4. BACKGROUND**

- 4.1 With the initial assistance of Vanguard, the Development Control team, along with associated Technical Support staff, has been actively engaged in a customer focused Systems Thinking intervention. This intervention has served to challenge established procedures and practices in place that have evolved over the years, and has asked questions about “the way we do things” and the value that such practices have in terms of the service delivery, especially from the customer’s perspective.
- 4.2 It is widely recognised that the Development Control service has a critical role to play in delivering economic growth within Wyre Forest District. With the assistance of the Greater Birmingham and Solihull, and, Worcestershire LEPs Officers have engaged with local businesses and developers to better understand their priorities and how the Development Control service can assist. Speed (of decision) and certainty (of pre-application guidance, including saying “no” to inappropriate development) are considered paramount. However, it has become apparent that the most experienced Officers have gradually, over the passage of time, become less accessible to the customers. It is recognised that this is counter intuitive and does not make the best use of this valuable and experienced officer resource. The early identification of the most appropriately experienced officer to deal with pre-application guidance and thereby provide certainty for applicants has

been a “quick win” and has required no formal changes to procedures and protocols.

- 4.3 Whilst Vanguard are no longer actively engaged in the Development Control Intervention, work continues driven solely by Officers, who have brought about a series of changes in the way in which demand on the Development Control service is handled. The introduction of the regular (daily when required) “Triage” sessions has been a notable positive. These sessions bring together all available Officers to validate new planning applications, and through respective experiences identify potential issues at the earliest possible opportunity, rather than later in the process which can make it difficult to negotiate amendments and alterations. This is particularly relevant given the potential knock-on implications for overall performance of the Development Control service, in line with DCLG targets and the Government’s continued drive towards improving Planning performance.
- 4.4 Notwithstanding these changes to working practices, it is a fact that a number of procedures and protocols in place have been adopted in response to challenges and changes that have been experienced by the Development Control service, many of which have their origins from Central Government (DCLG). In some cases they have evolved to address the “what if” or “worst case” scenario, rather than the majority of instances. Following the analysis of working practices through the Systems Thinking Intervention, many are now viewed as being unnecessary, un-customer friendly, overly cautious, and, in varying degrees an impediment to delivering as fast; effective; and, responsive a service as might be achievable. Vanguard refers to such matters as “System Conditions”.
- 4.5 In reviewing “what we do”, and by analysing the data available, a number of impediments to providing a timely and effective service have been identified. The Systems Thinking Intervention has been customer focused, and in this regard certain adopted procedures and protocols are no longer viewed as being as customer focused or friendly as they might be. Whilst these procedures and protocols were undoubtedly written with every best intention at the time, Officers are of the opinion that the time is now right for these to be challenged and, where appropriate, amended. It is these matters, and the recommended changes to procedures and protocols, that are set out below.

## **5. KEY ISSUES**

- 5.1 In total, four specific areas have been identified as warranting amendments to established working practices, and revisions to adopted associated procedures and protocols, and these are set out in turn, below.

### Revised Public Speaking Protocol in respect of Planning Committee.

- 5.2 The current Public Speaking Protocol enables any interested 3<sup>rd</sup> party objector to register to speak against any planning application within an initial 21 day period from the first notification of/publicity for an application, and this will, unless subsequent amendments to the planning application are negotiated which the 3<sup>rd</sup> party is agreeable to, automatically mean that the application

must be referred to and considered by the Planning Committee. In many cases, the application in question can be a relatively straight forward proposal and in full accordance with all relevant policy and guidance, which in the absence of a registered speaker would have otherwise been capable of being dealt with under the current Officer Scheme of Delegation. Furthermore, there have been a number of instances whereby acceptable amendments to an application have been negotiated but the 3<sup>rd</sup> party in that instance has been unwilling to withdraw their request to speak; and, cases when the 3<sup>rd</sup> party has either withdrawn their request at the 11<sup>th</sup> hour or simply failed to attend the Planning Committee, which can be frustrating for Officers and Members alike.

- 5.3 In considering alternatives to the current Public Speaking Protocol, a review of similar protocols of neighbouring Local Authorities has been undertaken. In most cases, the decision upon which applications are referred to Planning Committee is taken by an appropriate Officer of that Local Authority, with “trigger points” often based upon the volume of objections (e.g. 5 letters of objection). However, in considering such an alternative Officers are of the view that volume of objections is not necessarily a reliable indication of clear planning based reasons for objection. Furthermore, it would remove the current more democratic “trigger” of a 3<sup>rd</sup> party being able to make a request for an application to be considered by Members of the Planning Committee, albeit that as described above there can be occasional frustrations due to the subsequent actions of a registered 3<sup>rd</sup> party.
- 5.4 Notwithstanding the aforementioned frustrations, these are not regular occurrences. Having considered alternatives, Officers have concluded that the current Public Speaking Protocol, whereby a 3<sup>rd</sup> party may “trigger” an application being considered by Planning Committee is the most open, transparent and democratic option and as such should be maintained.
- 5.5 However, an amendment to the Public Speaking Protocol is proposed. Currently, an applicant only has the opportunity of a “right of reply” at Planning Committee if they also register within the initial 21 day period. This practice is viewed as being somewhat unfair and in numerous cases in the past applicants have simply failed to register, often based upon their experiences at other Local Authorities where the “right to reply” is automatically allowed and no such 21 day limit exists. It is, therefore, considered that in all cases where an application is reported to Planning Committee and a 3<sup>rd</sup> party objector will be speaking, that the applicant, or representative, be automatically offered the opportunity to speak also, should they so wish.
- 5.6 Should the 3<sup>rd</sup> party subsequently withdraw from public speaking after the applicant has accepted an invitation to speak (i.e. after the Planning Committee Agenda has been finalised), be it before or on the night of Planning Committee, the applicant will still be permitted to address Planning Committee, should they still wish to do so. However, as is currently the case, where no 3<sup>rd</sup> party has registered to speak and the recommendation is one of Refusal, the applicant will not in such circumstances be given an opportunity to speak at Planning Committee.



- Revised Scheme of Delegation in respect of Planning and related functions.
- 5.7 The current Scheme of Delegation is generous and wide ranging, and sets out just 11 cases (not including Planning Enforcement matters) whereby applications must be reported to Planning Committee. These are summarised, and numbered 1-11, in Appendix B. However, further amendments to the Scheme of Delegation are considered desirable, in the interests of providing more timely decisions. This is particularly pertinent when considering the Government's ongoing drive towards improving performance, especially with regard to Major planning applications, and the associated implications of poor performance in this category of application, as referred to earlier in this report.
- 5.8 The following proposed revisions to the Scheme of Delegation, as set out below, are with specific reference to the relevant numbered cases or instances which currently require referral to Planning Committee, as listed within Appendix B to this report.
- 5.9 Case 6 – The applicant is a serving Wyre Forest District Council Officer or is an immediate family member of a serving Wyre Forest District Council officer as defined in the Officers Planning Code of Good Practice.  
Whilst Officers appreciate the rationale behind the current requirements, in the majority of cases the actual nature of the development proposed is little more than a domestic extension or other associated development (e.g. dropped kerb). Furthermore, in the majority of cases the actual serving Officer to whom the applicant is related is employed in a position with the Council such that, even if they sought to do so (contrary to the Officers' Code of Good Practice) they would have no position of "influence" in the decision making process.
- 5.10 It is therefore proposed that only in cases where the serving Officer occupies a senior position within the Council (i.e. Service Manager level, and above) or is serving within a planning related role, that referral of an immediate family member's planning application to Planning Committee is warranted. By way of clarification, for these purposes the definition of a "senior position" is a serving officer employed on Salary Band "M", and above.
- 5.11 Case 7 – Any "major" planning application ..... except applications to vary conditions of an existing planning permission where the Officer considers that the nature of the original development permitted remains substantially unaltered.  
It is only right and proper that the vast majority of major applications be considered by Planning Committee. However, a previous revision to the Scheme of Delegation removed the need to bring S73 applications to vary a previous permission.
- 5.12 Further proposed amendments have been identified as being appropriate to be determined under the Scheme of Delegation, rather than via referral to Planning Committee, and given the Government's previously mentioned continued drive towards improving performance, especially in respect of major planning applications, there appears to be a clear rationale and justification for

now seeking such further amendments to the Scheme of Delegation in this regard.

- 5.13 There are cases where a major application (as defined by DCLG) is only defined as such due to the area of the site. An applicant's "red-line" application boundary can sometimes mean that what in reality is a fairly minor proposal is classified as a major application purely by virtue of the overall site area, and this can also include change of use applications. Furthermore, having previously been granted planning permission for a major application, an applicant or subsequent alternative developer may come forward with relatively minor alterations which in no way alter the nature of the original development (e.g. substitution of house types by a developer). It is therefore proposed that the requirements for major applications to be reported to Planning Committee be amended to reflect such occurrences as these also, and allow these types of major application to be determined under a revised Scheme of Delegation.
- 5.14 Case 9 – Any application where a statutory or non-statutory Consultee (including Parish Councils) has responded to the application in writing with a clearly made planning objection and the application is recommended for approval.  
Currently, all applications where there is an objection from a statutory or non-statutory Consultee (including Parish/Town Councils) are reported to Planning Committee. However, analysis of Planning Committee Agendas over the last 24 months indicates occasions whereby Officers have disagreed or questioned the logic and/or consistency of an objection raised and have recommended approval. Some such examples are:
- an objection from County Highways to the provision of a new dropped kerb to a residential property, when the majority of properties in the immediate vicinity already benefit from such a facility.
  - a Parish Council has raised an objection based solely on the fact that the application has been submitted retrospectively.
  - a consultee has raised factually inaccurate comments (e.g. has referred to an application site being within a conservation area, or, within the Green Belt, when it is not).
  - a consultee has raised unrelated matters that are actually "permitted development".
- 5.15 In such instances, it is considered that the discretion of the Development Manager should be relied upon to decide whether an application need to be considered by the Planning Committee (i.e. under Case 3 of the current Scheme of Delegation), in consultation with the Chairman of Planning Committee where considered necessary.
- 5.16 Case 10 – Any application ..... where a request by a 3<sup>rd</sup> Party has been made to speak at Planning Committee...  
In accordance with the recommendation made under paragraph 4.4, above, regarding the Public Speaking Protocol, it is proposed that the wording of

Case 10 be amended accordingly so as to be consistent with the proposed revised Public Speaking Protocol.

Changes to the Pre-Application and Permitted Development charges.

- 5.17 Charging for pre-application and permitted development enquiries was first introduced in April 2010 following a joint piece of work involving all six Worcestershire District Councils, with a then common tariff of charges introduced for a wide range of pre-application advice.
- 5.18 Since its first introduction, however, the six District Councils have gradually moved away from a common tariff of charges, and in some instances have ceased charging for the full range of services originally agreed. In terms of Wyre Forest District Council, it is noteworthy that the level of income generated from Pre-Application and Permitted Development Enquiries has reduced, (as summarised in the table below). The numbers of domestic permitted development enquiries has steadily fallen, and at £29 an enquiry the charges are minimal and would require a significant number of such enquiries to deliver any really meaningful income. That said, it must be remembered that this service can not, legally, be a profit making service; it must merely cover the costs associated with providing the service.

TABLE: Summary of income generated since the introduction of a charge for pre-application and permitted development advice.

Financial Year	Pre-App Income	No & Value of Major Pre-Apps	PD Income	Total
2010/11	£17,402.21	3 = £7,000	£3,343.53	£20,745.74
2011/12	£15,270.79	3 = £6,000	£2,461.58	£17,732.37
2012/13	£11,572.21	0	£2,040.34	£13,612.55
2013/14	£12,770.04	0	£1,357.94	£14,127.98

- 5.19 The Systems Thinking Intervention has challenged the value of charging for pre-application advice, particularly for domestic or minor proposals and certainly such charges would appear counter intuitive when considering the service delivery from the customers' perspective. Added to which, the work undertaken with the respective LEP's has highlighted pre-application charges as being a potential impediment to small businesses that are put-off by the charges involved. This, added to their common reliance upon "cheaper" options in terms of specialist advice can often result in their applications getting into difficulty, when it is these businesses, every bit as much as new large scale investment, that Wyre Forest wishes to encourage and nurture in the interest of prolonged local economic prosperity within the District.
- 5.20 The submission of applications, without pre-application engagement, can often result in a duplication of work and an inefficient use of Officer time. The outcome can be an initial refused application followed by a revised application (addressing the matters given as the reasons for refusal). The benefits of early pre-application engagement with the applicant is that they can be guided

towards a satisfactory outcome and resubmitted applications, and the duplicated work, and costs, associated with them, can be minimised.

- 5.21 In light of the above, it is proposed that the current charges for permitted development advice be removed in their entirety. Charges for pre-application advice would also be removed for all householder and minor proposals. Only the “major” proposals, which would be likely to involve a “Development Team Approach”, which would consist of a multi-discipline team of internal and external consultees, in addition to the Development Control Case Officer, would continue to be subject to charging for the Pre-Application service. Such a proposed change would take effect from 1<sup>st</sup> September 2014, and the existing Guidance Note in relation to the pre-application service and charges will be amended to reflect such proposed changes.
- 5.22 However, it is suggested that the current charges for Arboricultural and Historic Environment advice should be retained and remain unaltered, as these charges are deemed appropriate and , should a prospective applicant chose to do so, they could seek such advice from an alternative source via a suitable consultant.

Changes to procedures for tree applications.

- 5.23 Whilst the Systems Thinking Intervention has centred upon the Development Control service and in particular the processing of planning applications, and associated work, a “mini-intervention” has been undertaken by Officers to review the existing processes and procedures operated in respect of tree related matters, and applications in particular. What this “mini-intervention” has highlighted is the duplication of work being undertaken, with the Council’s Arboricultural Officer circulating an early draft report to the relevant Ward Councillors and the Parish/Town Council, where appropriate, before writing a fuller report in due course. This is clearly undesirable, and appears to be a procedure that has evolved over time which goes beyond the realms of what is really necessary.
- 5.24 All District Councillors receive a weekly list of all new applications within their respective Ward, including any tree related applications and as such, should they have any concerns and questions about such an application are free to contact the Arboricultural Officer directly. The production of a draft report appears unnecessary given such circumstances, and not the most effective use of the Arboricultural Officer’s time, especially as the actual level of response to the draft reports from Ward Members is consistently very low.
- 5.25 In light of this, it is suggested that a draft, or preliminary, report should only be prepared where one is specifically asked for by a Ward Member, or the Parish/Town Council, to reduce the level of unnecessary work undertaken by the Arboricultural Officer. It is also recommended that the opportunity be taken to review and replace the current Planning Practice Note 5 – “Trees and Woodlands within the Planning Process”, to further refine and streamline the process, in accordance with the revised Planning Practice Note 5 attached as Appendix D to the report.

**6. FINANCIAL IMPLICATIONS**

6.1 The financial implications to this report are:

- The potential loss of planning application fees for “Major” applications should the Council become “designated” and in such an instance an applicant choose to bypass the local planning authority and apply directly to the Planning Inspectorate.
- The reduction of income generated from the Pre-Application and Permitted Development Service, which delivers only a minimal level of income. This income has been in gradual decline since the first introduction of the charging regime. Such charges are considered to be counter intuitive to providing a customer focussed service.

**7. LEGAL AND POLICY IMPLICATIONS**

7.1 There are no legal or policy implications.

**8. RISK MANAGEMENT**

8.1 The recently published revised Planning Performance criteria issued by the Government (DCLG) in June 2014 places a greater emphasis upon performance in determining, in particular, “Major” planning applications. Failure to satisfy the criteria set out by DCLG could lead to the Council’s Development Control function being “designated” and lead to Government’s intervention in the Development Control service, as well as enable applicants to apply directly to the Planning Inspectorate.

8.2 It is considered that changes to existing procedures and protocols, in particular the Scheme of Delegation, would provide further assistance in delivering planning application decisions in a timely manner.

**9. EQUALITY IMPACT ASSESSMENT**

9.1 There are no equality impact implications to be considered.

**10. CONCLUSION**

10.1 The Systems Intervention in relation to Development Control is an ongoing process and the procedures and practices will continue to be reviewed in order to deliver a streamlined, effective and responsive, customer focused, service. However, as has been identified in this report there are a number of established procedures and protocols which have already been identified as serving as an impediment to delivering improvements in the service.

10.2 This report sets out a series of “System Conditions” and other procedural matters which Officers consider are desirable to be addressed in the interests of delivering an improved, customer focussed, service, against the backdrop

of the Government's continued review of planning performance, as summarised in the following paragraphs.

- 10.3 Officers to revise the public speaking protocol in respect of Planning Committee in line with the proposals set out under paragraphs 5.4 to 5.6 of this report.
- 10.4 The Officer Scheme of Delegation, in respect of Planning and related functions, be amended in line with the proposals made under paragraphs 5.9 to 5.16 of this report. This will require Full Council approval also.
- 10.5 The current full tariff of permitted development and pre-application charges as set out in the current guidance note be withdrawn, with all but pre-application enquiries relating to major proposals; historic environment; and, tree related matters being dealt with free of charge, as proposed under paragraphs 5.21 and 5.22 of this report. This will require Full Council approval also.
- 10.6 That the current Planning Practice Note No. 5 "Trees and Woodlands within the Planning Process" be revised, in line with the proposals set out under paragraphs 5.24 and 5.25 of this report, and the draft revised Planning Practice Note No. 5, as attached as Appendix D to this report, be agreed.

**11. CONSULTEES**

- 11.1 Corporate Leadership Team (CLT).

**12. BACKGROUND PAPERS**

- 12.1 None.



Department for  
Communities and  
Local Government

# Improving planning performance

Criteria for designation (revised 2014)

June 2014  
Department for Communities and Local Government







Department for  
Communities and  
Local Government

## Improving planning performance

Criteria for designation (revised 2014)

Presented to Parliament pursuant to section 62B of the Town and Country Planning Act 1990.

Draft to lie for forty days, during which period either House of Parliament may resolve that the criteria for designation should not be approved.

June 2014  
Department for Communities and Local Government

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# Introduction

## About this document

1. Section 62A of the Town and Country Planning Act 1990<sup>1</sup> (“the 1990 Act”) allows certain applications to be made directly to the Secretary of State for Communities and Local Government (“the Secretary of State”), where the local planning authority for the area has been designated for this purpose.
2. Section 62B of the 1990 Act requires that the criteria for any such designation, or for revoking a designation, must be set out in a document published by the Secretary of State. This document sets out the criteria that the Secretary of State intends to use for this purpose.
3. The Government consulted on changes to the criteria to be used for designation in March 2014<sup>2</sup>. The response to that consultation, which has been published separately<sup>3</sup>, provides the background to the criteria set out in this document.
4. The criteria have effect from the day following the end of the statutory 40 day period during which Parliament may consider this document, provided neither House has resolved not to approve it<sup>4</sup>.
5. The criteria will be kept under review, with any further changes brought forward through a revised document that will be published by the Secretary of State and laid before Parliament.

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<sup>1</sup> Inserted by section 1 of the Growth and Infrastructure Act 2013.

<sup>2</sup> Planning Performance and Planning Contributions: Consultation (March 2014):  
<https://www.gov.uk/government/consultations/planning-performance-and-planning-contributions>

<sup>3</sup> Planning Performance: Government Response to Consultation (June 2014)

<sup>4</sup> The calculation of the 40 day period is specified in section 62B of the 1990 Act.

# Criteria for designation

## Overall approach

6. A local planning authority can be designated only if, by reference to the criteria in this document, “the Secretary of State considers that there are respects in which the authority are not adequately performing their function of determining applications”<sup>5</sup>.
7. For this purpose the performance of local planning authorities will be assessed in two ways: on the basis of the speed with which applications for major development<sup>6</sup> are dealt with; and the extent to which such decisions are overturned at appeal (as an indicator of the quality of the decisions made by local planning authorities).
8. The specific criteria to be employed in assessing performance in this way are set out below. As the criteria deal with two different aspects of performance, local planning authorities will be assessed against each aspect independently, and so could be designated on the basis of either aspect or both.
9. The performance of authorities in dealing with ‘district matter’ applications and ‘county matter’ applications will be assessed separately<sup>7</sup>. This means that an authority with responsibility for both district and county matters could be designated on the basis of its handling of either category (or both); although the ability for applicants to apply directly to the Secretary of State would apply only to the category of applications (district, county or both) for which the authority had been designated<sup>8</sup>.
10. Data showing the performance of local planning authorities against these measures will be published by the Department for Communities and Local Government (“the Department”) on a quarterly basis. The data will be adjusted prior to publication (and prior to decisions about designations being made) to account for any gaps in the data provided to the Department. The adjustments are detailed in Annex A to this document.

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<sup>5</sup> Section 62B(1)(b) of the 1990 Act.

<sup>6</sup> ‘Major development’ for this purpose is as defined in the notes for completing the Department’s PS1/PS2 and CPS1/CPS2 planning statistics returns.

<sup>7</sup> ‘County matter application’ has the meaning given in paragraph 1 of Schedule 1 to the Town and Country Planning Act 1990 and the Town and Country Planning (Prescription of County Matters) (England) Regulations 2003 S.I. 2003/1033.

<sup>8</sup> For example if a unitary authority were to be designated solely on the basis of its speed in determining ‘county matter’ applications, the ability to apply directly to the Secretary of State would extend only to applications for major development involving ‘county matters’ in that area during the designation period.

11. The Secretary of State will decide whether any designations should be made in October or November each year. Exceptionally, designations or de-designations may be made at other times. Initial designations of county matter authorities were considered in April 2014; the appropriateness of any further county matter designations will be considered in October or November 2014.

## Speed of decisions

12. The **measure** to be used is the percentage of decisions on applications for major development made:
  - (a) within the statutory determination period<sup>9</sup>; or
  - (b) within such extended period as has been agreed in writing between the applicant and the local planning authority<sup>10</sup>;as recorded in the data collected by the Department for Communities and Local Government.
13. The average percentage figure for the assessment period as a whole will be used.
14. The **assessment period** for this measure is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time of designation<sup>11</sup>.
15. The **threshold** for designation is 40% or fewer of an authority's decisions made within the statutory determination period or such extended period as has been agreed in writing with the applicant.
16. There is a limited **exemption** from this measure: local planning authorities will not be liable for designation if they decided no more than two applications for major development during the two year assessment period as a whole.

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<sup>9</sup> The statutory period is 13 weeks, unless an application is subject to Environmental Impact Assessment, in which case a 16 week period applies. See Annex A for the methodology where an application is subject to Environmental Impact Assessment.

<sup>10</sup> The extended period could be through a planning performance agreement or an agreed extension of time (provided this is in writing and sets out a timescale for the decision), where these are recorded in the statistics collected by the Department – see Annex A for details.

<sup>11</sup> For example, for any designations in October or November 2014, a two year assessment period ending on 30 June 2014 would be used (data for the last quarter of this two year period become available in September 2014). The quarterly reporting schedule is set out in Annex A.

## Quality of decisions

17. The **measure** to be used is the percentage of decisions<sup>12</sup> on applications for major development that have been overturned at appeal, once nine months have elapsed following the end of the assessment period; as recorded in the data collected by the Department for Communities and Local Government.
18. The average percentage figure for the assessment period as a whole will be used.
19. The nine months specified in the measure are to enable the majority of decisions on planning applications made during the assessment period to be followed through to subsequent appeals that may be lodged, and for the outcome of those appeals to be known.
20. The **assessment period** for this measure is the two years up to and including the most recent quarter for which data on planning application decisions are available at the time of designation, taking into account the nine months to be allowed for beyond the end of the assessment period<sup>13</sup>.
21. The **threshold** for designation is 20% or more of an authority's decisions on applications for major development made during the assessment period being overturned at appeal.
22. There is a limited **exemption** from this measure: local planning authorities will not be liable for designation if they decided ten or fewer applications for major development during the two year assessment period as a whole.

## Exceptional circumstances

23. Before any designations are confirmed, local planning authorities whose performance has fallen below one of the thresholds will be given a chance to set out any exceptional circumstances which, in their opinion, would make a designation unreasonable. A two week period will be allowed for this, and all such arguments will be taken into account before final decisions are made. Requests that exceptional circumstances should be considered will be judged against two general tests:
  - (a) whether the issue significantly affects the reasonableness of the conclusions that can be drawn from the recorded data for the authority, over the assessment period; or
  - (b) whether the issue had a significant impact on the authority's performance, for reasons that were beyond its control.

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<sup>12</sup> See Annex A for decisions which are included / excluded.

<sup>13</sup> For example, for any designations in October or November 2014, a two year assessment period ending on 31 December 2013 would be used.

24. We will, in considering the first of these tests, take into account corrections that need to be made to the data, where authorities can provide clear evidence that such changes are justified (see Annex A).



# Criteria for de-designation

## Overall approach

25. The Secretary of State will decide once each year whether any designations should be lifted, at around the same time as deciding whether any new designations are to be made.
26. In assessing whether a designation should be lifted, consideration will be given to:
  - (a) the potential capability of the designated local planning authority to deal effectively with applications for major development in future; and
  - (b) the effectiveness of the designated local planning authority in dealing with such applications during the period of its designation.
27. Soon after a designation is made the local planning authority will be expected to prepare an action plan addressing areas of weakness that it identifies as having contributed to its under-performance. In doing so the authority will be able to draw upon support from the Planning Advisory Service, which is funded by the Department for Communities and Local Government. The authority will need to agree the action plan with the Department. The Department will make a formal assessment of progress against the action plan no later than eleven months following the date on which the local planning authority was designated.

## The criteria that will be taken into account

28. A designation will be revoked if the Secretary of State is satisfied that:
  - (a) the designated local planning authority has provided adequate evidence of sufficient improvement against areas of weakness identified in an initial assessment of its performance;and provided that the designated local planning authority:
  - (b) would not, at the time that decisions about de-designation are made, remain eligible for designation on the basis of the criteria (including the relevant assessment periods) in place at the time;
  - (c) has completed, within the timescale specified, any administrative tasks required of the authority in association with applications made directly to the Secretary off State in the area, in at least 80% of cases during the designation period<sup>14</sup>; and

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<sup>14</sup> "Designation period" means the period since the local planning authority was designated under section 62B of the 1990 Act. The administrative tasks are those requirements set out in a development order made under the powers in section 76C(2) of the 1990 Act.

- (d) has not, in the view of the Secretary of State, caused unreasonable delay in signing any section 106 agreements associated with applications submitted directly to him during the designation period.
29. If, having considered these criteria, the Secretary of State concludes that the designation should remain in place, the local planning authority will be given two weeks to set out any exceptional circumstances which, in its opinion, would make a continued designation unreasonable. Such requests will be judged against the tests at paragraph 23 in this document.

## Annex A

# Data sources and adjustments

## Planning applications

30. Information on planning applications, including the numbers decided in each period, the use of planning performance agreements and agreed extensions of time, and the speed of determination, will be collected through the statistical returns supplied quarterly to the Department for Communities and Local Government<sup>15</sup>.
31. Data on the speed with which applications for major development are determined, reflecting the approach set out in this document, will be published by the Department in March, June, September and December each year. This data will not take into account situations where a decision has been taken out of the local planning authority's hands, either through an appeal being made against non-determination within the statutory period, or where the application has been called-in by the Secretary of State (or, in London, by the Mayor of London).
32. The data reported by local planning authorities to the Department already record the extent to which planning applications are subject to bespoke timetables set through Planning Performance Agreements, and whether such applications are determined within the time specified in the agreement. Beginning with the data recorded for the first quarter of 2013-14, the Department has also collected information on post-application extension of time agreements (provided these are in writing and specify a timescale for the decision), and the extent to which applications subject to them have been determined within the period specified in the agreement.

## Adjusting for missing data

33. The Department uses a system of imputing values to provide estimates for quarters for which data are missing for particular authorities<sup>16</sup>. This is used to provide a complete set of data on which to calculate the associated statistics. The methodology for imputation has been considered and assessed by the UK Statistics Authority as following the Code of Practice for Official Statistics.
34. To calculate imputed values, local planning authorities are grouped geographically into 'grossing groups', so that any estimates can reflect the

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<sup>15</sup> Through the PS1 and PS2 returns for district matter authorities, and the CPS1 and CPS2 returns for county matter authorities.

<sup>16</sup> Imputing is not carried out for 'county matter' data, as the relatively small number of county matter applications, and the degree of quarterly fluctuation in the pattern of county matter applications received, makes the process insufficiently robust from a statistical point of view.

pattern of decisions in the same part of the country. To impute the total number of decisions in each category for non-responding authorities we use the proportion of decisions in the current quarter (for responding authorities in the appropriate grossing group), compared to the total for corresponding authorities in the previous quarter, and apply that to the number reported (or imputed) for each of the non-responding authorities in the previous quarter.

35. Once the total number of decisions has been imputed for a missing quarter, it is then proportioned across the remaining variables (such as the number granted, or number of decisions made in 13 weeks). Looking at the current quarter, the sum of each variable for the responding authorities in the grossing group is compared to the total number of decisions for the same authorities to form a factor. This factor is then applied to the total number of decisions that were imputed for each non-responding authority in the group to estimate the value for each variable.

### **Penalties for missing data**

36. To encourage data reporting by local planning authorities, a penalty will be applied where more than two quarters of data are missing in any two year assessment period. The penalties will be applied once any missing values have been imputed<sup>17</sup>, and will be reflected in the performance statistics published by the Department on which decisions about any designations are based.
37. The penalties to be applied will be as follows:
  - One or two missing quarters will be disregarded and no penalty applied (but the missing values will be imputed as described above).
  - If three or four quarters of data are missing, a ten percentage point reduction will be applied to the authority's average figure for the speed of determining applications over the assessment period.
  - If data for five or six quarters are missing, a fifteen percentage point reduction will be applied to the authority's average figure for the speed of determining applications over the assessment period.
  - If data for seven or eight quarters are missing, the authority will be designated automatically, notwithstanding the specific criteria set out elsewhere in this document.

### **Opportunities to correct or supply additional data**

38. Local Planning authorities at risk of designation will be given an opportunity to fill any gaps in the data reported to the Department before any designations are confirmed (in which case the statistics – including any imputed values and penalties that have already been applied – will be recalculated to reflect the additional data that have been supplied). The local planning authority will have

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<sup>17</sup> In the case of 'county matter' authorities, the penalties will be applied without any prior imputation for missing values.

two weeks to provide the missing data once the statistics up to and including the end of the assessment period are available.

39. The way that application data are supplied and recorded was amended for returns from the first quarter of 2013-14 onwards, so that the extended 16 week determination period for applications subject to Environmental Impact Assessment could be taken into account. Any authorities at risk of designation, on the basis of information that in part pre-dates the first quarter of 2013-14, will be given an opportunity to notify the Department of the number of applications for major development subject to Environmental Impact Assessment which were determined during the assessment period and how long they took to decide. A recalculation will then be made to account for this before any designations are confirmed.

## Planning appeals

40. Information on the number and outcome of planning appeals involving major development is collected by the Planning Inspectorate. This will be combined with the data on planning applications collected by the Department to allow the proportion of decisions on applications for major development that are overturned on appeal to be calculated. This will be done on a quarterly basis and the results published by the Department, shortly after the data on the speed of determining applications.
41. For the purpose of these calculations all appeals against a refusal of planning permission (or against planning conditions) during the assessment period will be taken into account, including those arising from a 'deemed refusal' where an application has not been determined within the statutory period. Where a 'split decision' is issued on an appeal (i.e. part of the appeal is dismissed and part allowed), the appeal will be treated as if the local planning authority's decision has not been overturned. Similarly, appeals against conditions will not be treated as having gone against the local planning authority, bearing in mind that the authority will have approved the original application and it is only conditions that are being challenged.

**APPENDIX B (Existing Scheme of Delegation)**

**DELEGATION TO OFFICER: Functions relating to town and country planning and development control**

To exercise authority in respect of all applications, notifications, service of notices and orders or other matters requiring a decision by the Council under the Council's published policy and practice notes and the following legislation, regulations and guidance (and to any re-enactment or replacement of the statutes, or regulations or guidance or any modifications thereof):

Town & Country Planning Act 1990 (as amended)  
Town & Country Planning (General Permitted Development) Order 1995 (as amended)  
Town & Country Planning (Development Management Procedure)(England) Order 2010  
Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended)  
Building Act 1984  
Circular 5/2000: Planning Appeals: Procedures (including Inquiries into Called in Planning Applications)  
Circular 18/1984: Crown Land & Crown Development  
Town & Country Planning (Environmental Impact Assessment) Regulations 2010  
Highways Act 1980  
Planning (Hazardous Substances) Act 1990  
Hedgerow Regulations 1997  
Anti-Social Behaviour Act 2003 (Part 8)  
Goods Vehicles (Licensing of Operators) Act 1995  
Goods Vehicles (Licensing of Operators) Regulations 1995  
Town & Country Planning (Control of Advertisements)(England) Regulations 2007  
National Parks and Access to the Countryside Act 1949  
Wildlife and Countryside Act 1981  
Caravan Sites and Control of Development Act 1960  
Acquisition of Land Act 1981  
Telecommunications Act 1991  
Electricity Act 1989  
Planning and Compensation Act 1991  
Land Drainage Act 1991  
Ancient Monuments and Archaeological Areas Act 1979  
Local Government Planning and Land Act 1980  
Planning and Compulsory Purchase Act 2004  
Clean Neighbourhoods and Environment Act 2005  
Town & Country Planning (Local Development) (England) Regulations 2004  
Commons Act 2006

Except in the following cases:

1. A Wyre Forest District Councillor makes a written request for an application to be considered by the Planning Committee within 21 days of the date of validation of the application.

2. A Parish Council makes a request to speak on an application to be considered by the Planning Committee within 21 days of the date of validation of the application.
3. The Officer or another officer nominated by him/her considers that an application should be considered by the Planning Committee.
4. The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council.
5. The applicant is a serving Wyre Forest District Council Councillor or is a serving Councillor representing Wyre Forest District on Worcestershire County Council.
6. The applicant is a serving Wyre Forest District Council Officer or is an immediate family member of a serving Wyre Forest District Council officer as defined in the Officers' Planning Code of Good Practice.
7. Any 'major' planning application as defined by the Town & Country Planning (General Development Procedure) Order 1995 except applications to vary conditions of an existing planning permission where the Officer considers that the nature of the original development permitted remains substantially unaltered.
8. Any planning application representing a departure from the Development Plan which is recommended for approval.
9. Any application where a statutory or non statutory Consultee (including Parish Councils) has responded to the application in writing with a clearly made planning objection and the application is recommended for approval.
10. Any application except applications for certificates of Lawful Existing Development and Proposed Development where a request by a third party has been made to speak at the Planning Committee, within 21 days of the date of the neighbour notification letter or the site/press notice, and the request accords with the Council's published policy and procedure for speaking at Planning Committee.
11. Applications involving proposed S106 obligations (except where in accordance with the adopted Supplementary Planning Document – Planning Obligations).

**APPENDIX C (Proposed revised Scheme of Delegation)**

**DELEGATION TO OFFICER: Functions relating to town and country planning and development control**

To exercise authority in respect of all applications, notifications, service of notices and orders or other matters requiring a decision by the Council under the Council's published policy and practice notes and the following legislation, regulations and guidance (and to any re-enactment or replacement of the statutes, or regulations or guidance or any modifications thereof):

Town & Country Planning Act 1990 (as amended)  
Town & Country Planning (General Permitted Development) Order 1995 (as amended)  
Town & Country Planning (Development Management Procedure)(England) Order 2010  
Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended)  
Building Act 1984  
Circular 5/2000: Planning Appeals: Procedures (including Inquiries into Called in Planning Applications)  
Circular 18/1984: Crown Land & Crown Development  
Town & Country Planning (Environmental Impact Assessment) Regulations 2010  
Highways Act 1980  
Planning (Hazardous Substances) Act 1990  
Hedgerow Regulations 1997  
Anti-Social Behaviour Act 2003 (Part 8)  
Goods Vehicles (Licensing of Operators) Act 1995  
Goods Vehicles (Licensing of Operators) Regulations 1995  
Town & Country Planning (Control of Advertisements)(England) Regulations 2007  
National Parks and Access to the Countryside Act 1949  
Wildlife and Countryside Act 1981  
Caravan Sites and Control of Development Act 1960  
Acquisition of Land Act 1981  
Telecommunications Act 1991  
Electricity Act 1989  
Planning and Compensation Act 1991  
Land Drainage Act 1991  
Ancient Monuments and Archaeological Areas Act 1979  
Local Government Planning and Land Act 1980  
Planning and Compulsory Purchase Act 2004  
Clean Neighbourhoods and Environment Act 2005  
Town & Country Planning (Local Development) (England) Regulations 2004  
Commons Act 2006

Except in the following cases:

1. A Wyre Forest District Councillor makes a written request for an application to be considered by the Planning Committee within 21 days of the date of validation of the application.



2. A Parish Council makes a request to speak on an application to be considered by the Planning Committee within 21 days of the date of validation of the application.
3. The Officer or another officer nominated by him/her considers that an application should be considered by the Planning Committee.
4. The applicant is Wyre Forest District Council or is made on land owned by Wyre Forest District Council.
5. The applicant is a serving Wyre Forest District Council Councillor or is a serving Councillor representing Wyre Forest District on Worcestershire County Council.
6. The applicant is a serving Wyre Forest District Council Officer or is an immediate family member of a serving Wyre Forest District Council officer **occupying a Senior position within the Council or serving in a Planning related role**, as defined in the Officers' Planning Code of Good Practice.
7. Any 'major' planning application as defined by the Town & Country Planning (General Development Procedure) Order 1995 except applications to vary conditions of an existing planning permission where the Officer considers that the nature of the original development permitted remains substantially unaltered; **applications which are only classified as "major" due to the overall site area as indicated by the applicant (to include changes of use applications); and, applications which propose only relatively minor alterations to what has previously been approved (e.g. substitution of houses types).**
8. Any planning application representing a departure from the Development Plan which is recommended for approval.
9. Any application, **at the discretion of the Development Manager in consultation with the Chairman of Planning Committee**, where a statutory or non statutory Consultee (including Parish Councils) has responded to the application in writing with a clearly made planning objection and the application is recommended for approval.
10. Any application except applications for certificates of Lawful Existing Development and Proposed Development where a request by a third party has been made to speak at the Planning Committee, within 21 days of the date of the neighbour notification letter or the site/press notice, and the request accords with the Council's **revised** published policy and procedure for speaking at Planning Committee.
11. Applications involving proposed S106 obligations (except where in accordance with the adopted Supplementary Planning Document – Planning Obligations).

## Appendix D

<b>INTRODUCTION</b>	<b>1</b>
<b>LEGAL POSITION</b>	<b>1</b>
<b>WYRE FOREST PROCEDURES</b>	<b>2- 4</b>
1. <b>Applications to carry out works to Trees covered by a Tree Preservation Order</b>	<b>2</b>
2. <b>Works to Trees in Conservation Areas</b>	<b>3</b>
3. <b>Making Tree Preservation Orders</b>	<b>4</b>
 <b>Appendix 1</b>	 <b>-    Amenity Evaluation of Individual Trees or Groups for TPO</b>

## Introduction

The protection of trees and woodland are a key element of the planning process in maintaining an attractive environment in which to live and work. The Development Control process plays a vital role in the protection of existing trees and woodlands through the making of Tree Preservation Orders and administering of conditions attached to planning approvals. It also plays an important part in the provision of new planting through the landscaping of new developments.

This guidance note covers 3 procedures:

- Applications to carry out works to trees and woodlands covered by a Tree Preservation Order
- Works to trees in Conservation Areas
- The making Tree Preservation Orders

Section 197 of the Town and Country Planning Act 1990 (as amended) places a duty on local planning authorities “to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees”. Section 198 of the Act further empowers local authorities to make provision for the preservation of trees or woodlands in their area “if it appears ... that it is expedient in the interests of amenity”.

The Town and Country Planning (Trees) Regulations 2012 further advises on the making of Tree Preservation Orders and trees in Conservation Areas. Further good practice is to be found in British Standards 3998: 2010 – ‘Tree Work’ and 5837: 2012 ‘Trees in relation to design, demolition and construction’.

Sections 199 – 210 of the Act provide further statutory requirements in respect of Tree Preservation Orders. Sections 211 – 214 of the Act deal with Trees in Conservation Areas; Section 211 requires prior notice to be given to the Local Planning Authority of works to cut down or carry out work to a tree in a Conservation Area.

## 1. Applications to carry out works to tree and woodlands covered by a Tree Preservation Order.

The following information highlights the procedure to be followed by the Council's Arboricultural Officer when an application for works to protected trees and woodlands is received:

- on receipt of an application the Arboricultural Officer will validate the application to ensure it has the correct information. If not the Arboricultural Officer will either contact the applicant/owner in order to acquire the missing information or (in extreme circumstances) return the application back to the applicant/owner with a note requesting more information.
- once the Arboricultural Officer is sufficiently happy with the application he/she will register the details of the application and generate a individual planning application number.
- publicity of an application for tree works is not a statutory requirement, Therefore any publicity undertaken (i.e. site notice or neighbour notification) will be at the discretion of the Development Manager.
- where publicity is deemed appropriate responses will be required to be submitted within a 21 day period.
- If there has been no prior pre-application site meeting, the Arboricultural Officer will undertake a site visit to assess the condition and amenity of the tree(s) subject of the application.
- upon receipt of a request only, the Arboricultural Officer will provide Ward Members and Parish Councils with a copy of his/her preliminary observations and there after any comments will be required to be submitted within a 14 day period.
- if the Parish Council or Ward Member objects to an application (within the stated time period) which is to be recommended for approval, the application will be reported to the Planning Committee.
- following publicity, if an objector wishes to speak at Planning Committee against the proposed works to a tree(s), the application will be reported to the Planning Committee.
- in all other cases the application will be decided in accordance with the Scheme of Delegation.

## 2. Works to Trees in Conservation Areas

Section 211 of the Town and Country Planning Act requires six weeks notice to be given to the Local Planning Authority before works are carried out (a "Section 211 notice") in order to give the local authority the opportunity to consider making a Tree Preservation Order. Such notice is not required for works to trees with a diameter less than 75mm (measured at 1.5m above ground level)

- on receipt of a Section 211 notice the Arboricultural Officer will check to confirm it sets out clearly enough the work proposed. If not the Arboricultural Officer will request further clarification as to the nature of the work.
- once complete the Arboricultural Officer will acknowledge receipt of the notice in writing specifying the date upon which the six weeks will expire.
- upon receipt of a request only, the Arboricultural Officer will provide Ward Members and Parish Councils with a copy of his/her preliminary observation and they will be given 14 days to make their comments.
- If a Tree Preservation Order is deemed necessary to prevent the proposed works the Arboricultural Officer will write to the person submitting the notice to this effect.
- works to trees subject to a Section 211 Notice must be undertaken within 2 years of list notification to the local authority
- If the Arboricultural Officer deems that the making a Tree Preservation Order is necessary the procedure set out in section 3 below will be adopted

### 3. Making Tree Preservation Orders

Whether the Arboricultural Officer deems a Tree Preservation Order (TPO) is required to prevent works to trees in a Conservation Area or it's at the requests from Elected Members, Parish Councils, Civic Societies, Development Control case officers or members of the public. The making of a new order will follow procedures below:

- The Arboricultural Officer will visit the site and inspect the tree(s) to ascertain if they are worthy of protection.
- The Arboricultural Officer will prepare a plan indicating the trees to be subject of the Tree Preservation Order and forward it together with a schedule of the trees and any additional information e.g. ownership to the Solicitor to the Council to prepare in the Order.
- The Solicitor to the Council will serve the necessary notices in accordance with the Regulations and the Council's Scheme of Delegation, and Ward Members and Parish Councils will be notified to this effect.
- Should objections to the proposed Tree Preservation Order be received they will be acknowledged and considered by the Arboricultural Officer and if it is deemed necessary a TPO Amenity Evaluation Process will be undertaken. (as indicated in Appendix 1).
- The Arboricultural Officer will then prepare a report to the next available Planning Committee with a recommendation to confirm or not to confirm (with or without modification) the Tree Preservation Order.
- If the TPO is subsequently confirmed with modifications the Solicitor to the Council will serve a copy of the modified TPO in accordance with the Regulations.

**WYRE FOREST DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**8<sup>TH</sup> JULY 2014**

**Blakebrook Conservation Area  
Draft Conservation Area Appraisal Consultation**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Economic Prosperity and Place
<b>CONTACT OFFICER:</b>	Peter Bassett – Extension 2536 Peter.Bassett@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1 – Blakebrook Conservation Area Character Appraisal Appendix 2 – Summary of responses

**1. PURPOSE OF REPORT**

- 1.1 To advise Members of the responses received on the Draft Conservation Area Appraisal for the Blakebrook Conservation Area, and to seek Planning Committee approval for the adoption of the Conservation Area Character Appraisal.

**2. RECOMMENDATION**

- 2.1 **That the Committee APPROVES the adoption of the revised Blakebrook Conservation Area Character Appraisal, as attached at *Appendix 1*.**
- 2.2 **That the Director of Economic Prosperity and Place be given delegated powers to determine the final format and presentation of the Character Appraisal.**

**3. BACKGROUND**

- 3.1 The *Planning (Listed Buildings and Conservation Areas) Act 1990* places a duty upon every local planning authority, from time to time, to review and to determine whether any parts or further parts of their area are of special architectural and/or historic interest, the character of which it is desirable to preserve or enhance, and to designate them as Conservation Areas.
- 3.2 At present there are seventeen Conservation Areas in Wyre Forest District. The Adopted Site Allocations and Policies Local Plan (July 2013) at paragraph 7.49 advises that Conservation Areas are “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. It goes on to state at

paragraph 7.51 that “new development, within or adjacent to a Conservation Area, will need to take full account contained within the appropriate Character Appraisal”.

- 3.3 The effects of designation of a Conservation Area include stricter planning controls over demolition, minor development, the protection of trees, and stricter regulation of new development to ensure it preserves and/or enhances the special character of the Area. In addition, Local Planning Authorities have a duty to prepare schemes for the enhancement of Conservation Areas.
- 3.4 Blakebrook has not had a Conservation Area Appraisal since it was designated in 1993. A draft Appraisal was presented to the Planning Committee in February 2014 and a consultation exercise approved: the responses to that consultation exercise are reported in *Appendix 2*.

**4. KEY ISSUES**

- 4.1 As previously stated, the *Planning (Listed Buildings and Conservation Areas) Act 1990* places a duty upon every local planning authority, from time to time, to review and to determine whether any parts or further parts of their area are of special architectural and/or historic interest, the character of which it is desirable to preserve or enhance, and to designate them as Conservation Areas.
- 4.2 Members are advised that the consultation exercise generated an 8% response rate; none of the respondents objected to the Conservation Area.

Some 40% of respondents requested amendments to the proposed Conservation Area Character Appraisal. Members will note the generally supportive nature of the responses, as detailed in *Appendix 2*. Members will also note that in two instances, the responses received were in relation to matters outside of Wyre Forest District Council’s control. However, Officers will refer such matters to the appropriate and relevant parties for their respective attention.

- 4.3 Although the response to the consultation exercise was limited, it has drawn out several issues and there is clearly extensive local knowledge which is invaluable in compiling the final version of the Character Appraisal, as attached at *Appendix 1*.

**5. FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 There are no legal or policy implications.



**7. RISK MANAGEMENT**

7.1 There are no risk management issues.

**8. EQUALITY IMPACT ASSESSMENT**

8.1 An Equality Impact Assessment Screening has been undertaken for Conservation Area Appraisals. This identified that Conservation Area Appraisals have no discernible impacts on the six equality strands.

**9. CONCLUSION**

9.1 Following the consultation exercise, Planning Committee is requested to acknowledge the comments submitted as part of that process, and to approve the revised Conservation Area Character Appraisal for the Blakebrook Conservation Area, as attached in Appendix 1.

**10. CONSULTEES**

- Owners of property.
- Residents within the Blakebrook Conservation Area.
- Kidderminster Civic Society.
- Ward Members for Habberley and Blakebrook.
- County Member for St Johns.
- English Heritage.

**11. BACKGROUND PAPERS**

11.1 There are no background papers.

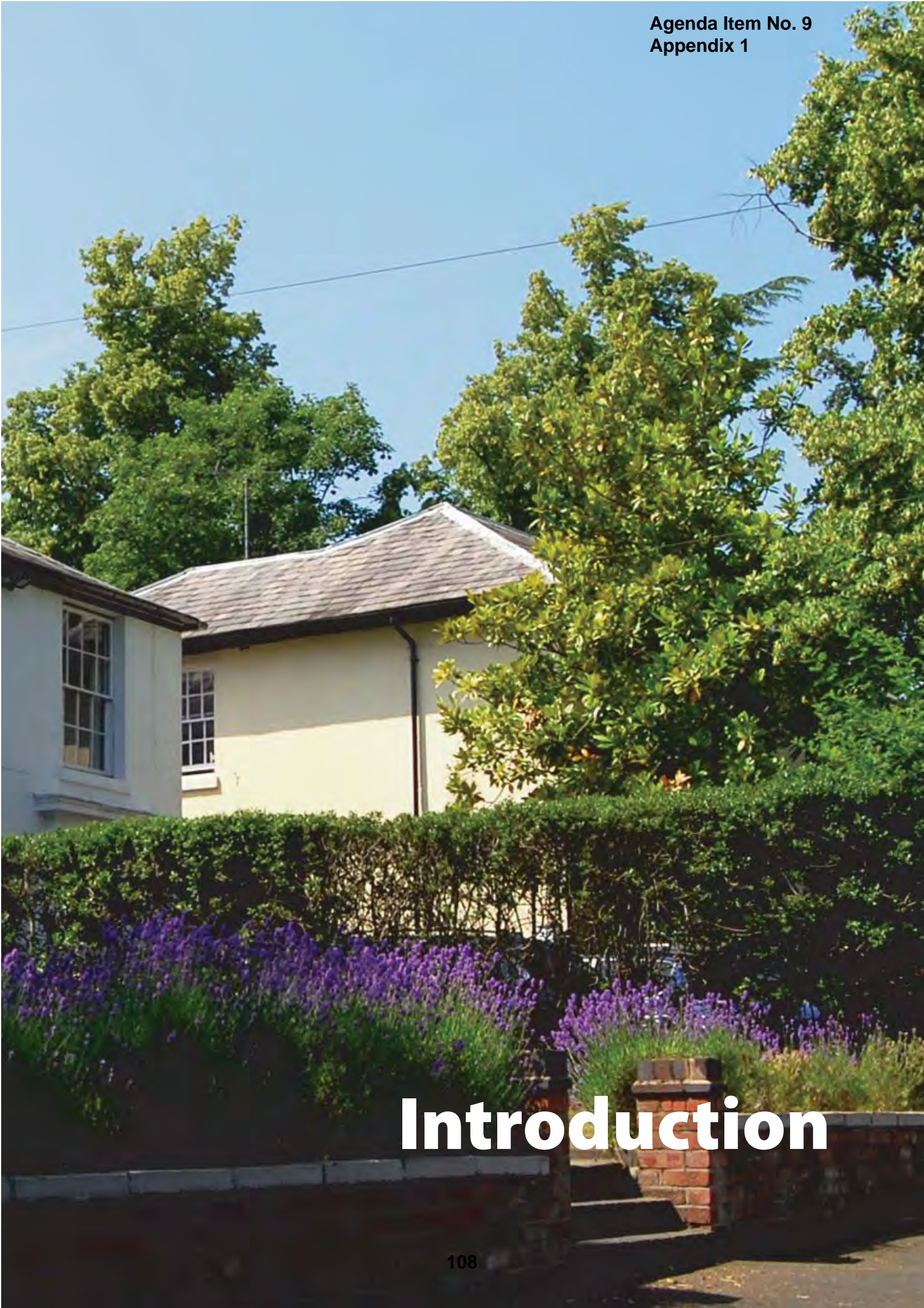


# Blakebrook Conservation Area Character Appraisal

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# Introduction

## 1 Introduction

Blakebrook Conservation Area (the Area) was designated by Wyre Forest District Council in 1993. It covers part of the A4535, off the A456 (Bewdley Road), about 1/2 mile west of Kidderminster Town Centre, in the County of Worcestershire.

The Conservation Area is predominantly residential (although part of the site includes school playing fields) and covers 5.9 hectares (14.65 acres).

This document aims to set out the special architectural and historic characteristics of the Conservation Area. The character appraisal will be of interest (and use) to those involved with development and use of the area, and that adjoining it, and will help to preserve and enhance its character.

The Adopted Wyre Forest Site Allocations and Policies Local Plan and the Adopted Kidderminster Central Area Action Plan include policies linked to the Historic Environment. For Blakebrook Conservation Area Policy, SAL.UP6 of the Site Allocations and Policies Local Plan, which is called 'Safeguarding the Historic Environment', is particularly relevant. This Policy ensures that future development within, or adjacent to the Conservation Area, will need to protect, conserve and, where possible, enhance the Area.



# Legislative and Policy Framework

## 2 Legislative and Policy Framework

The first Conservation Areas were designated under the Civic Amenities Act (1967). This Act was superseded by the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 69 of this later Act imposes a duty on Local Planning Authorities to identify areas that are of special architectural or historic interest, where it is desirable to preserve and enhance the character and appearance, and to designate them as Conservation Areas.

The National Planning Policy Framework (NPPF) has replaced previous Government guidance which was detailed in Planning Policy Statement 5: Planning for the Historic Environment. The NPPF does, however, maintain the importance placed on conserving and enhancing the Historic Environment as well as providing specific advice for Conservation Areas, most notably in Paragraphs 127, 137 and 138.

The General Permitted Development Order 1995 (GPDO) classes a Conservation Area as being “Article 1(5) land”. Whilst planning permission is not required for many types of works outside such areas, control is given to Local Authorities for works being undertaken within Conservation Areas, including, but not exclusively, the enlargement of a dwelling-house, the rendering of such properties, and the installation of antennae and satellite dishes.

The Adopted Wyre Forest Site Allocations and Policies Local Plan and the Adopted Kidderminster Central Area Action Plan contain various policies describing the aims and objectives of the Local Authority in relation to the wider historic environment, and in particular to the preservation and enhancement of the conservation areas within the District. These policies are contained within Appendix 1 of this Appraisal.

It should be noted here that it is not only buildings that are protected when a Conservation Area is designated – trees are also given some protection.



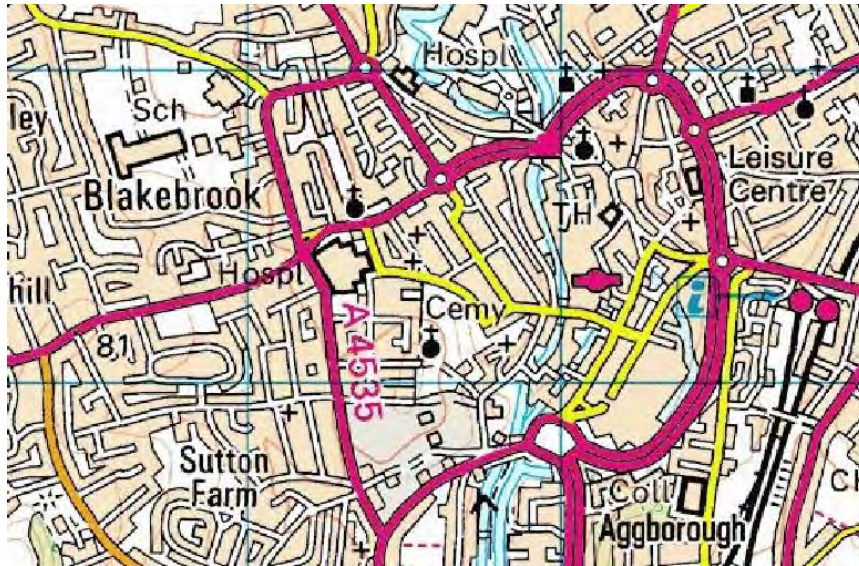
# Analysis of Character



### 3 Analysis of Character

#### 3.1 Setting and topography

Blakebrook is a suburb of Kidderminster in Worcestershire and is located on the western side of the town. The Blakebrook Conservation Area essentially comprises the remains of the Nineteenth Century villa development. It is compact and consists of two distinctly different areas.



General location of Blakebrook relative to Kidderminster town centre

The first is linear development built along both sides of the A4535 road (“Blakebrook”) running north to south and characterised by large houses, some with extensive landscaped grounds.

The second is at the southern end of “Blakebrook” near to its junction with the A456 Kidderminster to Bewdley road and is a large area of grass set within a triangular road junction. Known as “The Green” this area is bordered on two sides by residential development – to the north by detached houses and to the west by a row of terraced houses (“Summer Place”). On the third side, across the busy A456 road, outside the Conservation Area, lies Kidderminster Hospital which was built on the site of the 1836 Union Workhouse.

The Area is surrounded by residential development to the west, north and east, whilst to the north-west are the grounds of Baxter College. To the south is the Kidderminster Hospital site.

The datum of the Conservation Area falls from west to east (towards the valley of the Blake Brook) and from north to south. Thus the lowest point of the Area is “The Green”. The Blake Brook which now flows in a culvert for much of its length, runs from north to south immediately to the east of the Conservation Area.

The Conservation Area sits within a number of larger areas, designated by various agencies including:

Natural England Landscape Area:	Mid Severn Sandstone Plateau
Natural England Natural Area:	Midlands Plateau
Regional Character Area:	Kinver Sandlands

The bedrock geology is part of the Wildmoor Sandstone formation.

### 3.2 Historic evolution

The Blakebrook Conservation Area takes its name from the Black Brook, a small stream, now largely diverted through a culvert, which runs due south from a marshy area near Mason Road, and continues behind the houses to the east side of Blakebrook, under the Bewdley Road and (originally via a series of pools) eventually joins the River Stour to the south of Kidderminster town centre.

The Black Brook formed the old borough boundary, to the west of which common grazing land had stretched for centuries. It was gradually enclosed, and this process continued with an Act of Parliament in 1774 and the award of land in the following year. This included the enclosure of Black Brook Common. Most of the land went to the Lord of the Manor, Thomas Foley. The award lists all the roads and one is described as a 'private wagon and drift road of the breadth of 60 feet out of the public road from the end of Proud Cross Lane into the turnpike from Kidderminster to Bewdley'. This was probably the track which became Blakebrook

Immediately to the north of the Conservation Area was Blakebrook House, constructed sometime prior to 1795. This was demolished around 1950 and replaced by the present police station and associated housing estate, which opened in 1955. It was, for a time, owned by the industrialist Sir Herbert Smith who had purchased Witley Court from the Foley family, and in whose ownership it was at the time of the disastrous fire in 1937.

Opposite the police station, and also outside the Conservation Area boundary, The Cedars, now Kemp Hospice, was built in 1732 as Blakebrook Cottage, for John Broom I, one of the pioneers of the town's carpet industry. John Broom I is credited with bringing the secrets of weaving Brussels carpets to Kidderminster. A mound in the garden is reputed to be the site of Blakebrook Windmill, long since demolished.

Development along Blakebrook appears to have commenced more or less simultaneously at both its northern and southern extremities.

In May 1821, Lord Foley sold a plot of land at the north-eastern end of Blakebrook to Blankley Perrins Willis for £180. Willis was later to be responsible for the development of Oxford Street in the town centre. By

December 1821 he was building two houses (now no's. 18 and 19 Blakebrook) and was mortgaging the property for £350. In April 1824 he sold the completed houses to Abel Lea for £1060. Abel Lea was a manufacturer who formed a partnership with his brother Henry and Robert Carmichael in August 1807. They made silk and worsted stuffs, including bombazine, a very fine material. By the 1820s this industry was in decline and Lea was diversifying into property. Ultimately he owned a row of seven houses on the east side of Blakebrook, which today are no's. 16-22.

At about the same time that the houses at the northern end of Blakebrook were being built, land was purchased to the west of "The Green" and a row of 16 three-storey terraced houses, Summer Place, had been constructed by 1822. Summer Place is important as an early land club and it is certainly the earliest club in Kidderminster known to have completed its building. The terrace survives for the most part, but three houses on the north end of the row were lost to make way for Pineridge Drive in the late 1960's.

Development continued steadily throughout the 1820's. Abel Lea built no's. 16 and 17 in 1824. Next, on the opposite side of Blakebrook was no. 9, The Grove, built in 1826 by Samuel Beddoes. The Grove sat well back from the road in its own grounds (and in which no's. 8 and 10 were built rather more conventionally aligned to the road in 1849). These grounds have now largely been incorporated into Jelleyman Close.

In 1827 John Hooman built The Oaks, now no. 5 Blakebrook. Also in that year, the poor rate records show that William Knight erected no's. 13 and 14 (now White Lodge and Hampton House respectively), a pair of semi-detached houses. Knight was a notable Kidderminster architect, who had for a time been in partnership with John Nettleship. Among the buildings designed by Knight and Nettleship were the Kidderminster Union Workhouse and Greatfield Hall. Knight did not live in either house. Instead he rented them out. The poor rate list of May 1831 shows that Knight subsequently built the neighbouring house, which he did occupy. This is now no. 12, Ravenslea.

It has been suggested that 29 and 30 Blakebrook date from c.1770: however the Ordnance Survey mapping of 1832 shows no development on these plots by that date.

It appears that a several houses in Blakebrook were tenanted by wealthy citizens of the town and the census records from 1841 onwards identify many as being of independent means. Interestingly the 1841 census refers to the road as Blakebrook Common rather than Black Brook Common.

Samuel Lewis in his 1848 book, "A Topographical History of England" refers to:

*BLACKBROOK, or Blakebrook, a hamlet, in that part of the parish of Kidderminster which is called the Foreign, union of Kidderminster, Lower division of the hundred of Halfshire, Kidderminster and W. divisions of the county of Worcester, ½ a mile (W.) from Kidderminster. Several new houses*

*have been erected in this agreeable part of the environs of Kidderminster.*

Development continued into the 1850's; however, it slowed dramatically in the latter half of the 19<sup>th</sup> century with the Ordnance Survey map of 1903 indicating that only three properties: 28, 31 and 32 Blakebrook, had been built since 1884.

St. John's Avenue was the next major development to the west of the Area, and this had largely been laid out by the outbreak of the Second World War. Also by this time, two pairs of semi-detached houses, of the familiar 1930's type with bay windows, had been built on the vacant plot to the north of Summer Place.

Right up to the Second World War, open fields bordered the area to the west and more large houses and their grounds lay to the north, but housing estates and a large police station have radically changed this character since the 1950's.

The school bungalow was built in 1962. Further development was then largely confined to infilling gardens – 28b in 1965, 28c in 1972.

The three northernmost properties in Summer Place were demolished to provide a better visibility splay for Pineridge Drive constructed in the early 1970's.

Jelleyman Close was built in the grounds of 9 Blakebrook in the 1980's followed by 25a in 1993, and 26a and 26b in the late 1990's.

### **3.3 Land-uses**

Land uses in the Area are as follows:

- a) Residential - the predominant land-use in the Area and the majority of which is in historic properties and their gardens.
- b) Education - a small proportion of the area lies within the grounds of St. John's Primary School.
- c) Public space - The Green, surrounded by historic residential properties is a small but important public space at the southern end of the Area.

### **3.4 Colours**

The principal colours within the Area are as follows:

- Greens – of trees, shrubs and grassed areas;
- White, and off-white of painted and rendered buildings of the Regency period;
- Reddish-brown brickwork and creamy white mortar of Victorian and later buildings;

- Lighter reddish-brown bricks and pale-buff cement of modern buildings;
- Dark blue of blue engineering bricks used for copings and boundary walls;
- Dark blue-grey of roofing slate
- White paint-work of window and door frames;
- Dark red of roof-tiles;
- Black of tarmacadam;
- Black of railings and rainwater goods.

### **3.5 Climate**

Climate exerts a number of influences over the Area, including design of buildings, and views within, into and out of the Area.

Roof pitches vary between 20 degrees and 40 degrees, the shallower pitches generally being found on the hipped roofs of the early 19<sup>th</sup> century houses. Later Victorian properties appear to have adopted the steeper pitches associated with the use of red clay tiles. Overhanging eaves are employed to protect elevations from the weather. Wall copings are rounded, chamfered, or angled, allowing the discharge of water away from these structures.

Much of the area has substantial tree-cover and hedgerows, which alter through the seasons, in colour, texture and depth. During the autumn and winter, these allow glimpses through, expanding the depth of vision within and outside the Area.

### **3.6 Public and Private Spaces**

#### **Public Spaces**

Much of the character of the Area is derived from its green and open public spaces. Trees and shrubs add considerable value to the established and wooded suburban character. Surrounded by more densely populated suburbs for the most part, the Area is situated close to grassy school playing fields to the north-west. The principal open space within the Area is The Green, a triangular grassed area lined with mature lime trees, situated at the cross-roads of the A456 Bewdley Hill and A4535 Blakebrook and Sutton Road.



This aerial view of Blakebrook Conservation Area illustrates the predominance of green spaces

### Private Spaces

Private gardens vary in size from expansive landscaped grounds surrounding detached villas to more commonly, narrower plots dictated by the width of individual properties in terraced or semi-detached combinations. The very narrow, shallow front gardens and narrow long rear gardens of the houses in 'Summer Place' are uncharacteristic of the area as a whole.

A feature common to both large and small private grounds is the number of trees and shrubs which contributes enormously to the "green" nature of the Area.

### 3.7 Trees and wildlife

One Tree Preservation Order overlaps into the Area, No. 82, an area-based Preservation Order. Whilst some trees have historically been removed, after the land was developed, most of the trees remain, and are considered as important elements in the local landscape.

All other trees within the Conservation Area enjoy some degree of protection through the Planning (Listed Buildings and Conservation Areas) Act 1990.

Trees form a very significant part of the character of this conservation area, and many are of exotic, coniferous varieties, favoured for their picturesque shapes by 19<sup>th</sup> century landscape gardeners, although native Oaks and Limes are to be found as well.

The most notable trees in the area are to be found at:

- 14 Blakebrook: (Common lime, Common oak, Common beech). All are mature and situated in the front garden;
- Land between Blakebrook and Blakebrook Close: (Holm oak, Common beech, Common ash, Silver birch);
- Brookdale Nursing Home: Atlas cedar, (the huge tree in the front garden), Hybrid black poplar (in rear of garden);
- 21 Blakebrook: Copper beech (in front garden);
- Jelleyman Close: Common lime, Wellingtonia (a fine specimen), Common beech, Atlas cedar;
- The Grove: Douglas fir, Common beech, Common lime (All to the side of the property), Common lime to the front of the property;
- Blakebrook: a wonderful common oak;
- The Green: 16 pollarded limes.



Pollarded Limes at The Green

Because of the number of mature trees, the changes of the seasons affect the area considerably. It is arguably at its best in autumn, when the colour range is greatest, with yellows and golden browns of the deciduous trees contrasting with the deep green of coniferous varieties and the red berries of the holly bushes, all set against the backdrop of a steely blue-grey sky.

## Wildlife

There are at least two European protected species to be found within the Area:

Bats are frequently seen in this Area due to there being a good quality feeding habitat, and many of the older buildings have roost opportunities.

Urban badgers are also a common sight; there is a large sett just outside the area and there may well be outlier setts within the area itself.

Reptiles and amphibians may also be present in places where there are ponds and where the brook is exposed. There is a large breeding grass snake population on the fringe of the area and individuals from this may well migrate to garden pools etc. The same can be said for both frogs and toads. To date, there have been no records of Great Crested Newt but their presence should not be ruled out in larger garden ponds. Smooth newt would be a more likely species.

Other notable species that may also be found include Hornet which is a U.K. priority species.

### 3.8 Watercourses

The Blake Brook runs south south-east about 20 metres to the east of the eastern-most boundary of the Area. Although the common land on which the area was developed falls towards this brook, there are no defined water courses running through the Conservation Area itself.



Route of Blakebrook Culvert marked red: this eventually discharges into the Staffordshire and Worcestershire Canal



### 3.9 Historic pattern and movement

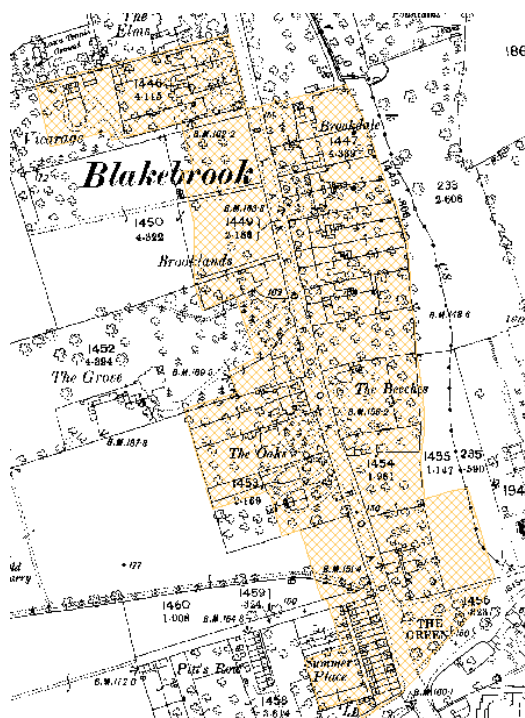
Historically, the land to the north of the turnpike road was common land, and the track which became Blakebrook was described in the 1775 enclosure award as a 'private wagon and drift road of the breadth of 60 feet out of the public road from the end of Proud Cross Lane into the turnpike from Kidderminster to Bewdley'.

The layout of the Area today has altered little since the Nineteenth Century, primarily featuring the development of large residential properties lining Blakebrook to the east and, to a certain extent, to the west.

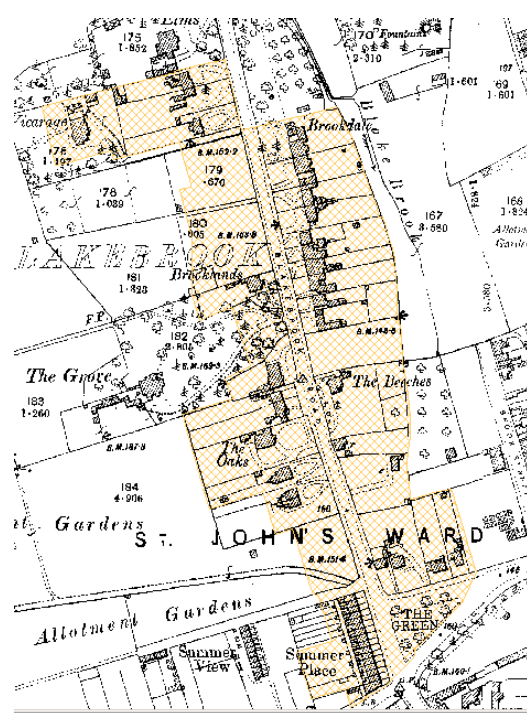
By 1884 a road had been constructed leading due west towards a group of cottages: Pitts Row, (later renamed rather more romantically Summer View and now demolished) situated to the west of Summer Place. This road has now been considerably extended and was renamed Pineridge Drive around 1970. At that time, the junction with Blakebrook was widened with the loss of three houses in Summer Place. Another track, slightly to the north of the road to Pitts Row, led past an old quarry towards Summerhill, a large house (now also demolished).

Leaving Blakebrook, slightly to the north and almost parallel to Pineridge Drive, St. John's Avenue was laid out in the 1930's.

The Grove, a large detached residence set in its own grounds, was approached from Blakebrook by a carriage-drive which has now been largely incorporated into Jelleyman Close.



Map of Blakebrook in 1884



Map of Blakebrook in 1903

Whilst the A456 Bewdley road remains the principal road through the Area with heavy traffic for much of the day, the A4535 Blakebrook has also become very busy at certain times as vehicles use it as a short-cut to the A442 Bridgnorth road.

### 3.10 Illumination and night-time appearance

Street-lighting in the area is mainly of the high-pressure sodium type, giving a warm orange-yellow lighting to the Area during hours of darkness. The main drawbacks of this type of lighting include poor colour rendering at night. Another consequence is that on cloudy nights the sky appears orange as the light reflects off the clouds above.

The lamp posts are modern simple neutral forms which are necessary to provide the height and level of illumination required for highway safety. There are no historic lamps remaining in situ.

Many properties have security lights which shed a bright yellow-white light on the front gardens and driveways as vehicles and pedestrians approach.

### 3.11 Views

Important views into, out of and within the Area are as follows:

#### Within the Conservation Area



View north along Blakebrook



View south along Blakebrook

In summer the most significant view is southwards along the A4535 Blakebrook from a point opposite the school playing field looking through the tree canopy overhanging the road which begins at its junction with Jelleyman Close. Although the road is invariably busy, during gaps in the traffic flow, the canopy creates a wooded enclosure with restricted outward views. The secluded feel is heightened by the slight bend and dip in the road which prevents a view along the full length of the road towards its junction with the A456.

The view northwards from this point is more open, with a lighter, more spacious outlook, the result of a gap in the building line where the school

playing fields border Blakebrook. There are also fewer trees here, although a very tall specimen pine tree in the grounds of number 16 provides a landmark in this direction.

Blakebrook lacks any real landmark buildings as the large houses are generally set well-back from the road and mostly behind hedges or trees.

The most prominent building group within the Area is Summer Place which stands out because it faces 'The Green' and is thus visible for some distance looking westwards along the Bewdley Road.

### Looking out of the Conservation Area

Views out of the Conservation Area are difficult owing to its low elevation compared to its surroundings, and the main thoroughfare, Blakebrook, being lined by trees and houses. The west front and spire of the church of St. John the Baptist to the east does form a significant landmark when viewed from across The Green, and from the end of St. John's Avenue where there is an absence of tree cover. The row of tall trees lining the avenue through St. John's churchyard forms a backdrop to the view stretching off to the north. To the south and south-east the view is mainly filled with the late 20<sup>th</sup> century hospital buildings, although somewhat screened by the hedge. Various 19<sup>th</sup> century buildings can be seen lining Sutton Road, including the last surviving part of the Victorian Workhouse complex which was demolished to make way for the hospital.



View towards St. John's church



View towards the Police Station

The only other long distance view is across the school playing fields, although the many trees effectively screen views further towards Trimpley.

The 1950's police station (which lies just outside the Conservation Area) forms a landmark looking along Blakebrook Road to the north. Looking north-east, the view encompasses the 1970's housing along Blakebrook Close which is mostly well screened by trees.

## Looking into the Conservation Area

Due to a combination of it being surrounded for the most part by residential development and the wooded nature of much of the gardens and grounds of the housing within the Area, there are few significant views into the Area.

Views tend to be along the roads: looking south from the Police Station, looking north from the junction of A4535 Sutton Road and A456 Bewdley Hill, and westwards along A456 Bewdley Road from outside St. John's church. These are generally restricted by the lack of elevation; however the views east towards the Area from St. John's Avenue and Pineridge Drive provide some context for the Area, with a backdrop of St. John's church and other 19<sup>th</sup> century development.

### 3.12 Pattern and density of buildings

a) In summary the general characteristics of the buildings in the Area are as follows:-

**Setting:** Set well back from the road and parallel to it, those furthest back reached by a drive. Larger detached houses are surrounded by landscaped grounds planted with many specimen trees and most houses are separated from the road by a boundary wall.

**Size:** Two storeys in height. Semi-detached and detached houses of moderate to large scale.

**Form:** Mainly of classical proportions: symmetrical, low pitched roofs, many of them hipped. The two storey buildings are wider than they are high. The semi-detached houses are built to look like one large house, not having divisions of any sort externally.

**Materials:** White painted render over brick, or red brick. Stone lintels, cills, porches and other dressings. Slate roofs.

**Style:** Regency/Georgian classical (characterised by plain wall surfaces, usually rendered and painted white, gauged brick flat window arches), Italianate classical (characterised by low pitched hipped roofs with deeply projecting eaves, arched windows surrounded by stone architraves), late Victorian (characterised by moulded brickwork, decorative stone lintels over windows)

**Windows:** Vertically sliding timber sash windows, early 19<sup>th</sup> C ones having many glazing bars and small panes, later 19<sup>th</sup> C ones either with quarter panes or plate glass with no glazing bars.

The main exceptions to the prevalent size and form are, firstly, Summer Place, which is a row of narrower, three storey terraced houses. In other respects they have similar features to the larger detached and semi-detached

houses; brick walls, slate roofs, classical style arched doors with stone jambs, sash windows and they are set back from the road behind small gardens. The other exceptions are numbers 22 and 23, which are separately built three storey buildings, abutting one another.

Apart from the inclusion of part of the grounds of St. John's primary school, the Area is exclusively residential. Whilst development has continued apace outside the Area, within it, the overall pattern and density of building has remained largely unaltered since the turn of the 20<sup>th</sup> century. Most houses of 19<sup>th</sup> century origin are individual designs set within large plots well back from the road. Many houses remain in single family occupancy although other patterns of occupancy include flats and a nursing home. In more recent years there has been a gradual development of some of the larger gardens to accommodate individual modern detached houses. The infill development of the 1930's resulted in the construction of semi-detached houses typical of that era.

The majority of the houses are large, and being relatively few in number, the density of development is low, except at Summer Place adjacent to The Green, which is a terrace, and completely atypical of the building pattern of the Area as a whole. Built by a land trust, it reflects the relatively lower income levels of its original inhabitants, yet nonetheless these houses represent a very considerable step-up from other pre-1875 Housing Act terraces built nearer the town centre. The individual front gardens and proximity to open space and allotments would have mitigated to a large extent the small footprint of each individual plot in Summer Place.

### **3.13 Type of buildings**

The majority of the buildings in the Area are residential or are related to residential uses. Perhaps, surprisingly, these are almost equally divided between detached, semi-detached and terraced properties. Apart from the thirteen houses in Summer Place, most are generously proportioned buildings set within large plots.

### **3.14 Style of buildings**

No single architectural style is predominant within the area which reflects the relatively gradual development throughout the 19<sup>th</sup> century. The rather discontinuous pattern of development during the 20<sup>th</sup> century is also thus reflected in the varied styles of the buildings dating from that period.



Listed Regency house



1930's semi-detached houses

### 3.15 Size and morphology of buildings

The buildings within the Area can be divided into three categories, relating to their age and their use. The first houses were generally built in pairs – 16 & 17 and 18 & 19 for example. These were followed by a series of individual residential buildings which tend to be larger, and set in their own grounds, although some were linked to adjacent properties: 22 & 21 Blakebrook being examples. The more modern residential properties are detached, but smaller and generally set within the historic grounds of the larger buildings. The exceptions are Summer Place (a terrace of three storey houses) and the neighbouring 1930's semi-detached houses.

Most buildings are of either 2 storeys with attic or 3-storeys, although as buildings appear to have been individually designed there is a general lack of consistency in terms of eaves and ridge heights. This lack of standardisation imparts the Area with a good deal of architectural interest.

Whilst some modern buildings reflect the design styles and materials fashionable when they were constructed, others have employed classical or gothic-influenced designs and details. All the buildings within the Area contribute to its overall character, although some more modern materials perhaps contribute less positively to the historic setting than others.

### 3.16 Materials and construction

There is a variety of types of materials and styles of construction throughout the Area, showing the evolution of the settlement through time.

#### a) Walls and construction methods

Red brick is the most common building material within the Area. The brick colour in the more historic properties is a mix of dark orange/red and a more burnt plum-colour. Sizes vary from Victorian standard imperial (9") to modern (65mm).

The mortar used in the jointing is a traditional lime mortar, with a creamy white colour, although a substantial amount of re-pointing with a buff cement-containing mortar

has been undertaken on many of the properties, which could over time lead to the deterioration of the historic brickwork.

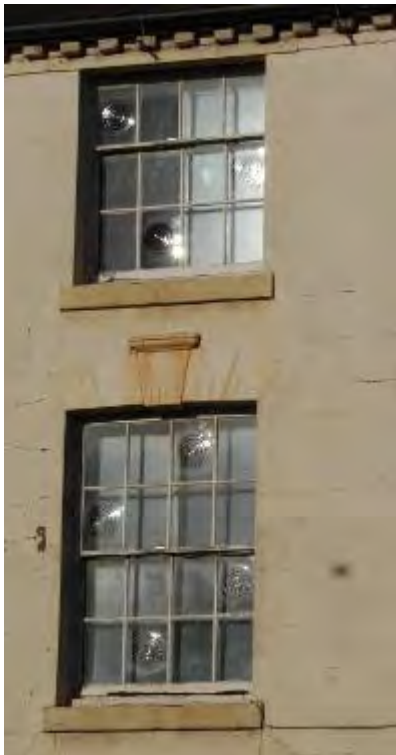
A number of properties have been rendered – in the main this is fine lime-based rendering, but one property in particular has received what appears to be cement-based pebble-dash render. A common feature is that the render has been painted white.

Modern properties within the Area, and those abutting the Area, also utilise red brick for elevations, again with some rendered panel infilling.

## b) Windows

Windows are generally rectangular in shape, mainly vertically orientated. A variety of materials are used, mainly timber, but also upvc and aluminium profile.

Most buildings of the Regency and Victorian periods incorporate vertically-sliding, 3/4 light, sash windows with timber glazing bars and are often present on all elevations of the buildings. The lack of glazing bars on later Victorian buildings reflects the technological advances of that era which permitted the use of larger single panes of glass.



### Historic windows Summer Place

The inter-war housing on the corner of St John's Avenue and Blakebrook features casement bay windows. Earlier bay windows can be found on two properties in Summer Place, and at 6 Blakebrook.

Some more modern properties within the Area feature UPVC or metal windows. Whilst these are not generally permitted on listed buildings there is currently no control on the alteration of windows on unlisted dwelling houses within the Area. Such control could be achieved in future by the imposition of an Article 4(2) Direction, which would have the effect of removing certain specified permitted development rights.

UPVC windows have generally, since their introduction some 30 years ago, featured simple, often heavy, frame designs and this is reflected in the styles of frames currently employed. Nowadays, however, a much wider range of styles with finer detailing is available, in both powder coated aluminium and UPVC, so it is anticipated, as these windows reach the end of their useful life, replacements may be obtained which sit more comfortably amongst the various historic designs within the Conservation Area.

### **c) Doors**

Many historic properties within the Area retain original or replica replacement Regency and Victorian raised-and-fielded 6-panel doors, and particularly good examples can be seen at 166 Bewdley Hill (which is set at right angles to the remainder of Summer Place) and 22 Blakebrook. The door surrounds of these are also generally retained, and tend to be elegant, simple canopied timber door surrounds, with some fluting on the pilasters.



Early 19<sup>th</sup> century doorcase

### **d) Roofs**

The roofs of earlier properties tend to be covered in Welsh slate , for example 9 Summer Place, but the later Victorian roofs feature hand-made red plain clay roof-tiles and some have decorative ridge tiles.



Properties which have their original slates or handmade clay tiles retain more character, whilst those which have been re-roofed in modern machine-made clay tiles have a more uniform appearance. Some historic properties have had their slates replaced in concrete interlocking tiles which generally appear heavy and inelegant. Modern processes can now better replicate the profile of historic roof slates and thus this issue should be avoided in the future.

Roof slopes vary considerably from the relatively shallow pitched and hipped slate roofs of the late Regency period to much steeper tiled pitches found on buildings constructed from the mid-19<sup>th</sup> century onwards.



Comparison between concrete tiles (left) and slates (right)

Chimneys have generally survived and feature on some modern buildings too. They are of varied designs and several, particularly those at Summer Place, feature multiple flues. Historic pots have largely been retained although some loss of traditional historic pots is noticeable, often being replaced with gas flue terminals. Decorative pots are still present on some buildings.

#### e) Rainwater goods

Rainwater goods were traditionally in cast iron, predominantly in half-round or ogee profile for guttering, and supported on rise and fall brackets. In several instances this has been replaced in non-metal upvc guttering which is prone to deflection and fading which can detract from the appearance of more traditional properties. With the increase in metal thefts in recent years

aluminium has become a popular substitute for cast-iron and this can provide an aesthetically acceptable alternative to upvc.

**f) Boundary walls, copings and railings**

Boundary walls are a feature of many properties within the Area, and assist in defining, both physically and visually, the boundary of the individual property. The materials tend to reflect the period of property, mostly of either a deep red, smooth-faced, regular coloured brick, with creamy white lime mortar, or a more irregular coloured brick, similar to those of the buildings, although sandstone is also used. Copings may be of stone, red brick or blue bull-nose or semi-circular brick.



Historic dwarf brick wall



Historic sandstone wall – note decay caused in part by cement pointing

In Blakebrook boundary walls are important features, since most houses are set back from the road. Materials vary from red brick with stone copings at 'The Oaks' (with a modern version at 22) to sandstone employed at 16 and 17. Some sandstone walls (in particular at 26, The Beeches) are exhibiting significant deterioration in part attributable to the use of cement mortar in past repairs, but also due to splashing from passing vehicles. Number 24 has a modern blue engineering brick wall built in a traditional style. The outright demolition of boundary walls to provide easier access for cars has not happened yet and if permitted would radically change the character of the Area. Minor adjustments can probably be made in a sympathetic way to accommodate this need in the future.



New wall built using traditional materials

Gate piers and gates are of particular interest where these have survived in their original form. Of particular interest are the gate piers to 'The Oaks' which are surmounted by stone caps with acorns, obviously a reference to the name of the villa. The gate to 18 Blakebrook is of interest, with its chamfered wooden framing and wrought iron decoration, evocative of the High Victorian gothic style, but also slightly rustic in character.



Historic driveway gate

Railings are also found within the Area, again in varying types and sizes. Although most historic railings were removed during the Second World War for scrap, some modern railings can be found sitting on the wall at 30 Blakebrook. Modern spear-top railings are used to delineate the garden boundary at the junction of Blakebrook and Jelleyman Close: these are not typical of the area, being full height and set into the ground.

Other elements of enclosure include timber fencing, ranging from the more historic three-bar fencing to more modern feather-edged fencing panels, which has been used at the back of pavement in one instance, and which again is atypical of the area.

Remnants of earlier boundaries survive within and adjacent to the Area – these being the hedged town boundary and early enclosure hedges – the mature hedged boundary to the school gives this part of Blakebrook a semi-rural feel.



Hedged boundary to school playing fields

### **3.17 Survival of architectural features**

The controls over the listed buildings within the Area have regulated indiscriminate losses and, together with the care and attention to detail by local residents keen to preserve the character of the Area, many original architectural features survive including:

- Railings, gates and boundary walls – various types are present throughout the Area, including estate fencing, decorative wrought iron railings, brick walls, and timber bar fencing;
- Outbuildings, some of which are used as garaging or stores;
- Traditional windows and doors – both in traditional materials and designs;
- Traditional door-casings, some with classical features, generally of painted timber, but occasionally stone;
- Traditional roofs and dormers –traditional clay tiles, and Welsh blue slate;
- Non-painted or rendered brickwork – showing the dark red of the local brick, with the fine jointed, creamy white mortar joints;
- Pointing – a mix of fine, narrow jointing and wider jointing is present. The majority of the pointing is in a creamy-white lime mortar;

- Terracotta details and decoration



- Decorative corbel brickwork at eaves



- Traditional steps – due to many of the houses being constructed slightly higher than the principal road, steps were often incorporated into the front entrance of the property;

- Benchmarks were used to establish levels for construction – of those shown on the 1884 map only that on the wall at 19 Blakebrook is still in good condition and readily identifiable. It is intended to include all surviving benchmarks on the Local Heritage List as it is revised.



Noticeable losses of, or damage to, original architectural features include the following:

- The installation of UPVC in some properties, for windows/doors and/or rainwater goods;
- The use of cement in pointing and render, together with inappropriate pointing techniques;
- Front doors of a style alien to the building they serve;
- Installation of ground and first floor bay windows into properties in Summer Place, although these were probably introduced in the Victorian Era.

### **3.18 Landmarks, focal points and special features**

#### **a) Landmarks**

Landmarks are buildings, structures, or other features that are important because of their size, design or position makes them particularly noticeable. Special care is needed in the treatment of landmarks.

Landmarks in the Area are as follows:

- 166 Bewdley Hill – this double-fronted property terminates the row at Summer Place and is set on the junction of Blakebrook and Bewdley Hill at the southern-most extremity of the Conservation Area. A prominent feature is the painted sign for Bewdley Street (as Bewdley Hill was originally known).



166 Bewdley Hill, a local landmark

**b) Focal points**

Focal points are buildings, structures or areas that are important because of their position in view lines, or because they are the centre of well-frequented public activity. Special care is needed in the treatment of focal points because they are particularly noticeable to the public. Due to the extent of trees and green cover within the Area, together with several of the larger buildings being set in their own grounds and set back from the main routes, there are few visual focal points in the Area. However, the following are considered as both visual and/or social focal points:

- The Green



- Summer Place

### c) Special Features

There are six entries on the National Heritage List for England within the Area, equating to ten Listed Buildings; there are also three entries on the Kidderminster Local Heritage List, covering fifteen individual dwellings.

#### Listed Buildings

The entries are all Grade II and are: 6 & 7 Blakebrook; 8 Blakebrook (The Limes); 13 & 14 Blakebrook; 16 & 17 Blakebrook; 18 & 19 Blakebrook; 22 Blakebrook.

These, for the most part, represent the early nineteenth century building phase, influenced by leading Regency architects such as Nash, as displayed by their plain, rendered, classical proportions. They are semi-detached houses built to look like one large house, as was the Regency fashion. Number twenty-two, 'Marlborough House,' is the exception; it is smaller in width and three instead of two storeys in height; it is not rendered, with a parapet concealing its roof. It would have been detached when built, but a later 19<sup>th</sup> C building is now joined to the south.

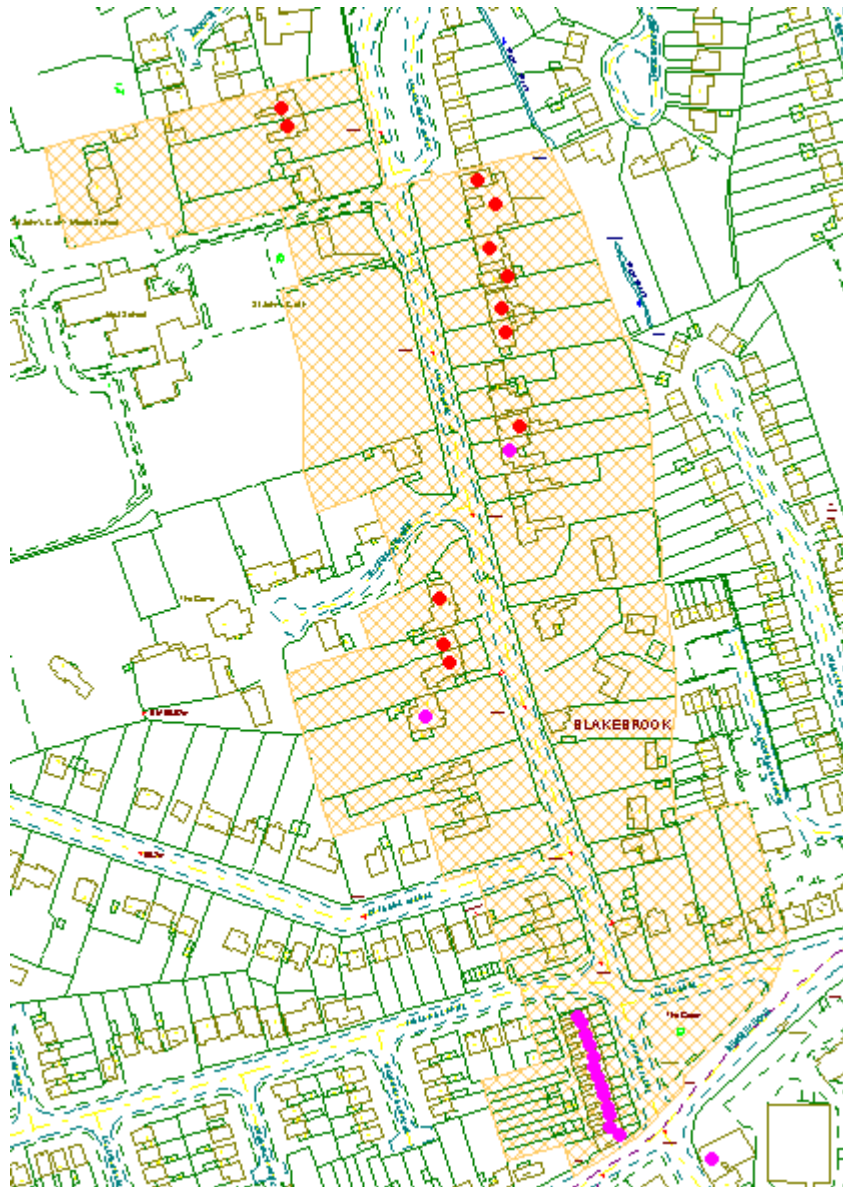
Numbers thirteen to nineteen are concentrated to the north of the area and give it a particularly elegant and affluent appearance, particularly sixteen to nineteen which form an unbroken group along the eastern side of the road. These buildings are very well preserved suburban villa residences, having undergone little or no unsympathetic exterior alteration prior to listing. Their listed status should safeguard them from loss of traditional details; a process which has eroded the character of some unlisted buildings.

#### Buildings included on the Local Heritage List

The most significant of these is the row of terraced houses called Summer Place. Because of its surviving architectural features and its prominent position at the southern end of the conservation area, it sits in contrast to the character of the northern end. The row is somewhat imposing, and this is in part due to its isolation on the western boundary of The Green, and also due to its three storey form with massive chimneys. The architectural features most worthy of protection are the south façade of 166 Bewdley Road with its pedimented porch facing that road and stuccoed street sign with the older name 'Bewdley Street' and the facades of those properties which feature original roofing, wall materials, doors and windows. In recent years some of the quality has been eroded due to the insertion of unsympathetic windows.

The Local Heritage List for Kidderminster is subject to periodic review to ensure that it reflects current understanding of the local significance of the town's heritage assets.





Blakebrook Conservation Area (hatched). Listed buildings are represented by red dots, those buildings on the Local Heritage List by pink dots.

23 Blakebrook is an imposing three bay, three storey high Victorian house featuring a lavish display of wealth, with moulded bricks, large plate glass windows without glazing bars, decorative stone lintels and prominent hipped dormers with terracotta finials to each bay breaking through the eaves at second storey level. It is an interesting and unspoilt visual display of the Victorian taste for elaborate decoration, contrasting with the elegance of Blakebrook's Regency architecture. It is the only historic building in the area to depart so significantly from restrained classicism.

Other buildings are significant more for having well preserved details than for being architecturally distinguished. For the Area to maintain its special qualities, it is desirable that they retain as much of their original character as possible.

The Worcestershire Historic Environment Record contains information on these buildings as well as other heritage assets in and adjacent to the Area including Kidderminster Workhouse and the site of a nearby windmill.

Particular special features include the following:

- The range, ages and variety of period architectural detailing and period construction techniques;
- The historic pattern of roads in the Area;
- Railings and walls to the front of many of the properties;
- Trees and hedges.

Many of these are vitally important in retaining the character of the Area, and should ideally remain undeveloped maintaining its character and appearance.



Listed buildings in contrasting styles

### **3.19 Ground surfaces**

#### **Public Realm**

Standard black-top tarmacadam, is used both for the principal roads and pavements running through the Area. It is the dominant ground material within the Area. This is a non-traditional material that has been in use for 100 years, and due to the layout of the Area and the traffic volumes using the roads, this is now accepted as being appropriate.

At the junction of St John's Avenue and Blakebrook the road is raised onto a speed-reducing table paved in concrete block. These are a very dark grey colour and do not detract from the overall character of the Area.



### Standard tarmac pavement

There are few, if any, verges at the sides of the roads, pavement edges being defined by pre-cast concrete kerbstones.

The Green is the only grassed public space in the Area. Usually this grass is mown short and this enhances the presentation of this part of the Area.

The hard landscape features are considerably softened by the extensive use of hedges as boundary treatments to augment walls and fences.

### Private land

There are various surface treatments to be found within the Area. Historically, only the most prestigious of houses would have had cobbled or paved driveways. Other surfaces include tarmacadam, gravel, block paviors and, more recently, imprinted concrete. None of these surfaces dominates and this variety does contribute to the interest of the Area; however a return to gravel or other appropriate permeable surfaces should be encouraged.

## 3.20 Hard landscaping/ street furniture

There are a good many elements of street furniture within the Area, particularly around The Green and, as these are of functional utilitarian design, unfortunately this does impact negatively on the character and appearance of the Area. Such elements include bus shelters and a telephone kiosk.

The junction of Sutton Road, Bewdley Hill and Summer Place is controlled by traffic signals which have recently received mirrors to provide drivers with a wider field of view. This junction also features a number of road signs, additional posts supporting pedestrian crossing switches, lamp-posts and bollards. All these elements are essential for road safety but appear rather incongruous and intrusive against the backdrop of Summer Place and The Green.

At the junction of Summer Place, Pineridge Drive and The Green, small traffic islands provide refuge for pedestrians crossing the busy road. These in turn

are protected by internally illuminated bollards but being of the standard white plastic variety these do not enhance the Conservation Area.



Telephone Kiosk The Green

Although the lamp-posts are of modern utilitarian design, they are quite unobtrusive as they are tall and widely-spaced. This combination provides the level of illumination necessary for busy wide roads. Shorter, historic pattern lamps would not be feasible on roads such as Blakebrook and Summer Place, and any attempts to better illuminate The Green could have an adverse impact on the wildlife in that part of the Area.

Road markings are a generally unattractive feature of the Area – not only around The Green where the “keep clear” markings appear very intrusive, but also in the vicinity of St. John’s primary school, where there are numerous markings including double yellow lines, both yellow and white “keep clear” and yellow “bus stop” as well as white zig-zags for the pedestrian crossing, white marks for speed humps and white roadway centre lines. Clearly, if there is potential here for some rationalisation of the road markings, this should be investigated as it would improve the appearance of the Area.

A wall-mounted post box with “GR” markings, probably dating from the 1920’s, survives in the wall at 166 Bewdley Hill.



1920's Post Box, Bewdley Hill

### 3.21 Tranquil areas and active areas

Tranquillity is the peace of a place where the noises and views of human mechanical activity do not intrude to a noticeable degree. It is particularly important to retain the tranquil character of such areas. In the Blakebrook Conservation Area tranquil areas are largely restricted to domestic rear gardens.

The most active part of the Area is The Green which is subject to continuous heavy traffic from early morning till late at night. Further activity, both in terms of pedestrian and vehicular movements, is generated by the proximity of this part of the Area to the hospital site. A number of bus routes converge at The Green and this in turn generates pedestrian activity around the bus stops. These areas can be particularly busy in the morning and afternoon rush-hours.

Although Blakebrook itself is a busy road, it seems relatively quiet after one has experienced the noise and activity around The Green. There are often good breaks in the traffic when birdsong can be heard. Pedestrian movements vary enormously according to the time of day – early morning and mid-afternoon are particularly busy as children and their parents make their way up Blakebrook to and from the local schools.

### 3.22 Noise

There is generally a high level of background noise experienced within the Conservation Area at its southern end – an almost continual hum of road traffic during the day becomes more sporadic at night. The hospital does not appear to create a significant amount of noise although sirens of emergency services vehicles are often heard on the main road.

During the day, it is possible to hear children playing in the grounds of the schools and church bells may occasionally be heard, either from St. John's or St. Mary's nearer the town centre.

Within the Conservation Area itself, there is very little noise generated, apart from that of passing traffic. Natural noises include wind in the trees and dogs barking. Other noises include the occasional lawnmower, birdsong, and the conversation of pedestrians.

### 3.23 Paths

Pavements along the roadside or across The Green generally have tarmacadam surfaces; however, these are of varying colours reflecting the patchwork repairs which have taken place over the years.

A considerable amount of tactile paving has been installed within the Area; in the main, this is restricted to pavement edges at road junctions and defined crossing points. This is of the regulation buff colour, and whilst this is undoubtedly essential for pedestrian safety, it does detract somewhat from the appearance of the pavements, particularly as these paving slabs tend to become damaged after a relatively short time.

The paving at the west end of The Green is discontinuous and uneven featuring concrete "crazy paving" and is in need of renewal.



Uneven pavement at The Green

### 3.24 Alien features

Whilst the Area is predominantly “traditional” in character, there are elements that are alien to the character and detract from the appearance of the Area.

Perhaps the most significantly alien feature is the modern housing which has been built within the grounds of 26 Blakebrook. These houses, whilst large and set in their own gardens, have little direct relationship to Blakebrook, being accessed off a private driveway. For the special character of the Area to be maintained into the future, it is essential that the remaining large individual plots are retained undeveloped.

Highways signage is of the standard type utilising modern reflective materials and is thus alien to the character of the Area. The extensive use of this signage at The Green does impact negatively on it.

Similarly, the highways road markings, particularly those outside the school and by The Green, create a very urban feel, at odds with the leafy surroundings.

Traditional treated timber telegraph poles are used to support the cabling belonging to various utilities in the Area, particularly around The Green. Elsewhere cabling appears to have been buried and is less obtrusive.

The Area is bordered by modern housing to the east and west; however, this does not impact significantly on the character of the Area, except at Jelleyman Close where the original dwelling is surrounded by modern development and retains little of its private extensive grounds.

Where they have been introduced, Solar PV panels, satellite antennae and upvc doors and windows generally impact on the conservation area, but currently not to such a degree that the fundamental character of the area is seriously compromised.

### 3.25 Areas that would benefit from enhancement

The Green suffers from heavy traffic and the paraphernalia which accompanies a busy road junction, with conflicting pedestrian and vehicular movements. Rationalisation of both signage and road markings would visually enhance the Area somewhat, although it is unlikely that it will be possible to significantly reduce the noise and fumes from the heavy traffic which creates an environmental nuisance.

To a lesser degree, this also applies to the entrance to the primary school at the opposite end of the Area.

The quality of some pavements is poor, with some general repairs appearing to be overdue. Should the opportunity arise it would be sensible to review the strategy for surfacing these pavements and select a more uniform colour and texture for the majority of the Area.

### 3.26 Neutral areas


Neutral buildings or spaces are those whose character does not conform to that of its immediate surroundings. These sites do not necessarily detract from an area, but should development proposals be forthcoming, then they should improve the site, in terms of visual and/or social impact on the Area, and relate well to the surroundings, or be designed that the development is confined to spaces within the neutral area that are not visible to the public gaze.

Whilst the 1930's semi-detached houses next to St John's Avenue are of no special architectural merit, they are built from traditional materials and feature traditional details. They are orientated and set in gardens in a similar manner to the older houses surrounding them.

The junctions of Pineridge Drive, St. John's Avenue and Jelleyman Close may all be considered to be neutral areas.

The school playing field is also a neutral area; however, the hedgerow along its boundary with Blakebrook is an important feature and one which should be retained.





# Concluding Statement

## **4 Concluding Statement**

Blakebrook Conservation Area covers a suburb which has remained largely unchanged during the past 100 years, with the principal focus being The Green and Summer Place. With its variety and number of trees and hedges, its mainly 19<sup>th</sup> century buildings and predominantly leafy suburban character, in contrast to the surrounding developments, the Area is widely recognised as having a special character and appearance. Whilst there are some elements within the Conservation Area that detract from the special character and appearance, they are sufficiently few in number to prevent the area from being at risk of losing its special interest.



# Appendices

## Adopted Wyre Forest Local Plan Policies

### Policy SAL.UP6

#### Safeguarding the Historic Environment

##### 1. Heritage Assets

Any development proposal affecting the District's heritage assets, including their setting, should demonstrate how these assets will be protected, conserved and, where appropriate, enhanced. The District's heritage assets include:

- Conservation Areas, Listed Buildings and Scheduled Monuments.
- Building and Structures on the Local Heritage List.
- Landscape features including ancient woodlands and veteran trees, field patterns, watercourses, and hedgerows of visual, historic or nature conservation value.
- Archaeological remains and non-designated historic structures recorded on the County Historic Environment Record.
- Historic parks and gardens.

Developments that relate to a Heritage Asset should be accompanied by a Heritage Statement. Where proposals are likely to affect the significance of a heritage asset, including its setting, the Heritage Statement should demonstrate an understanding of such significance and in sufficient detail to assess any potential impacts. This should be informed by currently available evidence.

When considering a development proposal which may affect a Heritage Asset, or when preparing a Heritage Statement, applicants should have regard to the following points:

- To ensure that proposals would not have a detrimental impact on the significance of a Heritage Asset or its setting and to identify how proposals make a positive contribution to the character and local distinctiveness of the area.
- Any harm or loss of significance will require clear and convincing justification.
- The re-use of heritage assets will be encouraged where this is consistent with the conservation of the specific heritage asset.
- Proposals which secure the long-term future of a heritage asset at risk will specifically be encouraged.
- That repairs, alterations, extensions and conversions of heritage assets take into account the materials, styles and techniques to be used and the period in which the asset was built.
- The installations of fixtures and fittings should not have a detrimental impact on a heritage asset, should be inconspicuously sited and proportioned and be designed sympathetically.
- In considering new development that may affect a heritage asset, proposals will need to identify how the scale, height and massing of new development in relation to the particular feature, and the materials and design utilised, does not detrimentally affect the asset or its setting.

Development proposals that would have an adverse impact on a heritage asset and/or its setting, or which will result in a reduction or loss of significance, will not be permitted, unless it is clearly demonstrated the following criteria are met:

- a. There are no reasonable alternative means of meeting the need for development appropriate to the level of significance of the Heritage Asset.
- b. The reasons for the development outweigh the individual significance of the Heritage Asset, its importance as part of a group and to the local scene, and the need to safeguard the wider stock of such Heritage Assets.
- c. In the case of demolitions, that the substantial public benefits of the development outweigh the loss of the building or structure; or the nature of the asset prevents all reasonable uses of the site; or the loss of the heritage asset is outweighed by the benefits of bringing the site back into use. Redevelopment proposals should provide design which mitigates appropriately against the loss of the heritage asset in proportion to its significance at a national or local level.

Where material change to a heritage asset has been agreed, recording and interpretation should be undertaken to document and understand the asset's archaeological, architectural, artistic or historic significance. The scope of the recording should be proportionate to the asset's significance and the impact of the development on the asset. The information and understanding gained should be made publicly available, as a minimum, through the relevant Historic Environment Record.

## **2. Conservation Areas**

When development is proposed in, or adjacent to, a Conservation Area, proposals should accord with the existing (or draft) Conservation Area Character Appraisal and seek to enhance or better reveal the significance of the area. Development should not adversely affect views into, within, or out of the Conservation Area.

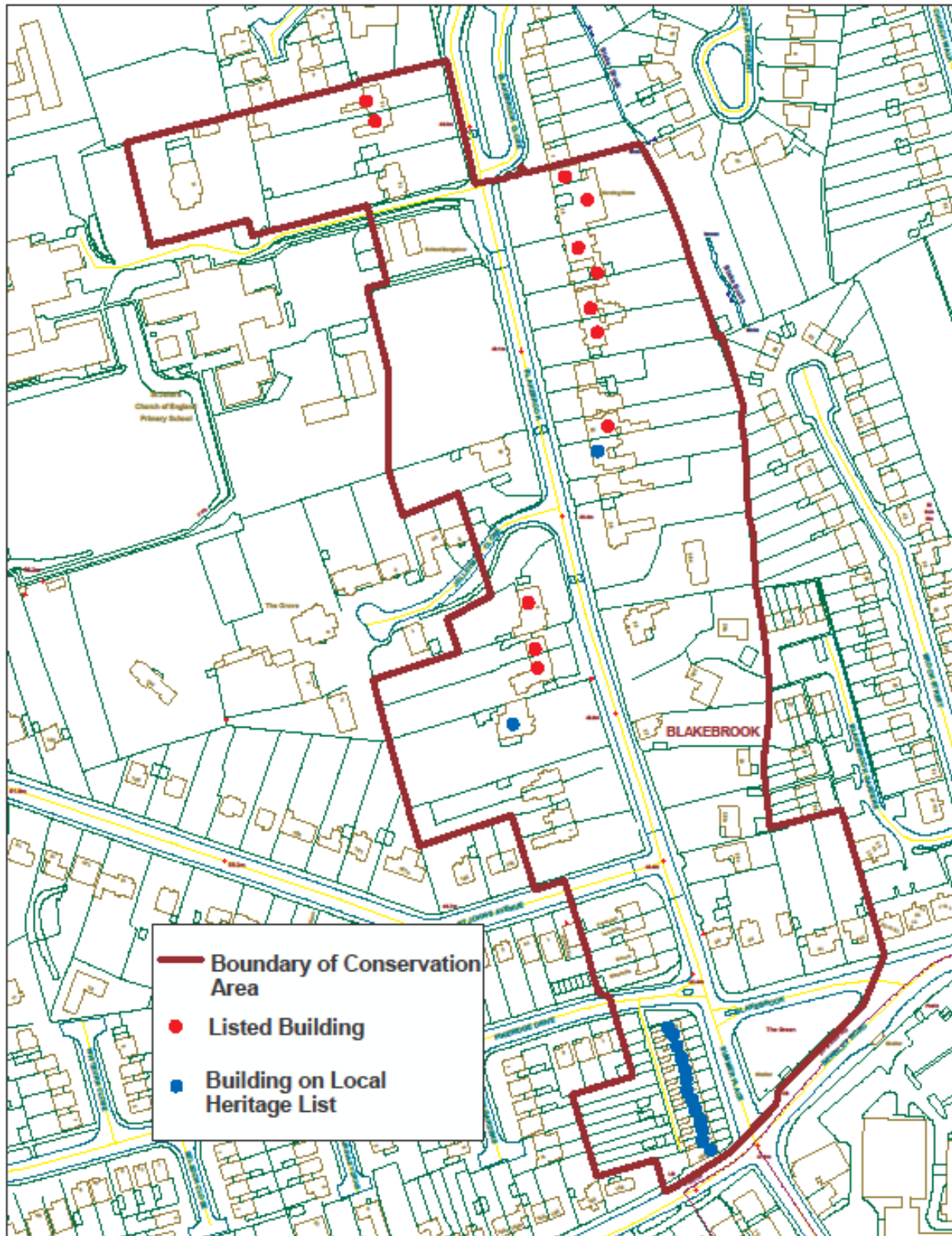
Proposals for the demolition of a building or structure in a Conservation Area will only be permitted where it has been clearly demonstrated that:

- i. It has no significance in itself or by association, and no value to the significance of the Conservation Area.
- ii. Its demolition or replacement would benefit the character or appearance of the Conservation Area.
- iii. Proposals include detailed and appropriate proposals for redevelopment, together with clear evidence redevelopment will proceed.

Proposals that affect shop fronts within a Conservation Area should have regard to the Council's Shop Front Design Guidance.

## Appendix 2

# Blakebrook Conservation Area Boundary Map



**Summary of representations, Economic Prosperity and Place Directorate responses and recommendations**

<b>Name</b>	<b>Summary of representation</b>	<b>Director of Economic Prosperity and Place Response</b>	<b>Director of Economic Prosperity and Place Recommendation</b>
C Smith	Strong support for the area to retain its Conservation Area status	Support for Conservation Area is welcomed.	Note comments.
H Boyle	Suggests that the date of construction of 29 and 30 Blakebrook is c.1770 and not 19 <sup>th</sup> century as stated in the Conservation Area Appraisal. This based on recollection of information held on deeds and anecdotal evidence.	Reference to the 1830 Ordnance Survey mapping shows no buildings extant on the site at this date, which conflicts with the information provided by H Boyle.  Further investigation of deeds and plans at County Archive may resolve this conflict of information.  Should evidence be found to support the 1770 date, then the Appraisal will be amended to reflect this information.	No amendment to Appraisal unless conclusive evidence found to support the 1770 date.
M Molloy	Comments on issues relating to traffic and highways signage in Blakebrook Conservation Area:  Non-adherence to the 7 ton weight limit. Badly positioned signs at corner of Pineridge Drive. Highways signage lit 24hrs – wasting money. Sign at Sutton Rd junction obscured by traffic lights. 7 ton limit on Sutton Road is not repeated into Blakebrook.  Concerned about traffic speed and advocates a 20mph limit due to proximity of schools and Blakebrook being a bus route. Reports accidents involving cars failing to stop at junction of St Johns Avenue and Blakebrook.  Reports long-outstanding repair requirements relating to pavements, due to inferior quality of materials.	Whilst these concerns are noted, the responsibility for the management and maintenance of the Highway rests with Worcestershire County Council.  A copy of M Molloy's letter has been forwarded to Worcestershire County Council.	Note comments.

**Agenda Item No. 9**  
**Appendix 2**

	<p>Reports damage to pavements caused by traffic mounting them at sharp corners.</p> <p>Requests historic details of 29 Blakebrook</p>	<p>Response letter to M Molloy contains details of what is currently known about construction history of 29 Blakebrook. As more details are unearthed further information will be provided to M Molloy.</p>	
N Hughes	<p>Response on behalf of Kidderminster Civic Society which generally supports the Appraisal but raises the following issues:</p> <p>1 Point 3.23 and 3.25 – Entirely agreeing crazy paving at the [Green] needs replacing. Potentially dangerous for pedestrians and does not look good. Advocate general replacement of paving in Area as funds permit.</p> <p>2 Point 3.24 – Rationalisation of "street clutter" involving highways markings and signage as these detract from this rare "village green" feel.</p> <p>3 Steel lamp posts detract from the appearance especially round The Green and feel they would be improved by repainting in green.</p> <p>4 Point 3.17 – Surviving benchmarks should be recorded.</p> <p>5 Point 3.18 – Mention should be made of the ongoing review of the Local Heritage List.</p> <p>6 Point 3.2 – Thinks the culverted Blakebrook runs into the Canal - by the Watermill Public House, rather than into the River Stour.</p>	<p>Support for Conservation Area is welcomed.</p> <p>All comments relating to specific points noted.</p> <p>Agree that surviving benchmarks should be recorded as part of the Local Heritage List.</p> <p>Agree amend Appraisal to refer to ongoing LHL review.</p> <p>Canal and River Trust confirm discharge of Blakebrook into the canal and not the river. Agree amend document to reflect this.</p>	<p>Note comments.</p> <p>Amendments to be made to Appraisal to reflect latest intelligence.</p>
Cllr M Hart	<p>Pleased that Character Appraisal of Conservation Area being undertaken and fully supportive of it and that the Blakebrook Conservation Area remains.</p>	<p>Support is welcomed.</p>	<p>Note comments.</p>
Peter Boland English Heritage	<p>Blakebrook is a very interesting 19th century suburb. We commend the Appraisal document as being well researched and professionally produced and we have no hesitation in endorsing its' conclusions.</p>	<p>Support is welcomed.</p>	<p>Note comments.</p>